1. Use of the toothstick III

Introduction: Benefits of Seeking Knowledge

This is a cause for celebration. Today is the start of the second year.

Knowledge is like air. For those who make that step from being a nominal Muslim to a practising one, the first thing that they recognise is that knowledge (*ʿilm*) is like air; you need to have it all the time just like you need to breathe all the time. It's essential. It's like our food and water. It guides us in every single thing that we do and it also brings ease.

If you breathe, the oxygen which you are taking in is doing functions that you don't really know about, but are essential. They keep your body alive. If you go your entire life not knowing about that, it won't hurt you. At the same time, if you are suffocating and you start to breathe, you actually feel relief and it starts to feel more comfortable. If you ever had an asthma attack, a real bad cold, or you can't breathe and suddenly you can, you know how great that feels.

ʿIlm like that is something which has an obvious impact and it has a hidden impact as well. When you start practising and you start to study knowledge, there's this buzz that you feel when you learn something, or you hear something that inspires and motivates you and you are actually putting it into practice immediately.

But knowledge is massive, and your life is very limited and your life experiences are very small. You will only have limited opportunity to put knowledge into action. So, what is the knowledge doing for you? It's working behind the scenes. Knowledge protects you, it blesses you, it accrues you good deeds - those which you do not see - and the angels are collecting that for you and it will come for you on a day where you feel that there is nothing left to come.

Every second that you're here, online at home, or wherever you are, you are not watching football, for example. You're not messing about, you're not going outside doing something, and you're not falling into *ḥarām*. The point is that you are involved in the worship of Allāh ﷻ and the study of Allāh's *dīn*, which allows you to get closer to Allāh ﷻ, and that is the best of actions.

Imām Aḥmad رحمه الله was asked, "Shall I pray the night or shall I revise my knowledge?" and Imām Aḥmad said, "I do not know of anything more rewarded than the seeking of knowledge." The seeking and gaining of knowledge, learning it, revising it and practicing it is from the best of actions. Every second that you're here, it is something which is working for you.

It is great to be back into this mode every week.

Beginning of the Chapter of the Toothstick

I thought what we would do is have a quick recap on what we covered before. Let's actually just read the section, which is how we do this normally. In the Arabic with respect to the text that we need to cover:

التَّسَوُّك بعُودٍ لَيِّنٍ مُنْقٍ غيرِ مُضِرٍّ لا يَتَفَتَّتُ، لا بأُصْبُعِه وخِرْقَةٍ: مَسنونٌ كلَّ وقتٍ لغيرِ صائمٍ بعدَ الزوالِ، مُتَأَكَّدٌ عندَ صلاةٍ وانتباهٍ وتَغَيُّرِ فَمٍ، ويَستاكُ عَرْضًا مُبْتَدِئًا بجانِبِ فمِه الأيمنِ

The translation of what we just said in the Arabic is on pages one and two of the official class notes:

Brushing the teeth using a soft twig which cleans the mouth, which does no damage, and does not splinter is a *Sunnah* at all times, except after the Sun's zenith for someone who is fasting.

(The *Sunnah* is) not achieved by using the fingers or a polishing cloth.

It is more emphasised before prayer, when waking, and when the mouth has changed. One brushes length-wise, starting from the right side of the mouth.

This is from the the text of *Zād'l-Mustaqniʿ*, which is the text written by Imām al-Ḥajjāwi (*ʿalayhi raḥmatullāh raḥmatan wāsiʿah*). This is basically representing the official Ḥanbali position with respect to the *siwāk*.

Siwāk – object & process

He is saying that the *siwāk* or *miswāk* are the two names which are used for the piece of wood which is used to do *siwāk*. Now what's interesting is that the word *siwāk* is the process, but the process has been given the name of the stick as well. Last time, I gave a really good example which we can all relate to, when the action takes the name of the item. The name that you give to the action is given to the item that you use to do the action. The example I gave was of the Hoover.

The act of vacuuming has been called 'doing the Hoover' because we use the Hoover so much. Likewise, *siwāk* is the process and we use this twig of the *Arāk* tree so much that they started to give the name to that.

Characteristics of *Siwāk*

We said that this brushing of the teeth is done with a twig, and we said that the word 'twig' - which represents wood - is a broad term that can include all kinds of wood; it can include vine leaves, grape stems, etc. Basically, we are talking about a wooden implement.

This is the Ḥanbali *madh-hab*; they do not consider the *Sunnah* to have been achieved unless a wooden implement has been used. Any natural wooden twig kind of implement is *ʿoud*. This is the word which is been used: *ʿoud layyin*.

Importance of *Siwāk* and Oral Hygiene

As we know, the Prophet ﷺ has emphasized it in a massive way:

"If it wasn't that I do not want to cause difficulty upon my ummah, I would have obligated this upon them every single time they stand for prayer."

That would have been mission; therefore, it's something which is highly recommended by the Prophet ﷺ.

We have *mutawātir* (meaning 'plenty of') *aḥādīth* from the companions that have said, *'We saw the Prophet ﷺ always doing the siwāk every time we saw him'.* Then you have specific *aḥādīth* which we are going to come to, like the *ḥadīth* of Ḥudhayfah ؓ who said, 'Whenever I saw the Prophet wake up, he would do the *siwāk'*.

It's clearly linked to mouth hygiene. We all appreciate and respect that a sweet nice smelling person is a good person. It's a person who we're happy to be around, a person that causes others to feel happy. You know how when you go up to someone to give him a hug and they've got nice perfume on, it's a buzz. They make you feel better.

I don't know about you, but it certainly makes me feel better. When you smell nice, you feel good about yourself, you feel confident, and it changes your mood. *Sayyidina* ʿUmar ؓ used to say that the great thing about *misk* or *ʿoud* (here, the word *ʿoud* is being used to signify perfume) is that it's a *ṣadaqah*.

It is very clear to see that the reason it is *Sunnah* is that it's good to make other Muslims happy, and to not put them off. This follows in with the general *sharīʿah* principles of not eating onions or garlic when coming in to *ṣalāh*, or when with a group in the company of others. Likewise, cigarette smoking is so frowned upon in *sharīʿah*. Likewise, the use of perfume is so emphasised in the *sharīʿah*. The *siwāk* is an extension of that - you know it's *Sunnah* to smile, so you smile regularly and that means you have an open mouth which should be smelling nice.

That is what the *siwāk* does - it cleans the mouth. Nowadays, there are obviously things out there that do that for us, like mouthwash, spray, or a proper toothbrush. So there is this debate: Do you get the reward when using a toothbrush?

If you look at the specifications in the text, it says *layyin, munqin, ghayr muḍirrin, lā yatafattat.* [These are] four specific kind of characteristics: soft, cleansing, does not damage, and does not splinter.

I can tell you now that there is no evidence for any of those. There is no *ḥadīth* where the Prophet ﷺ said it has to be soft, it has to be clean without leaving a residue, it has to not splinter, it has to not do damage. These are just obviously what we call derived conditions, because they understand that anything which causes self-harm is impermissible, thus the [condition about it not causing] damage.

[As for the condition regarding splintering], the big debate is always about fasting and whether or not you are allowed to use the *siwāk* whilst fasting. There are *aḥādīth* about that as well. According to the Ḥanbalis, there is a *ḥadīth* which even suggests that the cleaning of the mouth is *Sunnah* except after *zawāl* for someone who is fasting.

First of all, why is it after *Ẓuhr*? After *Ẓuhr* is when things actually start happening for the one who is fasting [in terms of a bad smell]. Also, when it comes to fasting a *nafl* fast, there are a number of scholars that say that a person can make a judgement call whether to fast or not right up until *Ẓuhr* time. We have a *ḥadīth* which establishes this.

Let's say someone wakes up at *Fajr* time, prays his *Fajr*, doesn't eat anything and goes back to sleep. He then wakes up around ten or eleven o'clock, and he looks at the situation and sees that there is only five hours left until *Maghrib* anyway, so he might as well fast. It's permissible for him to make that call for a *nafl* fast. As long as he does it before *zawāl*, meaning before *Ẓuhr*.

So, you can see that the focus is about fasting. If you're fasting and you've got this thing which is splintering into pieces and you're swallowing it, that will break the fast. That's why - even though there is no *ḥadīth* which says not to use a splintering *miswāk* - it's a derived understanding.

Also, it has to be soft because if it's hard it doesn't really clean. It just rubs and it doesn't really clean properly. There has got to be some kind of filament on there. At the same time, it can't be really long where it just flaps.

So the question then begs itself: why can't a person just carry a toothbrush around with them? There are a number of contemporary scholars that do say that *Sunnah* is achieved using a toothbrush and toothpaste.

Ḥikmah vs. *ʿillah*

Something that is fundamental for all new students now signing into the session and old existing students [to understand] is the concept of what the *ʿillah* of the action is. By now, every student of Logical Progression must understand when I say "What's the *ʿillah*?" Let me explain to you one more time. The word *ʿillah* means the *sharīʿah* reason for something, or the intention of Allāh. What is Allāh ﷻ intending by this act?

For example, when we say that Allāh has forbidden alcohol, what's the reason? It stinks, yes. It looks like urine, yes. It's expensive and a waste of money. Are these reasons? They are reasons, but they are not the intention of Allāh.

In Arabic or in *sharīʿah*, we would say that these are *ḥikam* or wisdoms of Allah ﷻ that are being put into play. Something which Allah ﷻ has made *ḥarām* for you has other reasons when you look into it; you will find that they support primary reasons.

The primary reason or the *ʿillah* is that it intoxicates, and the intoxication leads to others sins, lack of control, etc. That's the reason it is *ḥarām*.

The wisdom of it being *ḥarām* is that it's expensive, it looks like that, it smells like that, etc.

One is a *ḥikmah* (plural: *ḥikam*), meaning the wisdom behind an action.

The *sharīʿah* reason is called the *ʿillah*. The *ʿillah* is the *sharīʿah* reason behind something. This is a fundamentally important word. This is the most important word in *fiqh*.

In these contemporary times, this is the most important concept that we need to know, because most people don't understand what the *ʿillah* is behind something and they go out there and speak nonsense. They believe nonsense and they speak nonsense.

Take *ḥijāb* for example. *Ḥijāb* is a pain - people go out there and they don't know how to explain it when they are put under pressure. I saw a program the other day which was a documentary or interview, but it was really about getting Muslims on the camera [to confront them] saying, "What do you say about cutting of the hands" or "What do you say about gays?", etc. These people are way out of their depths and they go out there and try to say what the reason is for this, what it is about that etc.

You see people trying to express something or explain something trying to keep the crowd happy. We understand the political pressure they are under, but they don't understand the *ʿillah* of something or they are too embarrassed about the *ʿillah*, so they get themselves into a big muddle.

So people try to defend *ḥijāb*. Somebody asked "Why do you wear *ḥijāb*?" and this was on the same program where they were talking nonsense, saying 'I find the cutting of hands abhorrent', etc. I think in the same one, someone said 'I wear *ḥijāb* because I don't have to wash my hair in the morning'. What a stupid thing to say. I get that you put a scarf on your hair and no one is going to see your hair, but that is no reason not to wash your hair! What about your husband, does he want you walking around with dirty hair day and night?

All of this is because people can't just come out and say "Allāh wants us to cover." The *ʿillah* is that Allāh wants us to cover.

The other one said, "The *ḥijāb* takes attention off of me". Oh, really? The purple *ḥijāb* takes attention off of you? Right.

Another interview that I was listening to was some women on a roundtable having some debate about *ḥijāb* and one woman says, "The ḥijāb makes me feel so modest and makes me feel humble and it doesn't attract attention" [To which] this non-Muslim commentator who was on the other side says, "Well, why is it that your *ḥijāb* is looking like your designer handbag?"

When you listen to girls like that trying to explain the *ḥijāb*, it just freaks you out. They wear the leopard print, Gucci [patterned *ḥijāb*]. Do you know what I'm trying to say? There are people who don't understand the concept. The same thing occurs when a woman wears a *ḥijāb* with a tank top, or she's got her arms uncovered. She literally thought that the *ḥijāb* was about covering the hair. That's what she actually understood behind the *ḥijāb*.

The *ʿillah* behind the *ḥijāb* is to cover the body, to cover the *ʿawrah* that Allāh ﷻ has defined. It's essential for us to understand what the *ʿillah* is behind that act of *ʿibādah* in all of our matters. It gives you confidence, and it gives you direction in your life and in your interactions with other people.

What is the *ʿillah* behind the *siwāk*? If I'm going to translate the word *ʿillah*, I'm going to say the *sharīʿah* reason. If we can define that, then we can answer the question "Can we use a toothbrush [and achieve the *Sunnah*]?" Chlorhexidine gluconate is an antiseptic which people use. As you know, that's what's in all your normal household mouthwashes.

There was a UN study that was conducted about the *Arāk* tree and they said that its juice also has a chlorhexidine-esque or triclosan-esque antiseptic kind of substance in it. The facts are that this little twig smells nice, tastes nice, leaves a nice smell, and it has some antiseptic qualities which creates an anti-bacterial effect in the mouth.

Is it about the stick or is it about the cleaning?

The majority say it's about cleaning. The Ḥanbalis didn't; they said it's about the stick and it's about being a piece of wood in this manner. The significance of understanding this point is why they said that it's not *Sunnah* to use anything else.

If you were to use a toothbrush and toothpaste, you haven't achieved the reward of the *Sunnah* of using the *siwāk*. They said you have to use the *siwāk* twig itself.

That also shows why they said that the *Sunnah* is not achieved by using the fingers or by using the cleaning cloth. There is more detail about that in Lesson 27.

We also talked about how it is more emphasized before prayer.

On the issue of the one who is fasting, you can understand the discussion that if you keep on telling people to do lots of *siwāk*, you are going to increase the risk of the person swallowing residue. That's why some scholars say it's not allowed to do the *siwāk* after *zawāl* or if you are fasting.

On page 151, Shaykh al-ʻUthaymīn ﵀ mentions the taught position of our class (going against the Ḥanbali position):

والرَّاجح أن السِّواك سُنَّةٌ حتى للصَّائم قبل الزَّوال وبعده

The strongest opinion as far as I am concerned is that to do the *siwāk* is a *Sunnah* even for the one who is fasting, even before *zawāl* or after it. That is his statement. What is the evidence for that?

ويؤيِّده حديث عامر بن ربيعة . والذي ذَكَره البخاريُّ تعليقاً

That is supported by the *ḥadīth* of ʻĀmir ibn Rabīʻah and it has also been collected by Imām al-Bukhāri *taʻlīqan*.

So how do you think that was quoted in *al-Bukhārī*? *Ṣaḥīḥ al-Bukhāri*! You know it's that collection we all know and love. All the *ḥadīth* in there are all authentic and all great.

Now, if you look at any of the *aḥādīth*, it says "My teacher told me so-and-so told him, and so-and-so told him that so-and-so told him, then from the Companion to the Prophet ﷺ said…" and then the *ḥadīth* [is mentioned]. This is called a chain, and that chain has to be super solid with all the great people connected. Of course, all the *aḥādīth* in *al-Bukhāri* are like that. [They have the] very best chains, [with the] most authentic collection in the world.

However, Imām al-Bukhāri ﵀ sometimes also says 'I want you to know that this is an obligation because the Prophet ﷺ said so.' He just quotes the Prophet ﷺ on the fly, just like that without mentioning any Companion or any chain. He just gobbles up the entire chain (this is something called a *ḥadīth muʻallaq*).

There are a number of these *aḥādīth* in *Ṣaḥīḥ al-Bukhāri*. There's a huge debate between the scholars - is the *muʿallaq ḥadīth* collected in *Ṣaḥīḥ al-Bukhāri* considered (of which there are 159 of them, without repetition, according to Ibn Ḥajr al-ʿAsqalāni):

1) a *ḥadīth*?
2) authentic like the rest of the *aḥādīth*?

The correct statement is that all of these statements need to be taken individually. Therefore, we need to find the statements that he collected by the Prophet ﷺ, and check whether they are also quoted by other scholars, such as Muslim, Abu Dāwūd, or al-Ṭabarāni. You will find that all these *aḥādīth* have been quoted by those other scholars as well. Once we check and study the chains they have used that Imām al-Bukhāri hasn't used, and those chains (along with the narrators) stand up to criticism and are solid, the *ḥadīth* is deemed authentic. Therefore, when Imām al-Bukhāri quotes a *ḥadīth* without a chain, we don't automatically disregard it.

Most of the *aḥādīth*, such as the one that follows (that Imām al-Bukhāri quotes as *muʿallaq*, or in *muʿallaq* form) are authentic (even though some considered it weak as we shall see). ʿĀmir ibn Rabīʿah narrates:

"I saw the Prophet ﷺ doing the siwāk so many times while he was fasting, that it is difficult to enumerate."

The next step is to check whether this *ḥadīth* is actually authentic.

STATUS OF THE *DALĪL*

The *muḥaqqiq* is the one who is going through this book and he's authenticating this statement and *ḥadīth*. On footnote no. 2, he says 'This was narrated by Imām al-Bukhāri in a manner which is indicating that it is a little bit weak'.

بصيغة التمريض

If I am to translate this literally, it means 'in a poorly kind of manner', or 'in a sick, weak kind of manner'. He's trying to indicate that it is a little bit weak.

He narrated this in the Chapter of *Siwāk ar-Ruṭb wa al-Yābis li'l-Ṣā'im*, meaning the dry and wet *siwāk* for the fasting person.

This is *ḥadīth* no. 1934. On the next page he says,

ووصله احمد

Meaning Imām Aḥmad then stated the same *ḥadīth* in his collection, but he made *waṣl* (he connected it from the Prophet ﷺ to himself, and he named all the people in between so he has given us the chain to study).

Abu Dāwūd did the same in the Book of Fasting, the Chapter of the *Siwāk li'l-Ṣā'im*, *ḥadīth* no. 2364. Also, Imām Al-Tirmidhi said this is a *ḥadīth ḥasan* - this a good *ḥadīth*. Ibn Khuzaymah has also narrated it.

The whole discussion in this chain revolves around a narrator named ʿĀṣim ibn ʿUbaydillāh, and al-Ḥafiẓ - also known as Ibn Ḥajr al-ʿAsqalāni - said that this man is *ḍaʿīf* in *Al-Taqrīb*.

A number of the contemporary scholars follow Imām Ibn Ḥajr, and they actually consider the *ḥadīth* that Shaykh al-ʿUthaymīn is using as weak, and this *taʿlīq* form as weak. As I said to you before, when Imām al-Bukhāri was even quoting the statement, he himself believed that there is a little bit of weakness which is why he quotes it in a manner in which he says, 'It is *reported* that the Prophet said…' He was kind of pushing himself away from it. He wants the point to be taken, but he doesn't want to commit himself to saying that the Prophet ﷺ definitely said that. That itself is a whole huge *ʿilm* that we study in *Muṣṭalaḥ al-Ḥadīth*.

Q & A

Q: You quoted a narration from Imām Aḥmad noting that "seeking knowledge is better/has more reward than praying at night". Can you please be more explicit and detailed as to why this is? I was just surprised as I thought direct *ʿibādah* of *salah* (especially *tahajjud*), reading *Qurʾān*, making *duʿāʾ*, etc. is nearly always better than other acts of *ʿibādah*, such as seeking knowledge or otherwise.

A: This a good question. The answer is actually very simple; knowledge embellishes the self and benefits others. It's as simple as that. The act of *ʿibādah* of prayer and so on is something which is supremely and solely for the self. When you learn knowledge, it then becomes an obligation to spread that knowledge which then benefits other people. Therefore, if you are causing other people to become guided by your knowledge, that is better for you than the red camels.

Q: So if a person were to wake up for *tahajjud*, rather than making *dhikr* or even *ṣalāh,* one should gain knowledge or revise?

A: Not necessarily like that! If a person suddenly wakes up at 4 AM, he generally wouldn't just hit the books. He would knock out a couple of *rakʿāt*. What we are talking about here is that a person who is reading after *ʿIshāʾ* and he continues reading and reading, and he is in the mode of continuous reading then he sleeps at 2 AM (meaning there is no chance of waking up for *tahajjud* but he will make *Fajr* as per normal). He didn't wake up for *tahajjud* because he continued studying [into the night]. That act was more rewarded than him going to sleep earlier [and waking up to pray *tahajjud*], according to Imām Aḥmad. I agree, as does my teacher and all of my shuyūkh, actually. This is the comparison to going sleep at 11 PM and waking at 4 AM for *tahajjud*.

When referring to staying awake late I am not referring to chilling on the internet on Facebook. I am talking about someone who is proper studying, revising, and memorising to then benefit other people.

Q: Here in the U.S., there is a chewing gum with fibres from the *Salvadora Persica /Arāk* tree in it. Would that be sufficient to fulfil the *Sunnah*?

A: The answer according to myself is that it wouldn't [achieve the *Sunnah*]. The reason I say that is because the ability to chew was something that was available at the time of the Prophet ﷺ. Gum is not something new - the resin from the tree could also be made into a gum, and the Prophet ﷺ had the ability to establish that to the people.

Today you can brush the teeth and you can also rinse your mouth with antiseptic, right? It was the same at the time of the Prophet ﷺ - we have a cleansing act in *wuḍūʾ*, and that is the swirling of water around the mouth and spitting. It's a

process right? It's actually a cleansing process of the mouth. That cleansing process of the mouth is a separate process to the brushing.

This is the argument that I follow: with the prophet is actually specifying that one brushes with *siwāk*, he's actually saying a 'no' to swirling with water, he's saying a 'no' to chewing the resin. When I'm saying he's saying 'no', I'm not saying that he's saying it's *ḥarām*, but I mean that he's not putting the *Sunnah* or the reward into the swirling or into the cleansing.

We say that this is great. Buy it, knock yourselves out, and support the Muslims and their crazy ideas for business. That's great, but he does not get the reward for the *Sunnah* according to me and the majority of the classical scholars. And Allāh knows best.

Q: I don't quite get what was the *ʿillah* of the *miswāk*?

A: In my **personal** opinion, the *ʿillah* of *miswāk* is in the *siwāk* itself [even though the evidence suggests it is not the *siwāk* itself, but I prefer to be on the safe side]. Some said that the *ʿillah* of the *miswāk* is to clean and clean alone. What does that mean? You could use anything. You could then use antiseptic, you could use a toothbrush, and/or you could use a spray. I'm with the *Ḥanbalis* and the bit more traditional on this one; I actually think for the same arguments I just mentioned, that all these options were available to the Prophet ﷺ so I believe that the *ʿillah* is the *siwāk* itself.

Even my own Shaykh Kehlan believes that the *ʿillah* is in cleaning and that therefore anything that cleans would do [**and this is the class position**]. Although I believe that the *ʿillah* is in *miswāk*, I don't believe you get the reward unless you use the *miswāk* and I accept that it is a minority opinion (a traditional one). Even though I accept that, I *practise* the other one [the opinion of the majority, and Shaykh al-ʿUthaymīn and this class, meaning one can use a toothbrush and expect the *Sunnah* reward for it] for the sole reason that Shazad has banned me from using *siwāk* [because I've killed the enamel on my teeth].

2. Use of the Toothstick IV

In Arabic on page 2 of the class notes, it says:

مُتَأَكَّدٌ عندَ صلاةٍ وانتباهٍ وتَغَيُّرِ فَمٍ، ويَستاكُ عَرْضًا مُبْتَدِئًا بجانِبِ فمِه الأيمنِ. ويَدَّهِنُ غِبًّا ويَكْتَحِلُ وِتْرًا

The translation of this particular statement is in two paragraphs:

It is more emphasised before prayer, when waking, and when the mouth has changed. One brushes length-wise, starting from the right side of the mouth.

It is recommended to use oil every other day, and to use *koḥl* an odd number of times.

That's the text we are going to cover today, *inshā'Allāh.*

If we go to the text of *al-Sharḥ al-Mumti'* of Shaykh al-'Uthaymīn ﷺ on page 152, he starts off with the word *muta'akkadun*. *Muta'akkadun* means 'it is emphasised'.

Form of the Arabic Statement

The reason why Shaykh al-'Uthaymīn ﷺ says this is 'a second *khabr'* is because he is now trying to teach us a point of Arabic grammar. Because of the way that this Arabic statement is formed, it's not obvious how this point relates to the beginning of the chapter. It just says "*muta'akkad*". If I read it in Arabic from the beginning, it says:

التَّسَوُّك بعُودٍ لَيِّنٍ مُنْقٍ غيرِ مُضِرٍّ لا يَتَفَتَّتُ، لا بأُصْبُعِه وخِرْقَةٍ: مَسنونٌ كلَّ وقتٍ لغيرِ صائمٍ بعدَ الزوالِ، مُتَأَكَّدٌ عندَ صلاةٍ وانتباهٍ وتَغَيُّرِ فَمٍ، ويَستاكُ عَرْضًا مُبْتَدِئًا بجانِبِ فمِه الأيمنِ. ويَدَّهِنُ غِبًّا ويَكْتَحِلُ وِتْرًا

Brushing the teeth [...] is a *Sunnah.*

But you could also read it as:

Al-tasawwuk - then delete the rest of the sentence and come straight [to the point that we've reached now] - *muta'akkadun.* So, brushing the teeth [...] is more emphasised before prayer and so on and so forth.

I don't know what that's called in English, but in Arabic we have a *mubtada'* and a *khabr* in a [nominal] sentence. We have the initial noun and then a second one which explains the rest of the sentence and makes it meaningful.

As Shaykh al-'Uthaymīn ﵀ is trying to say, it is possible that a sentence in Arabic can have a double *mubtada'* but I don't want to really go into that. If you don't study Arabic that's going to bore the brains out of you, but if you do then it's just an interesting fact. Shaykh al-'Uthaymīn ﵀ gives the example that Allah ﷻ says:

﴿وَهُوَ الْغَفُورُ الْوَدُودُ﴾

***"...and He is the Most Forgiving, the Most Loving."* [85:14]**

He gives two characteristics, using the Names of Allāh ﷻ. He is al-Ghafūr and He is al-Wadūd. Sometimes when you say two things, the second one is a description of the first – it is a *ṣifah*. However, sometimes there are two independent statements. It's like saying: 'Allāh is Ghafūr' - you can say: '*huwa'l-Ghafūr'* and you can say *'huwa'l-Wadūd'*. But here, because of the Arabic structure of the noun (nominal) sentence, we know that there are two *khabrs* (*khabarān* as Shaykh al-'Uthaymīn ﵀ wants to say). That's just a point for the people who want to study Arabic language.

Time for *Siwāk* & Emphasis Before Prayer

مُتَأَكَّدٌ عندَ صلاةٍ

It is more emphasised before prayer

'Inda means 'with something', [and here it's referring to] the prayer.

What does that actually mean? What does *'inda* actually mean? That's what we need to try and work out. Does it mean [that it is more emphasised] when we say '*Allāhu akbar'*? Does it mean during the *iqāmah*? Does it mean when we're lining up? What is it actually that the *Sunnah* is met by? What do you need to do and at what time?

First of all, let's establish the evidence. The Prophet ﷺ said:

لولا أن أشُقَّ على أمتي لأمرتهم بالسِّواك عند كلِّ صلاة

"If I had not found it hard for my followers or the people, I would have ordered them to clean their teeth with siwāk for every prayer."[1]

And the word *ʿinda* (with) indicates closeness. So actually, any time which is close to the prayer time would be accepted. Some people said that this can even be extended to the *wuḍūʾ*.

Firstly, this is pushing the definition of *ʿinda* too far. It's not so wide a definition that we can include w*uḍūʾ*. *Wuḍūʾ* can happen at home, *wuḍūʾ* can happen a while [before the prayer] and *wuḍūʾ* could happen just right before you come to the prayer. We say that *ʿinda* is a lot more specific and [indicates a] much closer [time] to the prayer.

The second thing that we will say is that this *ḥadīth* has been narrated in exactly the same way, [except in another narration it says]:

لولا أن أشُقَّ على أمتي لأمرتهم بالسِّواك مع الوضوء

"If it wasn't that it was going to cause difficulty for my ummah, I would have commanded them to use the siwāk in every single wuḍūʾ."

From that *ḥadīth*, we also learn that it is a *Sunnah* to do the *siwāk* during *wuḍūʾ* (when cleaning the mouth with the fingers). If you have a *siwāk*, that is better. That is what Shaykh al-ʿUthaymīn رحمه الله says here as well.

He says, "We cannot say this *ḥadīth* is indicating that *siwāk* in *wuḍūʾ* will cover the prayer because *wuḍūʾ* has its own *siwāk* moment". When you do *siwāk* [during wuḍūʾ], it has its own *Sunnah* to be achieved. This is the position of Shaykh al-ʿUthaymīn رحمه الله. He says anything which is close to the prayer (even before the *takbīr* or during the *iqāmah)* is acceptable.

We have established that according to the Ḥanbalis, there are two times to do the *siwāk,* and <u>it has to be the *siwāk* that achieves the *Sunnah*.</u> (But) according to the majority of scholars, the contemporary scholars, and Shaykh al-ʿUthaymīn, <u>anything that brushes the teeth will achieve the *Sunnah*</u>. This is the **taught position of this class**. If you have a toothbrush in your pocket and you used that toothbrush, that will suffice.

When will you achieve the reward according to the **class position**? If, during your *wuḍūʾ* you cleaned your teeth, and also just before you stand for prayer, you

[1] Narrated by Abi Hurayrah رضي الله عنه in *Ṣaḥīḥ al-Bukhāri*, Book of *Jumuʿah*, Chapter of *Siwāk* on Fridays, hadith no. 887

quickly brush your teeth to freshen it up, that achieves the *Sunnah*. According to the Ḥanbalis, you do the same but with the *siwāk* only.

Which prayers [can we do *siwāk* before to achieve the reward]? [Since the Prophet ﷺ said] *'inda kulli salah,* [we know that we can do it] at every prayer. This includes the *nafl* prayers and the obligatory prayers.

What about other things that we do which are like the prayer? Shaykh al-'Uthaymīn رحمه الله asks about *sajdat'l-tilāwah* and *sajdat'l-shukr* (the prostration when you came across a verse of *sajdah* in the Qur'ān, or the prostration of gratitude) - do you use the *siwāk* before going into *sajdah?* When you want to thank Allah ﷻ for some good news [by doing the *sajdat'l-shukr*], would you use the *siwāk* then as well? What are the positions regarding the different types of *ṣalawāt*?

Shaykh al-'Uthaymīn رحمه الله says there is a difference, and that in the Ḥanbali *madh-hab*, the *sajdat'l-tilāwah* and especially the *ṣalāt'l-janāzah* is considered to be a prayer. This is important when we come to this later on in six years' time. When you do a *sajdat'l-tilāwah*, you should have the conditions for prayer as well. You should be in a state of *wuḍū'* and you should be facing towards the *qiblah*. This is the relevance of the debate. How we designate what that *sajdah* is determines how we are going to do it and at what times we can do it.

You should do the *siwāk* before you do the *sajdat'l-tilāwah* and the *ṣalāt'l-janāzah*. There is a difference of opinion between scholars on whether it's a prayer or not, because if it's a prayer then you would and if it's not a prayer then you don't need to. Shaykh al-'Uthaymīn رحمه الله says it's irrelevant.

We've seen that the Prophet ﷺ used to do the *siwāk* all the time. If you do any prayer or any act of *'ibādah* for the sake of Allāh ﷻ, copying the Prophet ﷺ and wanting a clean mouth, then you will be rewarded each time that you follow that *Sunnah*. But we won't say that it is *masnūn* (a specific *Sunnah*) at these times. We will say in general we are covered to do it at all times. Specifically, we are doing a rewarded *Sunnah* when we do it in every *wuḍū'* and every prayer.

Then Imām al-Ḥajjāwi رحمه الله says in Arabic:

وانتباه

When you wake up/when you become aware or conscious.

The evidence for this is based upon the statement of Ḥudhayfah bin Yamān رضي الله عنه:

كان رسول الله صلّى الله عليه وسلّم إذا قامَ من الليل يَشُوصُ فاهُ بالسِّواك

"Whenever the Prophet ﷺ would wake up at night, he would do shūṣ of his mouth with the siwāk."

What does *yashūṣ* mean? It's actually a difficult word which the scholars themselves have defined.

قال العلماء: معنى يشوص: يغسله ويدلكه بالسِّواك

It means "he cleans and brushes (*delk* means 'to massage') with *siwāk*". When you combine all of this, it basically means to give a good clean. That's what the Prophet ﷺ would do every time he ﷺ would wake up at night. "At night" is the key point.

Shaykh al-ʻUthaymīn رحمه الله says that this is what the *ḥadīth* says - "at night". Therefore, when you wake up at night, this is what you should do.

(But) the author says "every time you wake up", meaning during the daytime as well. So Shaykh al-ʻUthaymīn رحمه الله mentions a lesson here in *uṣūl'l-fiqh*. He says:

Is it possible to use the *ḥadīth* of Ḥudhayfah (which mentions the night) to establish the doing of the *siwāk* during the daytime as well? He said we can't use it directly because it's clearly specifying "at night when he ﷺ woke up". Is it possible to establish an evidence for doing it at any other time like the author has said, other than using the *ḥadīth* which says that every time is better?

The *sharīʻah* reason behind the *siwāk* is to clean the mouth. If we step back and think: what is it that causes the mouth to become unclean or have a bad smell? The obvious one is, when one goes to sleep and wakes up, the nature of the mouth has changed. That's not just when you go to sleep, it's found in many other scenarios as well (e.g. after eating certain foods, after long periods of silence, and other reasons).

The question is: can we use this evidence to say that it is *Sunnah* or that you gain a specific reward for doing the *miswāk* during the daytime as well? Shaykh al-ʻUthaymīn رحمه الله says that this evidence (the *ḥadīth* of the Prophet ﷺ using *siwāk* when he woke up at night) can and will be used based on *qiyās*.

This is our first proper introduction, in this class, to the concept of *qiyās*.

Qiyās and its Four Components

Qiyās means analogy. This is a very important source of law. We do not have an explicit evidence from the Qurʾān and *Sunnah* for every single statement that we say. When we don't have a specific *ḥadīth* for what we are saying (like the fact that we can use *siwāk* in the daytime) then that doesn't mean we can't make a derived statement from an original evidence. We look at the original case (*aṣl*) and you have to find the *ʿillah* (the main reason for doing something according to *sharīʿah*). You then look at the new case (*farʿ*) through the *aṣl* (the original ruling you have been given).

Let's use alcohol as an example. You have four components for *qiyās*; you have the *aṣl*, the *ḥukm*, the *farʿ* and the *ʿillah*. So you have **where** that ruling is, **what** that ruling is, **the new place** where you wish to apply the ruling, and **why** that ruling is there. So you have the *aṣl* (where that ruling is), the *ʿillah* (why that ruling is), the *ḥukm* (what the ruling is) and the *farʿ* (what it is going to be found in).

The *aṣl* is the alcohol as the drink, and the *ḥukm* is that it is *ḥarām* (prohibited) to drink. The *sharīʿah* reason or *ʿillah* is because it causes intoxication. A *farʿ* or new case in which we would find this ruling would be things like heroin, marijuana, crack, weed, or any type of drug.

If some guy comes and asks the question "Can I smoke weed?" He's asking about the fourth part in this four-component process to do *qiyās*. If we have to make a ruling on whether heroin or weed is permissible, we have to first look in the Qurʾān. We don't see anything clear there. Then we look in the *Sunnah*. We have no mention of heroin in the *Sunnah*. What do we do now? We're going to use *qiyās*.

If you're going to use *qiyās*, you have to make sure that you can identify those four components because without identifying them clearly, you cannot give a ruling on that fourth component (which is the issue at hand – the *farʿ*).

So we look back at the issue of alcohol. Do we have alcohol as a drinking thing? Yes, that's the *aṣl*. Do we have a ruling on that? Yes, it's *ḥarām*. Why is it *ḥarām*? It intoxicates (this is the *ʿillah*). Can we see [the heroin] likewise intoxicating? Yes, we can. If we can see it intoxicating as well, then it is similar to the *aṣl*. The *farʿ* (branch) is similar to the primary matter (the root). The alcohol shares the same problem as the heroin – they both intoxicate, so now we say that they share the same ruling. We can tell the guy that it's *ḥarām* to smoke weed or heroin.

These are the basic components that you have to do the *qiyās*.

Different Types of *Qiyās*

There are different types of *qiyās.* Sometimes the existence of the *ʿillah* is very strong in the original thing (like the alcohol), but in the thing that you want to give ruling for, it's not so strong or obvious to find the intoxication. Therefore the *qiyās* is not so easily done.

Sometimes what we saw as the *qiyās* in the original thing (the intoxication) is very weak and much stronger in the new case we are trying to give a ruling on.

For example, let's imagine that there is no alcohol that exists on this planet at all, except an incredibly weak beer. This basically means that you have to drink absolute gallons of it before you get drunk. We have the Qurʾān which says that alcohol is *ḥarām* because of its intoxication. We would have to drink bucket loads of that alcohol to get drunk, but the *ʿulamāʾ* would still say that it's *ḥarām* because whatever intoxicates in large amounts is still *ḥarām* in small amounts. That's the rule.

Then we come across substance X, which is some substance that a nerd scientist in a university creates which is another drink. There is no alcohol in it at all; it's like a fruit juice. (But) if you drink a tiny bit of it, you lose your mind and you don't know what's going on etc. It's like fifty times [stronger than] whiskey. Here we have an interesting scenario. We immediately give the ruling upon it as *ḥarām*.

Now what's interesting is that the type of *qiyās* that we use is different to the original *qiyās*. Here, the *ʿillah* is weak in the original (the *aṣl*) and it is super strong in the *farʿ*. Making it *ḥarām* was really easy.

(Sometimes) the exact opposite is found in alcohol. It is clear when you drink whiskey that it knocks you out. Now we have a substance which is a drug (a medicine) but this medicine has no perceived actual medical benefit. A drug company has put in under the guise of a 'happy pill' or the like. In reality, if you take a couple it causes a mild sense of intoxication.

Here, some scholars might consider it to be *ḥarām,* even though the *ʿillah* of intoxication (which is really strong in alcohol) is weakly found in the *farʿ.* Here you have two types of *qiyās*: *qiyās al-awlā* (which is where the *ʿillah* is stronger in the original case than the new case) and the second type of *qiyās* called *qiyās al-adnā* (which is where the *ʿillah* is weaker in the original case than the new case), then there is also a third type of *qiyās* called *qiyās al-musāwi* where the strength of the *ʿillah* (the reason which makes it *ḥarām)* is the same in the original thing and therefore the same in the thing you are trying to give a ruling for. Those are the three types of *qiyās* that you would come across.

The Ḥanafis take things to the next level and said that there are other types of *qiyās* that is outside this [aforementioned] system/classification: *al-qiyāsʾl-jalīy* (the obvious/clear *qiyās*) and *al-qiyāsʾl-khafīy* (the hidden/unobvious *qiyās*).

The hidden *qiyās* is when you look at something and you can work out that it is *ḥarām*. Let's use the example of interest. We've got interest which is *ḥarām* and we are trying to identify what it is that actually causes interest to be *ḥarām*. Is it the fact that that poor get poorer? Is it the fact that it's just pure oppression? What if everyone is super-rich, for example, and everyone is still practising interest and no one suffers as a result? There's some difficulty as you can see. That's why it's very difficult to identify what the *ʿillah* is.

Now, let's say that we come across a financial transaction in our current time that everyone is really buzzing about, [and they are] happy because it is getting them lots of benefits. Someone brings it to you as a scholar and says 'Tell me if this is *ḥarām* or not'. You (as a scholar) look at it and you literally spend weeks comparing them and trying to work it out.

Just like this new mobile phone contract that gives you a new mobile phone, cash back, points and money off, in return for very little on your side. It's a win-win for you. You look at it and you are just winning all the way. You've got minutes, free texting, gigabytes of data, a new phone, you don't have to pay until 2015, you are on a three year contract , you can see that you would end up paying about 10-20 quid, and you get a cash back cheque after six months. You look at that and think that's all great.

For a scholar to be able to give a ruling on that, he will have to try and find a reason for that to be actually *ḥarām*, because that contract did not exist at the time of the Prophet ﷺ. He won't find it in the Qurʾān and *Sunnah*, therefore he will have to find a link to something similar that was considered *ḥarām* that existed in the time of the Prophet ﷺ. If there was a contract (like an interest contract) that was considered *ḥarām* at the time of the Prophet ﷺ, we would have to ask if there is an analogical link that would make this contract *ḥarām*.

For a contract like this, if someone were to say it is *ḥarām*, they would really have to dive in and know the system. They would have to figure out where the interest is, where the increase of money is in debt form. The Ḥanafis call this *qiyāsʾl-khafīy,* meaning a very hidden or difficult to find *qiyās.* In this case, while they are looking for it they would let people use the contract, because when it comes to financial contracts, the basic principle - as opposed to [the case with] *ʿibādah* - is that they are permissible until proven *ḥarām*.

Using Siwāk in the Daytime

The question arises: what is the opposite of *qiyāsʾl-khafīy*? [The opposite is] *al-qiyāsʾl-jalīy* (the obvious *qiyās*). Shaykh al-ʿUthaymīn رحمه الله said that according to the Ḥanafi principle of *qiyāsʾl-jalīy* which is a clear *qiyās,* it is obvious that the *Sunnah* would be achieved when you brush your teeth from waking up in the daytime too.

That is because the Prophet ﷺ was seen brushing his teeth after waking up from the night. It is blindingly obvious that the reason he is brushing his teeth at that moment is because the smell of his mouth has changed, which is what happens every time you go to sleep. Therefore, the *Sunnah* is achieved even when you wake up in the daytime. It doesn't take a genius to see the *qiyās* as obvious, and that's why it's called 'the obvious *qiyās*'.

The next point that he says is:

وتَغَيُّرِ فَمٍ

...and when the mouth has changed

The *ḥadīth* which supports that point is:

السواك مطهرة للفم

"The siwāk is a purification of the mouth."[2]

[This indicates that] whenever the mouth is not pure, it's *Sunnah* to do it.

Emphasised Times to Use *Siwāk*

Just to make it clear, the **class position** regarding when to use the *siwāk* is that it's emphasised before prayer, when waking up at night-time, and anytime [the mouth has changed].

We mentioned last week that one of the reasons why *siwāk* is so recommended is because the Prophet ﷺ has clearly prohibited people from coming to the prayer and harming the *muṣallīn*. Harming the *muṣallīn* used to be by garlic, onions and so on and today it's by cigarette smoke, body odour, people not changing their shirts, etc. I am a big advocate of people coming to the *masjid* on bikes and running, but they have to sort something out. They need to bring a spray with them and [clothes] for them to quickly change and spray [before] standing in *ṣalāh*.

How to Brush the Teeth

[2] *Ṣaḥīḥ al-Bukhāri*, Book of Fasting, Chapter of Hard and Soft *Siwāk* for the Fasting Person, hadith no. 1934

The next point is:

ويَستاكُ عَرْضًا

One brushes length-wise

The Ḥanbali *madh-hab* said it is recommended to brush length-wise. *ʿArḍan* in the text means length-wise. What on earth is this based upon? The idea of *yashūṣu* is that it is sloshing around.

When you have the *siwāk* and its going back and forth length-wise, it makes sense that it fits the definition. But is sense enough for us to say that this is emphasised? Of course it isn't. Therefore, the correct position is that there is no evidence for this whatsoever and it's not required to do length-wise or straight-wise, it is just a recommendation on the anecdotal evidence that this is more cleansing.

What is the correct position? The correct position is that you should perform your *siwāk*/brushing in the best way that will clean per the situation e.g. sometimes food is stuck in teeth and other times there is no food in there.

The next part is:

مُبْتَدِئًا بجانِبِ فمِه الأيمنِ

starting from the right side of the mouth.

When you start your *siwāk* you start it on the right side. Again, we do not have any specific *ḥadīth* which establishes that. Rather, we have the general *ḥadīth*:

كَانَ النَّبِيُّ ﷺ يُعْجِبُهُ التَّيَمُّنُ فِي تَنَعُّلِهِ وَتَرَجُّلِهِ وَطُهُورِهِ وَفِي شَأْنِهِ كُلِّهِ.

"The Prophet ﷺ used to like to start from the right side on wearing shoes, combing his hair and cleaning or washing himself and on doing anything else."

Therefore, the Prophet ﷺ has established [starting with] the right for everything. If you have the intention to do anything, picking something up or choosing something, and you [think to yourself] 'I'm doing this, because the Prophet ﷺ loved the right-hand side', then you get the reward for it. Using this, even brushing from the right-hand side is surely better than starting with the left-hand side if we know that the Prophet ﷺ liked the right-hand side best. That is the point here.

Shaykh al-'Uthaymīn ﷺ said 'Okay, we start from the right hand side. What about the hand? Which hand should we use, the right hand or the left?' He said that the scholars differed over this. He said that some of the scholars said the right hand, because they said *siwāk* is a *Sunnah*.

و السنة طاعة و قربة لله تعلى

A recommended act like a *Sunnah* gets you closer to Allah ﷻ. Shaykh al-'Uthaymīn ﷺ is saying that you don't really obey Allah ﷻ with your left hand or the left-hand side when you know you're doing something positive and good.

لأن اليسرى تقدم للأذى

Actually whenever you see the left hand, it's always used in getting rid of harm, or pushing away some kind of problem, dirt, etc. so you wouldn't see it in this kind of [situation] based upon the general principle that the left is always used for the dirty, the bad, the undesirable, and the right is used for everything else. That's the position of those scholars that say that you use the right hand.

Also, Shaykh al-'Uthaymīn ﷺ says that any act of worship done with the right hand or the right side is better.

He said that others say that the left hand is better and that is the position of the *madh-hab*. The Ḥanbali *madh-hab* says that the left hand is better because it's *adhā.* You are cleaning impurity, you are doing a cleaning process, so it's almost like *istinjā'*. Just like you use your left-hand side, likewise you're cleaning your mouth from a bad smell because it is *izālat'l-adhā*. This is the basic principle.

The Mālikīyyah had a nice statement; they said that when it comes to the right-hand/left-hand argument, you have got to have some detail. What's the detail? They said that if you are doing the *siwāk* to clean your mouth (such as when you wake up from sleep or because of some dirt), then you will use the left hand because this is *izālat'l-adhā*.

[However, you can also be using the *siwāk* with the intention of] achieving the *Sunnah* (meaning your mouth is fine but [you are brushing your teeth] in *wuḍū'*, or you're doing it because it's *Sunnah*, or you're about to stand for prayer and you know that it is *Sunnah*).

You know there is nothing wrong with your mouth, there is nothing there, but you are going to do it because it is the *Sunnah* and you believe the *Sunnah* is in the *siwāk* itself. You know what the Ḥanbali position is and actually many of the traditional scholars didn't say it's about cleanliness per se, they said it's all in the

siwāk. It's all in the action, so it's *Sunnah* to do it like he ﷺ did. If a person comes in and he wants to really do it for the *Sunnah*, then he does it with the right hand and that is preferable.

I have got to say that I love this position. I think this is a beautiful position. Mālikis knocked it out of the park as usual.

I think from a **class position** point of view, the issue is open - meaning that to use the *siwāk* with the right hand is no problem (believing that it is an act of *qurb* or worshipping Allah), but I think that to follow the Māliki position in this is my personal position and I think Shaykh al-'Uthaymīn رحمه الله is leaning towards it and he likes it.

If you're cleaning it for some kind of reason, then use the left; if you're cleaning just to do the *Sunnah,* then use the right. I'm not going to say that's his position though. I don't want to say that is his official position. I want to say he ends with that in a manner in which he says that's not bad.

If you want me to quote what Shaykh al-'Uthaymīn رحمه الله ends this whole discussion with (regarding the right hand or left hand), he says:

والأمر في هذا واسع لعدم ثبوت نصٍّ واضحٍ.

This issue is an easy and open one. Don't get too hooked up on it. There is no clear *Sunnah* or evidence that you must do this or that you must do that. Therefore, whatever hand you use is no problem. That is Shaykh al-'Uthaymīn's رحمه الله personal opinion.

I will say that I will use the left while cleaning, and right when I want to achieve a reward, when I know my mouth is already clean.

I want to now move on to the next sentence which is:

It is recommended to use oil every other day, and to use koḥl an odd number of times.

وَيَدَّهِنُ غِبًّا وَيَكْتَحِلُ وِتْرًا

Duhn is the word for oil. Oil is referring to hair oil (hair of the head and hair of the beard). This oiling is the general principle to look good - basically to make sure that your beard looks good because in general, a Muslim is meant to look beautiful. Allah is beautiful and loves beauty, and he loves that his servant shows that beauty when he has been blessed with that ability.

A well-oiled beard is something that the Prophet ﷺ used to have himself and be seen with, and we have seen him criticise companions specifically for having beards that were not in good shape. They were so involved in the work of the *daʿwah* that they started to lose the sense of their own self. Also, when you look at the process of *Hajj*, you will see that this is something that is not done - oiling and perfuming, and so on and so forth.

This goes into the *shaʿthan ghubarā* as the Prophet ﷺ said in the *ḥadīth* of Abu Hurayrah ؓ in *Ṣaḥīḥ Muslim*, that when the slave comes to Allah ﷻ making *duʿāʾ*, the reason why Allāh accepts his *duʿāʾ* on *ʿArafah* is because he is so *miskīn*, so dirty, so disheveled, so dusty, so tired and in anything but luxurious conditions. There is that kind of understanding that in the good times, you really show it and at other times, it is actually emphasised on *ʿArafah* to be as rough as possible, if there is such a concept.

Back in the days of the *Sunnah*, they were able to produce and look for very natural oils like that of sandalwood and jojoba. This kind of naturally occurring oil in plants, fruits, berries and so on would be mixed in and you would create this kind of oil. You are combining between a lush look, a look that is healthy for the hair, and also the aroma from the beard is pleasant as well as having that aromatherapy effect. It is a whole area of medicine, which certain oils and their scents have a positive effect on the body.

That is established from Prophet ﷺ that he would do that, especially on *jumuʿah* and on *ʿĪd* and so on.

Here the text says *ghibban*. *Ghibban* has been translated as 'every other day'. We translated it that way because it's the easiest way to translate it without having to write a whole sentence, but actually *ghibban* does not mean 'every other day'. It means 'not every day', so it could be one day on, three days off, another day on, four day off, another day on, another day off. That is what *ghibban* actually means. Technically, when we are translating it, we just say 'every other day' and that works.

The ruling is that you don't use it every day, and there's a reason for that. In quite a few narrations, the Prophet ﷺ [addresses this].

In one specific narration, it says:

نَهَانَا رَسُولُ اللَّهِ ﷺ أَنْ يَمْتَشِطَ أَحَدُنَا كُلَّ يَوْمٍ .

"The Prophet ﷺ forbade us from beautifying ourselves (combing in an extreme manner) every single day."[3]

[3] *Sunan an-Nasāʾi*, hadith no. 5054

This *ḥadīth* has been recorded by Imām Aḥmad, Abu Dāwūd and al-Nasā'i with an authentic chain.

There's another narration by 'Abdullāh ibn Mughaffal ﵁ and he said:

نَهَى رَسُولُ اللَّهِ ﷺ عَنِ التَّرَجُّلِ إِلاَّ غِبًّا

"The Messenger of Allah ﷺ forbade combing one's hair, except every other day."

This is recorded by Imām Aḥmad, Imām Abu Dāwūd, Imām al-Nasā'i, and al-Tirmidhi who considered it authentic. It is authenticated by Imām al-Nawawi, and al-Ḥāfiẓ al-'Irāqi. In his explanation of this *ḥadīth*, Imam Aḥmad said, '*Ghibban* means oiling day on, day off.'

Why is it so? Because it makes person lose touch with reality. That level of 'fine' is just too much. This goes into vanity and leads into the idea of spending hours in front of the mirror checking every little thing. That's a very metrosexual kind of culture.

For me, it's very clear why you would only do this every other day. I'll tell you something similar. Shaykh al-'Uthaymīn ﵀ says something similar, but the complete other way around. He says it's not good.

ليس من الأمور المحمودة،

It is not praiseworthy to be doing this every single day, because there's a *ḥadīth* narrated in the *Sunan* of Abi Dāwūd and al-Nasā'i:

النبيَّ ﷺ كان ينهى عن كثيرٍ من الإرفاه

"The Messenger of Allah ﷺ has forbidden us to indulge much in luxury."

We're talking about someone getting so soft and comfortable that he can't handle any kind of difficulty or real situations (for example, to go out for *jihād*). When you keep focusing on how you look every five seconds every single day, things start to get messed up. There's a balance between not going too far and not looking like a tramp.

Shaykh al-'Uthaymīn ﵀ says:

أي لا ينبغي أن يُكثِرَ من إرفاه نفسه

One shouldn't intrinsically push himself to addiction to luxury, because the Prophet ﷺ said,

«إن خيركم قرني، ثم الذين يلونهم، ثم الذين يلونهم، ثم يكون بعدهم قومٌ يَشْهَدون ولا يُستَشْهَدُون، ويخونون ولا يُؤتَمنون، ويَنْذِرُونَ ولا يُوفُون، ويظهر فيهم السِّمَن»

"The best of you is my generation, then those who follow them, then those who follow them. After them, there will come a people who will rush to give witness without being called for, and when called for will refrain from giving witness, they will betray and will not be trusted, they will make many promises without fulfilling them, and obesity will arise amongst them."

Obviously, we know this *ḥadīth* is true. After the Prophet's generation, what has happened to the people? Basically, people have become rubbish. The meaning of '*yash-hadūn wa lā yustash-hadūn*' means that they will rush to give false witness. If they see some kind of benefit, like a friend has a problem but they know that giving a false witness will solve the problem, they rush to give it.

When it comes to the real reason to help someone in a court of law, and you did see a crime and they are asked to be a witness, [they refuse]. They don't want to do the real thing that the shahādah is for, but they rush towards it when used in a fake or *ḥarām* way.

Anyway, this *ḥadīth* is basically talking about our generation. Shaykh al-'Uthaymīn رحمه الله says:

فالسِّمَن يظهر من كثرة الإرفاه

This *ḥadīth* has established bad characteristics [and it predicts the latter state of the *ummah*]. How do people become obese? People become obese when they become too luxurious. Therefore, you shouldn't become obese and in turn, you shouldn't become too luxurious. What is too luxurious? Basically, tarting yourself up every day and making yourself look like some kind of clothes horse. That is what Shaykh al-'Uthaymīn رحمه الله is trying to say.

That is his opinion, and I don't agree with it at all. I think it is easier to say 'Just don't turn yourself into these metrosexual gay boys who are looking at themselves every single day', that is enough for me.

Actually, my proof is when you look at these metrosexual men and people who look after themselves and groom themselves every day, there is very little obesity amongst them, truth be told. In fact, they care so much about their appearance that for them obesity is a big no-no. That is my argument, *Allāhu aʿlam.*

Anyway, Shaykh al-ʿUthaymīn ﷺ says to completely leave oiling your beard and your hair and making it good and healthy and so on, is bad news. To do it every day is even more bad news - keep a balance.

To finish off, we come to the section which says:

"… and to use *koḥl* an odd number of times."

Koḥl is what we call *surma* or *kajul* (in Urdu). It is basically lead sulfide as an original product, and in the East that is what they make it from. In the West, they swapped the lead for carbon, activated charcoal, and other kinds of safer things. This is because they have some big doubts about putting that (lead sulfide) in your eyes. The most common form of *koḥl* is antimony which is called *"ithmid"* in Arabic.

The *ḥadīth* (which is authentic) is:

The Prophet ﷺ said "Use ithmid in your eyes because it is good for the eyesight."

Now, I am going to be honest with you and say that there has not been some massive clear proof from a science point of view about what exactly its benefit is; it just seems to be anecdotal. The Muslims, the ancient Egyptians, the Chinese and all kinds of folks have been using antimony in their eyes as a cosmetic and as something to strengthen eyesight for many years.

Shaykh al-ʿUthaymīn ﷺ mentions that when you use it, you use it three times in each eye and the reason is that you definitely would be using it every night because it is an action that the Prophet ﷺ has asked the people to do.

Shaykh al-ʿUthaymīn ﷺ said that the best treating of this subject is by Ibn al-Qayyim ﷺ in his book *Zād'l-Maʿād* (that is translated in English too), and you will see him discuss this in a lot of detail.

He mentions the story of a legendary woman - it is not clear if she existed or not, but she is mentioned in some of the books of biography. I looked and no book of biography can even give her a birth date or a date of passing.

She does seem to have existed and her name was Zarqāʾ al-Yamāmah (because she is from Yamāmah in the eastern region of Saudi Arabia, in the Najd region). She was famous because she was able to see the enemy or someone from a three days' journey away. A three days' journey is like a 100 miles.

She is very famous in Arabic poetry and proverbs and is always mentioned in a kind of poetic way ('You can see like Zarqā' used to see').

The story is actually very interesting. She was defending her people from an oncoming army and the army actually knew how good she could see and they tried to disguise it by creating fires, yet she still saw it from miles away. She said "I can see people doing lots of things, using fake bushes. I am telling you that there are people behind that". She told her people in Najd, Yamāmah. They refused to believe her and she made some poetry and said "They say I am a liar…" and the enemy came and they killed her. They took out her eye.

When they took out her eye, it was completely coated in antimony (*ithmid*) and that is where the legend comes from that it really does help. Anyway, we don't know that. The Prophet ﷺ has just said that it should be used and that is all we should look into it. We don't really need to prove to ourselves that it is so good or not so good, but there is an issue – it is used for health, but what about for beautification?

Is it something that should be used for men and for women? The answer is that it is something that is legislated for women without doubt.

أما الرَّجُل فليس بحاجة إلى تجميل عينيه.

Shaykh al-'Uthaymīn رحمه الله says men have no need to beautify their eyes. He mentions that some people said that it is okay for men to beautify themselves, because in a *ḥadīth* which is narrated in *Muslim*, some people said:

إن أحدنا يحب أن يكون نعلُه حسناً،

The Prophet ﷺ was asked if it is okay for the men to make their slippers look nice, and his response was that Allāh is beautiful and He loves beauty. This general kind of *ḥadīth* is something which can be used.

Shaykh al-'Uthaymīn رحمه الله settles with an opinion that he closes with – he says if there's a problem the guy's eye that will become fixed by this, then it's fine. Otherwise, it should not be used for beautification. In the footnotes, his fatwa is mentioned. He was asked this when he was on a radio station and he basically said that if someone's young and is a fitnah, and people will start falling for him, then it's ḥarām for him to use it.

V. *Sunan* of *Wuḍū' I*

Oiling the Hair

A quick point on the oiling (*duhn*) - the Prophet ﷺ has actually praised olive oil and that was easily available at the time. It's amazing for the skin, rashes, eczema, etc. It's mentioned in the books of the *'ulamā'* that there is a manner of putting on oil, whether it's on the hair, or the beard. The manner is that you start on the right-hand side in the roots then go down, and then on the left-hand side and then go down.

Use of the Word *Sunan* in Different Contexts

Now we start a new section in the translation and it gives me an opportunity to remind ourselves of an important point. This is the chapter of the toothstick and the *Sunan* of ablution (*Bāb al-Siwāk wa Sunan'l-wuḍū'*).

The word *Sunnah* is singular and the plural is *Sunan*. What do you think the word S*unan* actually means? Let's take this as our working model: *Sunnah* is something which is not *farḍ*. It's a recommended act, not an obligatory act.

When we say '*wa sunan'l-wuḍū'',* the immediate thing that we think of there are the non-obligatory parts in the act of *wuḍū'*.

There is a reason why we did not translate the chapter title in English. I left the word there in English as *Sunan* ('*...and the Sunan of Ablution'*) because <u>a word is defined by where it is being used</u>. This is an important principle; make sure that you remember this for next time because this is a big learning point.

So there are many different types of scholars [and each scholar will use a word] depending upon where the scholar is and what he's doing. For example, there might be a *qāḍi* (judge) who's giving a ruling in a divorce case. When he uses the word *Sunnah* in *ṭalāq*, there are two types of *ṭalāq*: *ṭalāq sunni* (a divorce which is according to the *Sunnah*) and *ṭalāq bid'i* (a divorce which is *bid 'ah)*.

Can I say that there is a *Sunnah* (recommended) divorce? Of course I can't because it doesn't make any sense, but we have given it the title '*Sunnah'* to differentiate it from a form of divorce which is against the principles of Islām. It is a valid one but it is taking liberties. An unethical or immoral type of divorce is what we call a *bid'i ṭalāq*, and of course we will come to that in about thirty years' time. The *Sunnah* type of *ṭalāq* just means that we don't like the divorce, but if you're going to divorce this is how it's to be done. Here, the *qāḍi* is using the word *Sunnah* in a very specific way.

When the *muḥaddith* (the scholar of *ḥadīth*) is using the word *Sunnah,* he is referring to the entire tradition of the Prophet ﷺ and that's such a massive word. That's encompassing the actions of the Prophet ﷺ, the statements of the Prophet ﷺ, and the implicit acceptance of the Prophet ﷺ - what we call his tacit approval of other people's actions.

When an *uṣūli* scholar (a scholar who is looking at the fundamentals of *fiqh* and establishing laws and rules about how to deal with evidence) is talking about the word *Sunnah,* he might give a very specific meaning, like: 'an action which you are rewarded for, but if you leave it you don't get punished for it'. It's given a very legal kind of terminology.

There, just off the top of my head, I have given you three different working definitions for the same word - *Sunnah* – all based upon the one scholar who is using it in his field. So when we look at the word '*Sunan'* in this title 'The *Sunan* of Ablution', we could read that as: 'the non-obligatory acts of *Sunnah'.*

In actual fact, though, the correct understanding of this chapter is: the guidance of the Prophet Muhammad ﷺ in ablution, or the way of the Prophet ﷺ in ablution. [We are referring to] his guidance, his way, his system, all of the traditions, all of the statements, all of the actions that we need to consider from him ﷺ when it comes to ablution. It's a very wide word.

Do you know what the proof of that is? The proof is this opening statement on page 3 of the actual class notes. It says:

وتَجِبُ التسميةُ في الوضوءِ مع الذِّكْرِ.

I will just read the whole Arabic. Imam al-Ḥajjāwi رحمه الله says in the text of Zād'l-Mustaqni':

وتَجِبُ التسميةُ في الوضوءِ مع الذِّكْرِ. ويَجِبُ الْخِتانُ ما لم يَخَفْ على نفسِه، ويُكرَهُ الْقَزَعُ .

It is obligatory to say *"Bismillāh"* when making ablution, if one remembers. Circumcision is obligatory as long as he does not fear for himself. It is disliked to shave part of the head and leave part.

There are three aspects of this long sentence. Today, we will be focusing on the first part.

The first part starts with 'It is obligatory to say…', so straightaway we know that when the author said *sunan'l-wuḍū'*, he is not referring to the non-obligatory actions. Rather, he is saying something much more general because we have already started with something which is obligatory. How can we speak about something obligatory in a chapter that is talking about the non-obligatory things?

SAYING '*BISMILLĀH*' WHEN STARTING *WUḌŪ'*

This is a very interesting discussion between the scholars. Basically, when the Shaykh says that it is obligatory to say '*Bismillāh*', what he means is: it is obligatory on whoever wants to start *wuḍū'* to say '*Bismillāh*' before he starts. This is a famous issue in the books of *fiqh.*

It is called *mas'alat'l-tassmiyah fi'l-wuḍū'* (the issue of saying '*Bismillāh*' in *wuḍū')* and there is a difference of opinion. The difference is in two positions - the first position is that it is not *wājib* and that it is *Sunnah* only. It is not obligatory, and is just a rewarded, recommended action. This is the *madh-hab* of the majority of the scholars *(jamhūr'l-'ulamā').* It is the position of the *Ḥanafi* school, the *Māliki* school, the *Shāfi'i* school, it is also a narration from Imām Aḥmad ﵀ *and* Shaykh'l-Islām ibn Taymiyyah ﵀, and it is the position of a number of the contemporary scholars as well.

The second position is that it is *wājib* (obligatory). This is the official Ḥanbali position, and it is also the position of a few of the earlier *muḥaddithīn.*

This is a learning point - we could also say that this is from *mufradāt'l-madh-hab. Mufradāt* means that it is a position that has only been held by this school. For instance, there are a lot of matters where all of the *madh-habs* and all of the scholars say one thing, and then one *madh-hab* says another. We will consider that this is one of the matters where this *madh-hab* alone has taken that position. That's what *mufradāt* means.

Every *madh-hab* has *mufradāt*. The Ḥanafi *madh-hab* has the most *mufradāt.* Ḥanafis love to differ with everyone. The amazing thing about the Ḥanafis is that they can always defend themselves. There is one thing about being alone in a position. It's a whole next level to be able to defend yourself. So, every *madh-hab* has its *mufradāt*, and the Ḥanbali *madh-hab* has its fair share as well. This is one of them.

One of the *mufradāt* of the Ḥanbali *madh-hab* is that to say '*Bismillāh*' before *wuḍū'* is obligatory. (Another of the *mufradāt* of the Ḥanbali *madh-hab*) that we have mentioned in brief is the making of *wuḍū'* after eating camel meat. We touched upon that in Year 1.

Let's look at the position of those scholars who said it's not *wājib*. They said if we look at the *Kitāb* (Qur'ān) and *Sunnah*, then we can actually see clear evidences which show that *tassmiyah* is not something which is obligatory.

First of all, they said in the *āyah* of *wuḍū'*, Allāh ﷻ said:

﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ ﴾

"O you who believe, when you are about to pray, then wash your faces…"

In this *āyah*, Allah ﷻ took the opportunity to describe the obligatory aspects of *wuḍū'*. Then He carries on [by saying]:

﴿ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ ﴾

***"And (wash) your hands up to the elbows, wipe your heads, and wash your feet up to the ankles."* (*Surah Al-Mā'idah :06*)**

It's very clear that both the aspects of *wuḍū'* and the order of *wuḍū'* have been established to be an obligation. Where is the '*Bismillāh'* in this *āyah*? Where is it that Allah ﷻ said, "Say *Bismillāh*"? This is a proof that it is not from the obligatory matters. They said that if it was from the obligatory matters, the *naṣṣ* would say it i.e. the text would have mentioned it. They say that this is not something which Allah ﷻ would forget or just leave out because when Allah ﷻ wants to make saying '*Bismillāh'* obligatory, He does. The Qur'ān does that in a number of places. For example, Allah ﷻ says:

﴿ فَكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ إِنْ كُنْتُمْ بِآيَاتِهِ مُؤْمِنِينَ ﴾

***"So [believers] eat any [animal] over which God's name has been pronounced, if you believe in His revelations."* (*Surah Al-'Anʿām: 118*)**

And Allah ﷻ also says in the same *sūrah* after three more verses on *āyah* 121:

﴿ وَلَا تَأْكُلُوا مِمَّا لَمْ يُذْكَرِ اسْمُ اللَّهِ عَلَيْهِ ﴾

"And do not eat anything over which God's name has not been pronounced."

These are two verses which have spoken completely and directly about the mentioning of the name of Allāh ﷻ. Also, in *Sūrat'l-Mā'idah*, Allāh ﷻ says:

﴿ فَكُلُوا مِمَّا أَمْسَكْنَ عَلَيْكُمْ وَاذْكُرُوا اسْمَ اللَّهِ عَلَيْهِ ﴾

***"So eat what they catch for you, but first pronounce God's name over it."* (*Surah Al-Mā'idah*: *04*)**

This is referring to [the ruling that] when you're about to hunt, shoot, or slaughter the animal, you must say '*Bismillāh'*. So they said, "Well, hold on - if it was obligatory, why it was not mentioned in the *āyah* of *wuḍū'*?"

The Shaykh says, "As for the evidence from the *Sunnah,* they are all of the *aḥādīth* which establish the description of *wuḍū',* many of them being from the *Ṣaḥiḥayn* (*Ṣaḥīḥ al-Bukhāri* and *Ṣaḥīḥ Muslim*). These include the famous *ḥadīth* of *wuḍū'* of 'Uthmān ﷺ, *Sayyidina* 'Ali ﷺ, and 'Abdullāh ibn Zayd ﷺ. When they mentioned the description of *wuḍū'*, none of them mentioned the *tassmiyah* (saying '*Bismillāh'*). Not a single one of them. Therefore, this indicates that it is not obligatory.

What did the other side say? How did the Ḥanbali *madh-hab* decide that it is an obligation? In the *ḥadīth* of Abu Hurayrah ﷺ which is narrated by Imām Abu Dāwūd and Imām Aḥmad, the Prophet ﷺ said:

لاَ وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ تَعَالَى عَلَيْهِ

"There is no ablution for the one who does not mention the name of Allāh."[1]

We have all these evidences on the one side, and this evidence on the other side. We now need to make some kind of *jam'* (reconciliation between the evidences).

According to Shaykh al-'Uthaymīn ﷺ, Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ, and the **class position** as well, <u>the correct and stronger opinion is that it is not obligatory</u>, and Allah knows best. It is *Sunnah* to say '*Bismillāh'* before one makes *wuḍū'.* The evidence for that is that the side which is putting all the evidences forward is overwhelmingly strong.

Now, with respect to our response to this *ḥadīth* of '*Bismillāh'*, we have two responses.

Firstly, a number of scholars found the chain of this *ḥadīth* to have some weakness. If you want more details, then I suggest you look at *al-Sharḥ al-Mumti'* on the bottom of page 158. Let me read to you the comments of the *muḥaqqiq* (the one who is authenticating the text).

He says it is narrated by Imām Aḥmad in the second volume of his *Musnad* on page 418. Imām Abu Dāwūd includes it in the Chapter of *Ṭahārah* and under the topic: Saying '*Bismillāh'* Over *Wuḍū',* and it is *ḥadīth* no. 101. It is also in Ibn Mājah in his Chapter of *Ṭahārah* as well, and by a number of other people. All the narrations have Abu Hurayrah as the narrator. In the chain of this *ḥadīth*, there is Ya'qūb ibn Abi Salamah, and he has been given the rating of *majhūl* (unknown) narrator.

EVALUATING THE CHAIN OF NARRATION

[1] Reference: Sunan Abi Dāwūd Book 1, Hadith 101

When we study *ḥadīth*, remember that first of all, we go to its *sanad*, not the text. Every *ḥadīth* has two parts – the *sanad* (the chain) and the *matn* (the text). Both can be criticized but the *matn* (the text) is never criticized by anyone that we know. None of the scholars of our times have the ability to be able to reach that level.

Textual criticism is the very highest level of skill; it's the very highest position that one can reach in scholarship to be able to look at the text and say that the text does not look like the statement of Prophet ﷺ.

I think all fields have that. I think of my own field [which is] pharmacy.
When a basic pharmacist looks at the prescription, he looks at the lack of signature, lack of date, using two different pens; he is only looking for obvious signs of a fake prescription. However, the top pharmacist who is a consultant and has been in the profession for a long time will just look at the prescription and know that it's not right. He will straightaway say that it's not right for the doctor to be suggesting something like this.

The same goes for the medical field as well. When a basic doctor who has just graduated looks at a person, he looks for the vital signs, symptoms and diagnoses. On the other hand, when a person comes to a top level doctor who has experienced a lot in his field, and says "Listen, I've got a lot of pain in my foot", the doctor could just look into his left eye and say "Yeah, you're foot's broken". They see things that other people can't see.

The point is that the *muḥaddithīn* are likewise. There are *muḥaddithīn* who look at a chain, find the name of the people, then go back to look at their histories, and say 'Well, he didn't live at this age and the other guy wasn't born until afterwards, so how could they have met?' or he might say, 'When this person was studying and teaching, he wasn't living in X'. [He would know this by] looking at obvious facts [and noticing that] some of them just don't add up.

The top level people are looking for the *ʿilal* (singular: *ʿillah*). We have already defined it for our use in *fiqh*. In *ḥadīth,* the word *ʿillah* means something completely different.

The word *ʿillah* is one of the most important words in *fiqh*. It is the *sharīʿah* reason behind an action. We have to know what it means. It is Allāh's ﷻ intention behind the ruling. So we need to know what it means so that we can do *qiyās*, and we can then work out the reasoning, wisdom, and so on.

But in *ḥadīth*, the world *ʿillah* means a hidden fault (i.e. a fault that you cannot see, meaning perhaps sometimes something that one has intentionally tried to hide). That happens all the time in *ḥadīth*. One example is what we call *tadlīs*. There would be a scholar in *ḥadīth* and he would be narrating a *ḥadīth*, and the problem is that he knows (because he's a "daddy") that this *ḥadīth* is authentic. The problem is that he has got no one to tell him that *ḥadīth* except some plum down the road. Everyone knows he's a plum, he does not have a clue what he's talking

about, he's got a very poor memory, etc. [For example,] if I tell my students that I heard this *ḥadīth* which I know to be authentic, and I heard it from Amjad Choudhary, I won't want to say his name because as soon as I say his name everyone will say 'Are you kidding me? Amjad Choudhary? This guy just talks bakwas day and night.'

So, what do I do? I now say I heard it from Abu ʿAbdullāh. I don't want to completely take him out of the loop; I am going to use a name which there is some accountability for, but I will still maintain my respect. By the way, I am the 'daddy' scholar. I know this *ḥadīth* is authentic. I am the 'daddy' in the field - I know that you are just being irritating as scholars trying to hold me up on my source. I know my original source is top. I just can't remember it nor can I think of his name, so I will just have to use the one who told me in the meantime.

This is a practice called *tadlīs* in the science of *ḥadīth*. Of course, many scholars were very unhappy with this type of science or this act. Many scholars like Shaykh'l-Islām ibn Taymiyyah were very big critics of the one who used to do this. The one who does it is called a *mudallis.* We have some pretty famous *mudallisīn* in our history. It's possible to say Imām Sufyān al-Thawri was a *mudallis*. Big *imāms* of the *Sunnah* used to do that. Like I said, they had good intentions and I don't want to open a big controversy. The point is that it happens.

So I am saying to you that when someone like Imām Aḥmad رحمه الله or Imām al-Bukhāri رحمه الله look at that *ḥadīth*, they know something is wrong and they can feel it. That's a special form of criticism called textual criticism (the criticism of the *matn* (text) of a *ḥadīth*). But when we have a *ḥadīth* and we are trying to build an argument, we start with criticizing the actual chain itself, nice and easy. If we can make the *ḥadīth* weak or authentic based upon the chain, then we don't have any problem/issues.

What did they (the scholars of *ḥadīth*) do? They look at the *ḥadīth* of Abu Hurayrah رضي الله عنه and when they looked at the individuals in this *ḥadīth,* they found a number of things. I am now going to tell you the statement of the scholars with respect to the narrators in the *ḥadīth*.

The first of them is Yaʿqūb ibn Abi Salamah. They looked up this person in the chain and found him. They said this person is *majhūl*. *Majhūl* means unknown. We can't find his biography, so we don't know who his teachers are. We can't give a certificate of authenticity to this person. We can't say he is a memoriser, *thiqah* (trustworthy), [nor that] he narrates authentic *aḥādīth*.

However, there was a defence for him launched by some of the scholars. They said that they did say he was a *majhūl,* except that it was not just this *ḥadīth*. There were other people who narrated this *ḥadīth* - Abu Saʿīd, Saʿīd ibn Jubayr, ʿĀ'ishah, Sahl ibn Saʿd, Abu Sabrah, Umm Sabrah, ʿAli, and Anas رضي الله عنه. However, every single version of this *ḥadīth* that has been narrated of this text has *maqāl*. There is some criticism to be made of every single chain.

Ibn Kathīr, the *mufassir*, said that this *ḥadīth* has been narrated by many different paths and they all have problems, but once they are all put together they strengthen one another. Therefore, as far as he is concerned, this *ḥadīth* is *ḥasan* or *ṣaḥīḥ.*

Ibn Ḥajr al-ʻAsqalāni says:

والظاهر أن مجموع هذه الأحاديث يحدث منها قوة

"If you collect all of these *ḥadīth* together, what we get is something of strength."

This is the final statement:

The people who authenticated this *ḥadīth,* like Abu Bakr ibn Abi Shaybah (one of the early collectors of *ḥadīth*) considered it *ṣaḥīḥ.* Those scholars who considered it to be a level down (*ḥasan*) were al-Ḥāfiz al-ʻIrāqi, Ibn Ṣalāḥ, Ibn Taymiyyah, Ibn Kathīr and many other scholars. You can go back to *Sharḥ'l-ʻUmdah*, *Irshād'l-Faqīh*, and *Talkhīṣ'l-Khabīr* of Ibn Ḥajr to see further narrations.

What have we learned? [We have learned that] this *ḥadīth* has issues with it. People criticised it, a few have said it is weak, the majority have said it is *ḥasan*, and a few have regarded it as authentic. First of all, if we were to say it is weak and discard it, there wouldn't be any discussion or debate. The only thing that they've got on their side is that this *ḥadīth* is *ḥasan*, and if we show that the *ḥadīth* is weak then we have got the *ḥadīth* on our side, we have got the *āyāt* on our side, and we win the argument.

Let's now say that the *ḥadīth* is not weak. We will give it to you by saying that the *ḥadīth* is *ḥasan*. What would our argument be there? The fact that we have a stronger *ḥadīth* which is authentic from the *Ṣaḥiḥayn* in *Bukhāri* and *Muslim*; and the one thing as Shaykh Muḥammad Mukhtār al-Shanqīṭi says is:

وعلى القول بتحسينه ، فإنه لا يعارض به صحيح ؛ لأن الحديث الحسن معمول به ما لم يخالف ما هو صحيح ، كما هو مقرر في الأصول ، وقد أشار إلى ذلك بعض أهل العلم رحمهم الله

This is an important lesson - <u>a *ḥasan ḥadīth* is acted upon as long as it does not contradict that which is authentic</u>. So, upon this issue we have something which is stronger, which is the authentic *ḥadīth*.

Different Types of Negation

Finally, we will say the third response (which is probably the last and most important learning point of this lesson): we have a narration upon this *ḥadīth* which actually could have more than one meaning.

لاَ وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ تَعَالَى عَلَيْهِ

"There is no ablution for the one who does not mention the name of Allāh."

This *ḥadīth* can mean a number of things. How could you interpret this *ḥadīth*? When we have the word *lā* (the *lā* of negation), negation is of different types.

Depending upon the context of the actual statement, as well as looking at the opposing evidences, we will have to consider what that actual *lā* is trying to indicate. For example, Shaykh al-'Uthaymīn رحمه الله says that there are three types of *lā* or three types of negation.

He says that the first one is the negation of existence (*nafiy'l-wujūd*). The second type of *lā* is the negation of correctness (*nafiy'l-ṣiḥḥah*) - this is the *lā* that invalidates an action. The third type is *nafiy'l-kamāl*, meaning that it is negating the completion and the perfection of the act.

There are three types:
1. negating the presence
2. negating the correctness
3. negating the completeness

These are the three possibilities wherever you have the word '*lā*' used. Let me give you an example of each one. First of all, as Shaykh al-'Uthaymīn رحمه الله says here, on page 159 of *al-Sharh al-Mumti*':

لا خالق للكون إلا الله

There is no creator of the creation except Allāh ﷻ.

This means that there is no-one else. I don't care who you go and find, who you think you've found, who you worship - there isn't anyone except Allāh ﷻ, so this is the *lā* of *nafiy'l-wujūd*. This has negated the absolute existence completely.

The second example of *nafiy'l-ṣiḥḥah* (to negate the correctness) is the one which Shaykh Abdul Ghaffar just mentioned,

لا صلاة لمن لم يقرأ بأم الكتاب

There is no prayer for the one who does not recite the Mother of the Book (meaning Sūrat'l-Fātiḥah).

This is the evidence why so many scholars obligate the recital of *Sūrat'l-Fātiḥah.* Of course, this is evidence of why many scholars obligate the recital of *Sūrat'l-Fātiḥah* by everyone, like in *ṣalāt'l-Ẓuhr*.

In the Ḥanafi school, the other *aḥādīth* say the *imām's* recitation is enough for the *jamāʿah* even though you don't hear it. According to the three *imāms*, they say 'No, this *ḥadīth* is very, very clear'. There is no prayer for the one who does not recite *Sūrat'l-Fātiḥah*. That's why they always recite *Sūrat'l-Fātiḥah* in every prayer.

In this example, what is the *lā* indicating? [It is indicating] an invalid prayer. The prayer is still there; it's not *nafiy'l-wujūd* saying there is no prayer, even though we translated it as 'there is no prayer'. The prayer is obviously there - you prayed it. It's saying that the prayer is incorrect.

The third example (for *nafiy'l-kamāl*) is the *ḥadīth* that you all know:

لا يُؤْمِنُ أَحَدُكُمْ حَتَّى يُحِبَّ لأَخِيهِ مَا يُحِبُّ لِنَفْسِهِ

"You have not (truly) believed until you love for your brother what you love for yourself."

This either means you are *kāfir* (which means we're in big trouble because we're not loving for our brothers what we love for ourselves all day and night), or it means that something's not there. When you go through the list it's not clear - it's not a *wujūd*, it's not the ruling, it's not the authenticity. It's basically saying that you are on poor *īmān*. Your *īmān* is not complete; you are not a complete believer.

That's why we translate it with the word 'true', so that you understand that. Linguistically, we should say 'You are not a believer' but we add in 'You are not a (true) believer' because we know this *lā* has a very specific meaning.

Further Dispelling of the Ruling

Shaykh al-ʿUthaymīn رحمه الله then moves on and says something interesting. He says that the Ḥanbali *madh-hab* has kind of contradicted itself in saying that this is an obligation upon us, yet if a person forgets to say it, (which is why there's that additional statement, *maʿa al-dhikr* - **if he remembers**) then he does not have to go back and repeat his *wuḍū'*. It's gone. It's done. You don't need to go back.

The Ḥanbali position itself is suggesting that it is a condition and yet at the same time it is saying that if you forget to say it, you don't need to go back, which means that it is not a condition. That is why, there is a narration from Imām Aḥmad which

Shaykh al-ʻUthaymīn ﷺ mentions that "there is no evidence which establishes the obligation of *tassmiyah* at all". There is nothing which absolutely obligates this.

Shaykh al-ʻUthaymīn ﷺ now just wants to bring a few things in by the way, just to strengthen Imām Aḥmad's personal opinion. Imām Aḥmad himself said that if a person sneezes in the bathroom, he says '*alḥamdulillāh'* in his heart (this is mentioned in *al-Mughni*).

Shaykh al-ʻUthaymīn ﷺ is trying to say that there is a statement of a man who is obligated to say '*alḥamdulillāh'* after he sneezes and he [Shaykh al-ʻUthaymīn ﷺ] is saying that he says it in his heart. Clearly he will not be putting big pressure on someone who did not say '*Bismillāh'* in the same place before he is making *wuḍū'*.

Forgetting the *Tassmiyah*

I want to just mention a few things before I close. Shaykh al-ʻUthaymīn ﷺ makes it very clear that in the *madh-hab* itself there are two opinions. This is something we need to get used to as it is now going to increase more and more as we start getting into more serious *fiqh*.

He said that in the *madh-hab* itself, there are two opinions on the issue of [forgetting]. If you forget, do you go back or do you just continue? If you have forgotten and you remember afterwards do you carry on or not? If you forget [to say '*Bismillāh'*] and you start [to make *wuḍū'*] and then you suddenly remember when washing your face - at that moment, do you now go back and start your *wuḍū'* again and say '*Bismillāh',* do you just say *'Bismillāh'* there and then, or you just carry on and it does not matter at all? What is the position in the *madh-hab*?

Well, the position in (al-Hajjawi's) *al-Iqnāʻ* is that you continue and the obligation has been lifted from you because you forgot in the first place.

As for the position in *al-Muntahā*, it is the position of the *madh-hab*. It is the position of the *madh-hab* because Shaykh al-ʻUthaymīn ﷺ says that when there is a difference of opinion between *al-Iqnāʻ* and *al-Muntahā,* then the *al-muta'akhkhirūn* (the later scholars of the *madh-hab*)consider *al-Muntahā* to be the *madh-hab*. This is how a *madh-hab* defines its official positions: when our official text *al-Iqnāʻ* says one thing and our official text *al-Muntahā* says a different thing, then when we combine them, we will always choose *al-Muntahā*.

So in *al- Muntahā* it says that if you forget and then you remember, you have to stop. You have to go back, say '*Bismillāh',* and start again. Moreover, the current *wuḍū'* that you have been making has been annulled and invalidated. That is why it is the official Ḥanbali position.

Conclusion

As I said to you, our position is clear, Shaykh al-ʻUthaymīn's ﷺ position is clear, Shaykh'l-Islām ibn Taymiyyah's ﷺ position is clear, and the position of the three imāms is clear. That is, the evidence supports that this is a *Sunnah* and it should be said as an act of *Sunnah*. If one does not do it, *inshāʾAllāh,* it does not invalidate the *wuḍūʾ.*

THE *TASSMIYAH* BEFORE *GHUSL* AND *TAYAMMUM*

[I'd like to mention] a few random points:

Ghusl: What do you think the *madh-hab* said about *ghusl*? If it said it (i.e. saying '*Bismillāh'*) is obligatory in *wuḍūʾ,* what do you think it said about *ghusl*?

They said it is an obligation. They said it is obligatory because it is actually even more fundamental and an even more extreme form of *wuḍūʾ*. Without *ghusl*, of course, one cannot do anything. So *wuḍūʾ* is like the minor and *ghusl* is major.

What do you think about *tayammum*? Shaykh al-ʻUthaymīn ﷺ basically said it is *Sunnah* in *ghusl*. That is his position and that's good.

What about *tayammum*? What do you think the *madh-hab* said? The Ḥanbalis said *tayammum* is the same because of obligation. Why? This is because it is a replacement for *wuḍūʾ*. The scholars (within the *madh-hab* as well) responded that this pattern or this principle that 'because it is *badl* in its place, it has to become an obligation' does not make sense.

Can anyone explain? Can anyone refute that position without me having to do it? Someone just logically explain the flaw in the argument that because *tayammum* is a replacement of the *wuḍūʾ* that *tassmiyah* should be an obligation.

Student: Many of the acts that are obligatory in *wuḍūʾ* are missed out in *tayammum*.

Ustādh: Give me an example.

Student: The rinsing of the mouth which is not done in *tayammum*.

Excellent. If this was the case that we are obligating *bismillāh* because *tayammum* is a replacement, then we should also say that washing the feet is an obligation, and then we should also say that washing the mouth is an obligation, etc.

In *tayammum*, we have only got the wiping of the hands and the face. That is the only thing that has been taken. So that argument has been considered to be one of slight weakness. Also, Shaykh al-ʻUthaymīn ﷺ says that when he considers the *aḥādīth* that narrate the details of *tayammum*, none of them mentioned the obligation of the *ḥadīth* of ʻAmmār ibn Yāsir. They did not mention *tassmiyah*.

Differing Rulings Regarding the Tassmiyah in Various Circumstances

Shaykh al-ʻUthaymīn رحمه الله is saying that there are different times when saying '*Bismillāh'* is sometimes an obligation, a condition for the action, a *Sunnah* and it is sometimes a *bidʻah*.

Look at some of these examples:

He says it will be a condition of an action such as slaughter and hunting. In slaughter and in hunting, if you do not say '*Bismillāh',* the food is *ḥarām* and you can't eat it. According to the majority of the scholars, it is not possible to forget about it. If you forget about it or you are not aware of it, then you are not allowed to eat it. In the *madh-hab*, if someone was to get his gun for hunting and he aims for the deer, the only way the deer is going to be *ḥalāl* is if he gets ready to shoot and he says '*Bismillāh'* and he shoots.

If he kills the deer, then it is *ḥalāl*. That '*Bismillāh'* basically gets the job done. Now if he turns back to the deer and he's injured, then of course he has to make *dhabīḥah* and say '*Bismillāh'* then. That's something different. Anyway, he shoots and says '*Bismillāh'*.

The other scenario is that he might go and catch the deer somehow, then jump on the deer, pull out his knife, say '*Bismillāh'*, then slaughter it. There are two scenarios here - shooting from afar, and [slaughtering] up close.

In the Ḥanbali *madh-hab*, if you forget to say '*Bismillāh'* when you shoot the animal, the animal is considered *ḥarām* (meaning: when you get there and it's dead, you can't eat it). It's *maytah* (dead meat) and you can't eat it. If you were to come across an animal and you forgot to do *dhabaḥ*, then the animal is *ḥalāl* for you.

Shaykh al-ʻUthaymīn رحمه الله says 'How is that possible'? He says that you have one version which is *ḥarām* and one which is *ḥalāl*. Logically, it should be the other way around. When you are close to it, you have time, you're relaxed and it's just a case of doing it. That's the time when you can understand that when someone is going to forget to say '*Bismillāh',* he is really messed up (and he's practically to blame for his forgetfulness in saying the *tassmiyah*).

However, when the other guy who's shooting is thinking and planning and concentrating and one single wrong move or wrong timing will cause everything to go away, that is the most stressed position and you would actually expect him to forget '*Bismillāh'* at that time. You expect him to be given a break in that scenario. Shaykh al-ʻUthaymīn رحمه الله says the Ḥanbalis turned it around, and we are not happy with that.

Anyway, we'll leave that. To finish, I just wanted to show you that that was a *sharṭ*. Then, he says according to the Ḥanbali *madh-hab*, an example of *wājib* is in *wuḍūʾ*. That's when it is *wājib* or obligatory to say '*Bismillāh'* - before *wuḍūʾ*.

He says an example of *mustaḥabb* (recommended only) is before you start eating. That is the position of the *jamhūr.* Some of the scholars considered it to be obligatory, and that is Shaykh al-ʿUthaymīn's رحمه الله position by the way. Shaykh al-ʿUthaymīn رحمه الله considered it obligatory to say '*Bismillāh'* before you eat, meaning that someone who eats before saying '*Bismillāh*' has done something *ḥarām*. That is the position of Shaykh al-ʿUthaymīn رحمه الله. The position of the *jamhūr,* though, is that it is *Sunnah*.

What about *bidʿah*? *Bidʿah* would be when you're just making up something from yourself. For example, every time a guy starts *adhān*, he says the *basmalah*. You do find that kind of action that people just literally make up. They [justify it by] saying 'I am doing something good and religious; I am making a religious statement like *adhān*', yet we consider this to be *bidʿah*.

Of course, the other example is of reciting Qurʾān. When you recite Qurʾān, there are people who get confused when they are reciting the Qurʾān about when they should say '*Bismillāh'* and when they shouldn't. To say it's *bidʿah* would be a bit too strong in this example, because some scholars believe that this would be okay.

Basically, you should be saying *'Bismillāh'* when you're starting a *sūrah*. If you're opening up the Qurʾān and you're starting up a *sūrah,* that's fine. If you're opening the Qurʾān and you're not starting a *sūrah* (you're starting in the middle), then what is legislated by the Qurʾān itself and the *Sunnah* , is it that you just say '*aʿūdhu billāhi min al-shayṭānʾl-rajīm'.*

IV. *Sunan* of *Wuḍū'*

Introduction to Circumcision

Imam al-Ḥajjāwi ﷺ says in the text of *Zād'l-Mustaqniʿ*:

ويَجِبُ الْخِتانُ ما لم يَخَفْ على نفسِه، ويُكرَهُ الْقَزَعُ .

Circumcision is obligatory as long as he does not fear for himself.

It is disliked to shave part of the head and leave part.

Of course circumcision itself is a pretty standard situation for everyone in the world. As for us Paks then as you know we call it "*Sunnat*" and a it's big mission for every parent, as we all know. Getting the "*Sunnat*" done is part and parcel of the parenting process. It has taken a huge political dimension in recent times, with respect to female circumcision.

This is a class of knowledge and this is not some kind of second-hand class. *Bismillāhi māshā'Allāh*, I think it's the best class of *fiqh* that there is, if I don't say so myself, and we can only prove that if we take it to the next level. The next level would be not to run away from the issue but to try and deal with it head on. So we will look at the issues, we will look at the evidences, we will look at the realities, we will look at the claims, and we will see what we can get out of it.

We will follow Shaykh al-ʿUthaymīn's ﷺ little lead in his commentary to one line.

On page 163 at the bottom, he starts by quoting the text of Imam al-Ḥajjāwi ﷺ that circumcision is obligatory as long as he does not fear for himself. He first establishes where this [ruling] comes from.

Sunan'l-fiṭrah & the Human's Natural State

Here, *Sunnah* is not being used in the *uṣūli* fashion; it's not being used to suggest something is recommended and not obligatory. *Sunnah*, here, is being used to say "*the way*", "*the behaviour of*", or "*the rightly guided nature of a human being*".

The issue of circumcision comes under what is known as *sunan'l-fiṭrah.* The *fiṭrah* is the natural state, the innate nature, the generic innate zero that you are born upon. It is your actual natural state before it is polluted by anything else, or before you are taken any other way.

Everyone knows this famous *ḥadīth* of the Prophet ﷺ:

مَا مِنْ مَوْلُودٍ إِلاَّ يُولَدُ عَلَى الْفِطْرَةِ

"No child is born except that it is born upon the pure innate state."[1]

The children are born upon a *fiṭrah* and it is the parents who will either make him a Christian, Jew, or *Majūsi* (fire worshipper) i.e. parents, external influence and ideology will take a raw, clean, pure, natural state (the soul) and make it into something else.

Many Muslims mistranslate this *ḥadīth* to say that people are born upon Islām. People are not born upon Islām. It is not accurate to say that. People are born upon a natural state, and the natural state of a human being is to worship Allāh. There is no doubt about that. That is a very interesting and a very important point to make. Not everyone is just born automatically a Muslim.

We used to have this debate back in the day when I used to be involved with *daʿwah* tables and stuff, and I remember when we used to debate the Christians I would always use the example of an island. I would say that if you were on an island and you were born there, you would grow up and start getting used to your surroundings. You would look at things and would pretty much go through an Abrahamic experience.

You would look at the weather, the change of seasons, the foods growing and then drying out, harvest time, and you start to make out some pattern. You might drink the sea water and realise it makes you thirsty, and then you might drink the water which is fresh inland and realise that works much better. You start to learn a lot of things. You start to realise you can't burn the leaves as well as you can burn the bark.

There are a lot of things that automatically occur when there's no external influence. You would look at the moon and be amazed by it, and when it disappears, you might get depressed. You would look at the stars and the sun; the sun would completely bamboozle you. You would feel its heat and its light. You would see that when [plants] are in the shade, they don't grow and when [plants] are not in the shade, they do grow, so you then give it intrinsic power. You would also associate your mood with darkness, fear, and sounds whereas light [might be associated with] happiness, confidence, and so on. Many things would happen.

The *fiṭrah* is a state of being that has many positive, well-known and obvious facts to it. But when the sun disappears, you realise that it's not all-powerful. You would

[1] *Ṣaḥīḥ al-Bukhāri*, Book of *Qadr*, Chapter: It is Allah Who knows what they would have done, *ḥadīth* no. 6599

think that there's something controlling the sun. This means that to believe in the One [Allāh ﷻ alone] is a *fiṭrah* development.

To believe in a prophet is not. To believe in the Prophet just automatically is not the most obvious thing unless someone came and said something to you. Like someone came and said to you, "Hey, you know what you've been seeing? This is what it means". If no one came to you, why would you believe in a person? You would still be trying to make connection with the source, which is Allāh ﷻ. This is why *tawḥīd* (the worship of one unique creator alone with His attributes, power and so on) is the root of everything. That is the pure *fiṭrah*.

It is then additional knowledge which we achieve by accepting the *risālah* (the message from the Creator to the slave). This is why, of course, that Allāh ﷻ says:

﴿ وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا ﴾

"Nor do We punish [a people] until We have sent a Messenger."
[Sūrat'l-Isrā': 15]

So if a messenger doesn't come, then you are not to be held accountable for it, which means it's not purely from the *fiṭrah* to expect a message to come.

The reason I mention this is because people say you are born a Muslim. You are not born a Muslim. However, you are born upon *fiṭrah* and you move into Islām. If you died without ever taking a religion at all, then as we mentioned many times before in the authentic *aḥādīth* of Abu Ya'lā et al[2], you would be judged on the Day of Judgement.

You will be judged among the people who didn't hear the message, the people who were born upon this and were kept isolated, the people who were disabled throughout lives and never had mental faculty, and/or the people who were in some form of senility all their life. The main thing is that if you were not able to function well in your life, you will be given a second chance *inshā'Allāh.*

The *ḥadīth*[3] mentions - and there are few other versions - that Allāh will gather the people and He ﷻ will give them a command. In the most famous narration, the

2 On the authority of Anas that the Prophet (S) said, "Four (people) will be brought on the Day of Resurrection: the child, the mentally retarded person, the one who died in the period between Messengers, and the senile old person. Each one will state his plea. So the Lord, the Blessed and Most High, will say to a part of the Fire: 'Come forward.' So He will say to them: 'I sent Messengers to My servants, from amongst themselves, and I am a Messenger for Myself to you. Enter this!' So those upon whom wretchedness was written will say: 'O my Lord! How can we enter it when we previously fled from it?' He said: And whoever had it written for him that he was to be from the fortunate will proceed (into it) and will rush into it. He said: So He, the Blessed and Most High, will say (i.e. to the first group): 'You would have been more severe in denying and disobeying my Messengers.' So He will enter those into Paradise and these into the Fire." (See al-Ṣaḥīḥah of al-Albānī, 2468)

[3] *In another version collected in the Musnad of Imām Aḥmad, ḥadīth* no. 15866

command is to jump into the fire. It will be a straight command to jump into the fire. They will either accept the authority of Allāh in that test and do that, and it (the fire) will become paradise and it would be their trust in their creator (that makes them pass the test), or they will fail. And Allāh knows best.

The *ḥadīth* isn't the strongest in the world nor is the issue the clearest in the world but we do believe in the justice of Allāh ﷻ. Anyone who is not able to decipher the message in this life will be given another chance.

The concept of *kufr* supports that. *Kufr* is an active state; it's not passive. *Kufr* is denial and the word *kāfir* means the one who actively denies.

The word *kāfir* is someone who actively denies; it's not a passive state and it fits the justice of Allāh ﷻ.

There's a *ḥadīth* of the Prophet ﷺ in which he said:

كُلُّ أُمَّتِي يَدْخُلُونَ الْجَنَّةَ، إِلاَّ مَنْ أَبَى

"All my followers will enter Paradise except those who refuse."[4]

The *aṣl* is that the people of this life will go back to their spiritual home which is *Jannah*, unless they really don't want to go.

We see so many people of these kind around us every day, who say, "You know what? I don't really care about what happens, so I am just going to enjoy myself here." They say this openly, so it's not so strange.

Fiṭrah is the natural state, and it has certain things that help the natural state even in the physical way.

For example, there's the famous *ḥadīth*[5] mentioned in *Ṣaḥīḥ al-Bukhāri* and in *Ṣaḥīḥ Muslim* that says to trim the moustache and pubic hairs, and to cut nails so on and so forth.

These are called the *Sunan* of *fiṭrah*, the actions and guidance of people who are in complete harmony with good healthy sense of living. One of these things is *khitān*.

Khitān is circumcision, therefore it is clear that circumcision is going to have some kind of benefit which is going to feed into the idea of this supreme natural state.

Ibrāhīm عليه السلام was the first person who established *khitān*, as has been narrated in a specific *ḥadīth* by Ibn Abi ʿĀṣim رحمه الله in the Book of *al-Awā'il*[6]. It was also narrated

[4] *Ṣaḥīḥ al-Bukhāri*, Book of Holding Fast to the *Qur'ān* and *Sunnah*, Chapter: Following the *Sunnah* of the Prophet ﷺ, *ḥadīth* no. 7280
[5] *Sunan an-Nasā'i*, Book of Adornment, Chapter of *Fiṭrah, ḥadīth* no. 5225

by Imām al-Ṭabarāni ﷺ in *al-Awā'il*[7] on the authority of Salamah ibn Rajā', and Muḥammad ibn ʿAmr ibn ʿAlqamah, *on the authority of* Abi Salamah, *on the authority of* Abi Hurayrah, *on the authority of* al-Nabi ﷺ, that he said that Ibrahim ﷺ was the first person to be circumcised.

There is some discussion about this *ḥadīth*. There were some people who said that this *ḥadīth* has people who should not be considered in the sciences of narration (meaning they are not really followed and their narrations aren't really those which are trusted).

We have other people such as Abu Usāmah Ḥammād ibn Usāmah who is someone who is trustworthy (*thiqah*) and he is the one who gave this *ḥadīth* some strength.

The real issue is with Muḥammad ibn ʿAmr ibn ʿAlqamah; he is considered to be *ṣudūq* (meaning truthful), but he has some strange positions.

Yaḥyā ibn Maʿīn ﷺ is the teacher of Imām al-Bukhāri, he is from the *imāms* of *Ahl'l-Ḥadīth*, he is the companion of Imām Aḥmad, and he said (about Muḥammad Ibn ʿAmr) that the real people who know have always been fearful of this man's *ḥadīth*. This is the statement of the scholar. They never felt easy about his *ḥadīth*. There is always something there. Someone asked him, 'What's the hidden *ʿillah* for that?'

Remember last week we said that *ʿillah* in *ḥadīth* has a specific meaning, meaning the hidden fault. What's the magic that you're seeing that everyone else can't see?

He (Ibn Maʿīn) said that sometimes he would narrate from Abu Salamah about something from his own opinion, then again he would narrate some other time from Abu Salamah on the authority of Abu Hurayrah (meaning he is mixing everything up, and when you see that, you start losing confidence in him and therefore we don't follow him).

There is another narration as well in which this *ḥadīth* is narrated as *marfūʿ*, meaning from Abu Hurayrah on authority of the Prophet ﷺ. When a *ḥadīth* is said to be *marfūʿ* it means that it has been raised to the Prophet ﷺ, meaning Abu Hurayrah has narrated it from Prophet ﷺ.

This chain also has some problems and Imām al-Bayhaqi has considered this *ḥadīth mawqūf*, meaning that it is a statement of Abu Hurayrah and not of the Prophet. So we can conclude that there are some scholars who thought that this was a statement of the Prophet, and others who thought that it was a statement of Abu Hurayrah himself alone.

The point is that we don't have any other evidence to go against it anyway. Sayyidina Ibrahim ﷺ was the first person to have circumcised himself. I will show you later on how that actually happened.

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[6] *Ḥadīth* no. 19
[7] *Ḥadīth* no. 10

Shaykh al-ʻUthaymīn's Position on Circumcision

Now, what does circumcision mean for the males? On page 164, Shaykh al-ʻUthaymīn ﷺ says it means the removal of the foreskin which is above the *ḥashafah*. The *jaldah* is skin, and here 'skin' has been given a specific meaning that means foreskin. The *ḥashafah* is the glans (which is at the head of the penis).

Again, I will show you a picture to make it clear to you. That is what it is. It is the removal of the foreskin from the glans, exposing the glans. As for the woman, what does female circumcision mean?

I quote Shaykh al-ʻUthaymīn ﷺ. He says that it is the cutting of the extra or surplus skin above the top of the labia. The *fuqahāʾ* (scholars of *fiqh*) said it looks like the rooster's crest/comb.

I want you to know that this is Shaykh al-ʻUthaymīn ﷺ speaking, and he is not a biologist, he is not a doctor, and he is definitely not a gynecologist. He's just giving his own opinion and quoting scholars. Some of them would have seen this, and some of them would not have seen it. I'm just quoting from the text, then we will give our own opinion of what is going on.

I am going to go straight through Shaykh al-ʻUthaymīn's statements ﷺ, and then I will speak afterwards myself so that we don't mix the two, so that you hear what he wants to say, and what I want to say.

So Shaykh al-ʻUthaymīn ﷺ says according to what our author is saying, circumcision is therefore obligatory upon a male and female. That is the position of the *madh-hab*. That is the position of the Ḥanbali *madh-hab*. It has also been said within the *madh-hab* that it is obligatory for the males but not the females.

It is that position which was chosen by al-Muwaffaq. Who is al-Muwaffaq? Ibn Qudāmah al-Maqdisi ﷺ, who is the *imām* and the leader of the *madh-hab* and the author of *al-Mughni*. He is basically the 'daddy' of the *madh-hab*. That is narrated as you can see in *al-Mughni* in Chapter 1, page 115. It has also been narrated that it is a *Sunnah* for men and for women.

You have three statements already:

1) Obligatory for both,
2) Obligatory for men and not so for women - that is the position of Ibn Qudāmah al-Maqdisi ﷺ, and
3) *Sunnah* for men and women alike.

He continues by saying that Ibn al-Qayyim ﷺ has a book on the birth of newborns, newborn children and all of the rulings to do with newborns.

What Shaykh al-ʻUthaymīn ﷺ is saying is that Ibn al-Qayyim ﷺ goes into a lot of detail. He really went into it in that book about all the issues, he goes into discussion with the evidences back and forth, he went on and he talked about evidences and even after all of that, he did not conclude with what was the stronger opinion.

He gave us all a headache and after all that time he did not make *tarjīḥ* of anything. He did not say this is *rājiḥ* or this is not, he just left it hanging like that. It is as if - and Allāh knows best - even he (Ibn al-Qayyim) does not really have a clear position. It is important what Shaykh al-ʻUthaymīn ﷺ says here: it is almost as if after going through this and that, even he did not really come to a position.

Shaykh al-ʻUthaymīn ﷺ says, 'As for what I think to be the closest to the truth of all these statements, it is an obligation upon men and it is a *Sunnah* for the women'. Why do I divide between them? I divide between them because when it comes to the man, there is a clear benefit.

That benefit goes back to one of the conditions for the prayer. It is a condition for the prayer to be in state of purity. It is known that if the foreskin remains, then one is never going to ever be completely clear of urine. Indeed, urine gathers within the foreskin, therefore making it impossible to be in a state of purity for the prayer.

It also becomes a reason for infection and inflammation. Therefore, you are causing difficulty and pain for yourself. Also, if any pressure is applied to the foreskin, the urine will come out, which has become latent and stored, and it will cause *najāsah.* So it is causing a problem across the board when it comes to the male.

Shaykh al-ʻUthaymīn ﷺ is basically saying there are *najāsah* issues, infection issues, health issues, etc.

Female Circumcision

Shaykh al-ʻUthaymīn ﷺ says, 'As for women, we can say that – at the most - it reduces her sexual desire'. The reduction of sexual desire is considered to be *talab'l-kamāl,* or attempting perfection in a human being.[8] This is not remedying a negative condition; it is not fixing a problem. This is going from a good state to a perfect state. It is important from a legal point of view what he is trying to ascertain. He is saying that this is aiming for perfection and aiming for perfection is not obligatory.

[8] We will discuss this concept of "reduction of desire" later but what is meant here by the Shaykh is either one of two things: through the trimming of the clitoris itself then one is reducing the potential for sexual stimulation, and not a decrease in libido per se. Or it is referring to the trimming of the clitoral hood and thus increasing the sexual experience and thus leading to greater satisfaction with her husband and therefore "reducing her desire" as such for others or getting stimulation elsewhere. Wallahu aʻlam. - AE

He also said that to do any form of female circumcision is not from the matters of removing filth as it is in the male circumcision. That cannot be said for the female, therefore we differentiate between the rulings for both of them.

Matter of Safety & Concession

Shaykh al-ʻUthaymīn ﷺ said, ʻHave no doubt, though; it is obligatory that there is a very knowledgeable doctor/ circumciser (male or female) that is in charge of this and they have to know what is going on. If he is not around, the person can do it himself as long as they reckon they are able to do it. Indeed, Ibrahim ﷺ did do it himself.

The author did make it a condition that he shouldn't be worried about himself. If he does fear he is going to die, he is going to have blood loss, or there is going to be some harm, then it's not obligatory. Actually, Shaykh al-ʻUthaymīn ﷺ continues and he says 'To be honest, this is a condition in all of the obligatory matters'. It's an excellent point he makes; he says 'Actually, any obligatory matter you can think of and feel that you are going to cause some harm to yourself or you are going to die or going to be in a worse off state, then it is no longer obligatory.'

That is really interesting because that is the reason that many years ago, Shaykh al-ʻUthaymīn ﷺ allowed people to pray seated on a plane. That is a big issue because to stand is one of the most obligatory pillars of the prayer. You have to stand, regardless. There is absolutely no excuse, unless you physically can't, then you sit on a chair.

What is interesting is that when Shaykh al-ʻUthaymīn ﷺ answered this question, he was being told by the questioner 'Listen, we really freak out, it's difficult' and that was pre 9/11 by the way. The fear of freaking out whilst praying is actually a real fear. It can destroy a person's *khushūʻ*, he can't concentrate, he is thinking that everyone is looking at him, that he's about to die – the guy is really freaking out.

Shaykh al-ʻUthaymīn ﷺ said there is an issue in the books of *fiqh* that if a person is running from a tyrant ruler who is after him for some reason and it is *ẓulm* (injustice), and he is hiding behind a wall and *ṣalāh* time comes and the other guys are on the other side, trying to find him, he doesn't have to stand up to pray. If he stands up, he is going to be seen and the *fuqahāʾ* say that it is allowed for him to stay seated and pray and the people would not be able to see him.

Qiyās upon that is that if you are really, really freaking out, and you haven't got the guts to stand up and pray, then Shaykh al-ʻUthaymīn ﷺ gives the person permission to pray sitting down. When he mentioned this point here, that reminded me of that statement that '[in the presence of a] major issue or major problem, an obligatory action loses its obligatory nature.'

فلا تجب مع العجز، أو مع خوف التلف

It is not obligatory is one is not able to do something about it, or if you fear that there is going to be some loss, destruction or harm.

EVIDENCES FOR ITS OBLIGATORY NATURE (FOR MALES)

The one who circumcises someone is called a *khātin* and if it's a female, then it is a *khātinah* and the person who gets circumcised is called *makhtūn.* He ﷺ says it is permissible for the circumciser to look at the *ʿawrah* of the *makhtūn*, even if he has reached the age of ten years old and that is because there is a need for that. As for the one who is an adult, he does not mention it here but we will talk about a little bit later.

The evidence for why we consider it to be obligatory for the male is the fact that the Prophet ﷺ mentioned the five things that are from the *fiṭrah.* These are all obligatory matters and one of them was the *khitān*.

Shaykh al-ʿUthaymīn ﷺ says the second evidence is that he ordered the one who became Muslim to do circumcision and that indicates obligation.

The *muḥaqqiq* (the one who is authenticating the *ḥadīth*), says that the narration that Shaykh al-ʿUthaymīn ﷺ is talking about is:

أَلْقِ عَنْكَ شَعْرَ الْكُفْرِ وَاخْتَتِنْ

"Remove from yourself the hair that grew during the period of unbelief and get yourself circumcised."[9]

It is narrated by Imām Aḥmad ﷺ and by Imām Abu Dāwūd ﷺ and it is on the authority of Ibn Jurayj, who said I was informed by ʿUthaym ibn Kulayb *ʿan abīhi ʿan jaddihi* [who heard it from his father, and his father heard it from his grandfather] and then he mentioned the *ḥadīth*. Ibn Qaṭṭān al-Fāsī said that this chain is maximum weak (it can't get any weaker than this chain). There is also a break in the chain, and the father and the grandfather of ʿUthaym are both unknown and he said that in a book called *Bayan al-Wahm waʾl-Īhām.*

The problem is that there are two supporting narrations for this *ḥadīth*. The first of them is the *ḥadīth* of Wāthilah ibn al-Asqaʿ narrated by Imām al-Ṭabarāni. Al-Haythami said about that *ḥadīth* that it has someone called Manṣūr ibn ʿAmmār al-

[9] *Sunan Abi Dāwūd, Book of Purification,* Chapter: A Person Accepts Islām, And Is Ordered To Perform *Ghusl, ḥadīth* no. 356

Wāʿiẓ and he is weak. The second supporting narration for that *ḥadīth* is the *ḥadīth* of Qatādah Abi Hishām also narrated by Imām al-Ṭabarāni, and Imām al-Haythami said that the men of this chain are all trustworthy.

قلت : فيه هشام بن قتادة الرهاوي : تابعي لم يوثقه إلا ابن حبان

The *muḥaqqiq* [said the chain has Hishām ibn Qatādah al-Rahāwī] and he is a *tābiʿi* who was not considered to be trustworthy except by Ibn Ḥibbān. The reason why he mentions that is because Imām Ibn Ḥibbān ﵀ is considered to be from what we call the *mutasāhilīn* (the people who are a little bit lenient when giving a ruling in *ḥadīth*), so he mentions that as a point. No one considered him to be trustworthy except Ibn Ḥibbān, so this is indication that this *ḥadīth* is weak as well.

Then he continues and says 'It should be said that Imām al-Nawawi ﵀ inclined to the opinion that this *ḥadīth* was acceptable (*ḥasan*). Imām al-Bukhāri ﵀ narrated this in *Al-Adab Al-Mufrad* and with an authentic chain on the authority of Imām al-Zuhrī ﵀'. What did he say? He said:

وَكَانَ الرَّجُلُ إِذَا أَسْلَمَ أُمِرَ بِالِاخْتِتَانِ وَإِنْ كَانَ كَبِيرًا

"When a man became Muslim, he was ordered to have himself circumcised, even if he was an adult."[10]

Ibn Kathīr says this *ḥadīth* is *mursal ḥasan*. This means the *ḥadīth* is not a statement of the Prophet ﷺ with a correct chain. There is a companion who is missing; therefore, this is not what we call an authentic *ḥadīth*.

As a conclusion of all of that, it is clear that this *ḥadīth* is not from the most authentic of narrations and it is also something which is not clearly *ḥasan* either. It has a number of issues and criticisms.

Remember, we mentioned three reasons - the first one was because it is from the *sunan'l-fiṭrah* (the five matters of the *fiṭrah*). Secondly, this *ḥadīth* [acts as an evidence] – the Prophet ﷺ commanded the one who became Muslim to do the *khitān*.

The third evidence is that the *khitān* is a differentiator between the Muslims and the Christians. In actual fact, the only way you would distinguish between the corpses on the battlefield in the big army clashes would be circumcised and uncircumcised men. Shaykh al-ʿUthaymīn ﵀ continues by saying that Muslims continued in the actions of the Arabs. The Arabs and the Jews have always

[10] *Al-Adab al-Mufrad*, Book of Circumcision, *ḥadīth* no. 1252

circumcised before the Muslims. Of course, the Jews [have been doing it] for ages, and the Quraysh or the *jāhilīyyah* Arabs also used to practice circumcision. The Muslims followed them into that, whereas the Christians don't do that and if this really is a distinction, then it becomes obligatory. I have to say that this is a very interesting statement by Shaykh al-ʻUthaymīn رحمه الله and it is not without criticism.

Fourthly, he said that it is the cutting of something from the body. Cutting something from the body is not allowed. It is mutilation. If you say 'I want to cut my finger off', is it allowed? It's not allowed. It's *ḥarām*. Shaykh al-ʻUthaymīn رحمه الله said it's not possible for something to allow the *ḥarām* except that it must be obligatory. This is his argument.

Evidences for its Recommended Nature (for women)

Then he says: as for the position for the women, I consider the strongest of the statements to be that it is a *Sunnah,* and the reason I think that is because of the statement of the Prophet ﷺ:

الختان سنة في حق الرجال مكرمة في حقة النساء

"Circumcision is a* Sunnah *for men and an honourable thing for women."[11]

This is the *ḥadīth* that he used. This *ḥadīth* has been narrated by Imām Aḥmad رحمه الله and al-Bayhaqi. This *ḥadīth* is *ḍaʻīf*. Shaykh al-ʻUthaymīn رحمه الله says that if it had been authentic, it would have been the end of the matter, but it is not authentic. So he considers it to be a *Sunnah*. That's Shaykh al-ʻUthaymīn رحمه الله. That's basically his explanation of this chapter.

Now, I want to have a discussion on this issue with respect to the obligatory nature of *khitān*. This is considered to be the position of the Ḥanbali school and the Shāfiʻi school and also the position of Ibn Taymiyyah. They considered circumcision to be outright obligatory.

As for the Ḥanafi school, the Māliki school, and one narration from Imām Aḥmad رحمه الله, circumcision for men is considered to be a *Sunnah* and *Sunnah* only, not something which is obligatory. At this juncture, I will just indicate to you that if you look at what the Ḥanbali text itself says, 'If he fears for himself, he doesn't need to', it almost indicates that it is not a big killer kind of thing. It's almost as though it's giving a way out.

[11] *Musnad Aḥmad, ḥadīth* no. 20195

With respect to the women, it is considered to be *mustaḥabb* (a recommended thing) by the Māliki school only. As for the second position, it is something which is honourable but not *Sunnah*, so it is the action of a noble, high-class woman, done to protect herself. This is the position of the Ḥanafi school and the Ḥanbali school.

Class Position for Both Genders

My **class position** is that it is an obligation on the men, and there is no doubt about that. The medical benefits alone would obligate it, frankly. We are seeing a rise of non-Muslims doing it, just because of the medical benefits. As for the *sharīʿah* point of view, the *ḥadīth* of the five *Sunan* makes it clear. The action of following Sayyidina Ibrāhīm ﷺ as Allāh ﷻ says in Sūrat'l-Naḥl, verse 123:

﴿ ثُمَّ أَوْحَيْنَا إِلَيْكَ أَنِ اتَّبِعْ مِلَّةَ إِبْرَاهِيمَ حَنِيفًا وَمَا كَانَ مِنَ الْمُشْرِكِينَ ﴾

"Then We revealed to you, [O Muhammad], to follow the religion of Abraham, inclining toward truth; and he was not of those who associate with Allah."

Ittabiʿ (follow) is a command, and it is an indicator of obligation, therefore we should follow that. That is good, but with respect to the obligatory nature, I do not want to talk too much about that because I'm not too fussed about that. What we really need to talk about is about the female side.

The female side starts off immediately with respect to this *ḥadīth*, the *Sunan* of the *fiṭrah*. They said the *Sunan* of the *fiṭrah* establishes it as a basic principle. I find that very strange, because if they are going to use it because the word circumcision appears in those five things and apply that to the women, then they should also apply the trimming of moustache to the women.

So if we can say 'this is for men and this is not for women', then likewise *khitān* itself cannot just be automatically established upon the women from this *ḥadīth,* in my opinion. Likewise, every single *ḥadīth* that we find where the Prophet ﷺ was meant to have said something to the women to do circumcision, there is weakness.

The famous one (narrated by Abu Dāwūd and considered authentic by al-Albāni) is when he ﷺ said, "Don't go to extremes", when he came upon a woman who was circumcising another woman (meaning that he found out that this was happening, and he went to the place to advise the one who was about to do it).

"Don't go to an extreme; that will be better for the woman and more pleasing for the husband."

What does he ﷺ mean by "Don't go to an extreme"? It basically means the amount that is cut shouldn't be too much. I want to establish that female circumcision was

absolutely the norm in the culture of the Arabs, and you will see many of the Companions talking about it.[12]

I remember one narration from Sayyidatunā ʿĀʾishah, when she went to a *walīmah*. After they had a circumcision, they used to have a *walīmah* because it is a big deal. To be circumcised is one of the key acts of purity. You really take it to the next level, and it's one of the real establishments of Islām. If you are an adult and you get through circumcision, that is *jihād*. So it is quite obvious that they will have a party.

She went to a party once, and the news was that circumcision was being done. When she gets there, she finds out that it was a circumcision of a woman. She said, 'That is the mistake you all made. When it is the circumcision of women, it is not publicly announced'. As for the men, you announce it publicly. The womens' circumcision is kept on the down low because it is an issue of *ʿizzah*.

I want to make it clear that this used to happen. Sayyidina ʿUmar also came upon it one time and he said, 'Make sure you don't go to an extreme'. That should be kept in mind, that this is something well-established, not just culturally from other people, but amongst the Arabs as well and later carried on into Islām.

That is why Ibn Ḥazm al-Andalūsi رحمه الله said that there is a consensus of all of the scholars that it is permissible to do female circumcision. Ibn al-Qayyim رحمه الله said something interesting. He went further and said there is consensus that it is recommended to do female circumcision. That's a huge statement (to make i.e. it is a very serious claim that has wide-ranging consequences, and is wholly different to what Ibn Hazm claimed which was simple permissibility whereas here Ibn al-Qayyim is actually stating a consensus that this is the Sunnah and thus all should try to do it and they will be rewarded for it.)

Circumcision of Ibrāhīm عليه السلام

I want to explain to you exactly what is going on here, so I will show you a few diagrams so you can understand what we're talking about. First of all, I want to show you something crazy. This is what Sayyidina Ibrāhīm did it with himself. This is called an adze (*qudūm*).

[12] There is a further narration where the Prophet (s) said, *"Umm ʿAttiyah, when you circumcise, restrict yourself to cut a minute part and do not excise the glans entirely, for this is beauty for the face and more desirable for the husband*." (al-Ṭabarāni, 8137 and considered authentic by al-Albāni)

This would support what will be explained later, that the real circumcision of the female is the removal of the prepuce skin above the clitoris, which will lead to greater sexual satisfaction and an easier orgasm thus the "brighter" face or beautiful face for the female ("ashraq" i.e. shining, glowing) in front of her husband, and a more fulfilling for the husband too.

This is one who is using a flint. That is just a stone, so it's not so sharp. The modern day tools look like cleaving hammers that have got the claw which pull out the nails. When they're brand new, they look very sharp – that's what the more modern tools look like. Today, they use scalpels, rings, etc. The main idea is that it needs to be very precise and exact. Using a tool like the adze means that there is going to be a lot of blood.

Ibn Ḥajr al-ʿAsqalāni narrates a *ḥadīth qudsi* in his *Fatḥ al-Bāri*. Allāh ﷻ says to Ibrāhīm, 'Why did you rush?' In fact, I was reading that Shaykh Muḥammad Mukhtār al-Shanqīṭi mentioned the *āyah* in Sūrat'l-Baqarah:

﴿ وَإِذِ ابْتَلَىٰ إِبْرَاهِيمَ رَبُّهُ بِكَلِمَاتٍ فَأَتَمَّهُنَّ ﴾

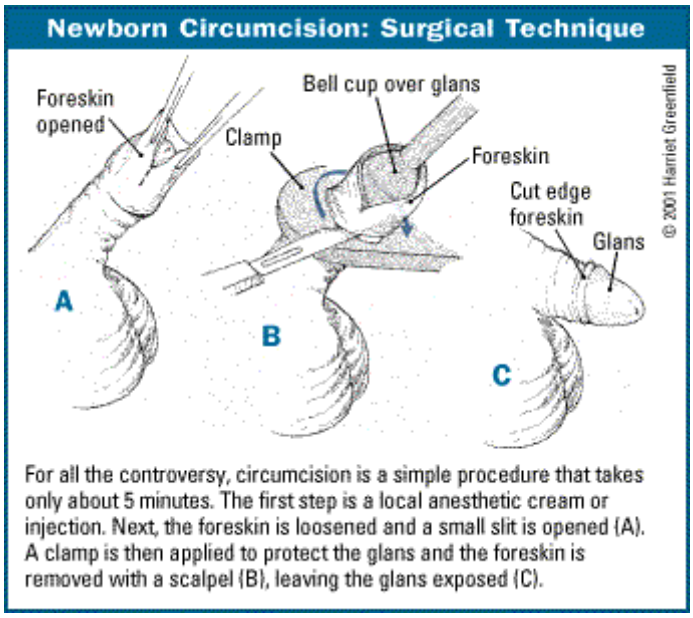
"And [mention, O Muhammad], when Abraham was tried by his Lord with commands and he fulfilled them."

ʿAbdullāh ibn ʿAbbās's opinion was that this trial was telling him to go and get circumcised at the age of 80 years old. We don't know the authenticity of this *ḥadīth qudsi.* Allāh ﷻ says to him, 'Why did you rush? We would have given you some time,' and Ibrāhīm's response ﷺ was, 'As soon as I heard the order, I didn't want to delay'. That's his way - think of what he did with his son, what he did with his wife, when he had to move from Egypt, etc. That's why he's called an *ummah*, because he doesn't mess about. When he's told something by Allāh, *khalāṣ*.

Q: Do some say Ibrāhīm ﷺ was first to do it?

A: There is a difference between saying that Ibrāhīm ﷺ was the first one to make it a *Sunnah*, and that he was the first person to do it. No one is saying that he was the first person to do it. It was the first person who made it *Sunnah* (meaning: making it into something that people should do). There are many rulings with regards to life, culture, business, etc. that are not clear about who started them. For example, *riba* - who was the first person to forbid it in early times? I don't think it's a major issue.

Male Circumcision



The first picture that is being shown is of the male circumcision. It is a non-graphic picture.

The glans is the penis head. This is a shiny, smooth part. However, upon birth, or for non-circumcised males, it does not show. The reality is that there are hundreds of millions of people with a penis where the skin covers the penis head. For the penis upon birth or a non-circumcised one, when a person urinates, some of the urine gets stuck in the foreskin and it could get infected. However, that skin could actually be rolled down, and if let go, it would roll back up. So it is clearly extra skin and is something that doesn't need to be there. To cut it off, they use a clamp, separate the skin and cut it from the side.

I just want to give you some personal advice here: there is no comparison between the scalpel and the ring method. Every Pak and his dog is using the ring method. It is easy for a doctor and it is an easy 150 quid pocketed for him. He just sticks the ring thing on and then he does a little twist and then off goes the circumcised part.

The scalpel procedure costs a lot more and they will charge you 300 or 400 quid easy. There was one of my boys that had his with a Jewish doctor. This doctor was an expert. He smacked it out of the park, I swear, and he made the kid take morphine and other things to set him up for the procedure. Then he cut this part and that part with the scalpel and he did a clean job. You only realize what a clean job is when you see an unclean job. It is a stress.

When a kid has it done, he is crying because of the pain. When they are too young, it is actually difficult if someone uses a scalpel. The part is too small and it is hard to see what is going on when you are cutting. That is why they want to wait a couple of days or a couple of weeks for the part to develop. The *Sunnah* is to do it on one of the 'sevens' - you do it on the 7th, 14th or 21st day. The point is to get it done when they are young and to take care of it quick. If, for some reason, you cannot get it done in those days, it is no problem. It can be done any time when the child is young.

The issue of doing the circumcision when someone is an older person is not as difficult as some make it to be. The problem is that for two or three weeks, you need to leave it alone and have nothing done with it. The kid has his nappy on and he is doing nothing anyway. But an adult has to take three weeks off work and he can't walk about or go outside. He has to deal with the inflammation and a lot of bleeding and cleaning. The issue is not an adult fears that he will die. No adult will die from this. We can give him local anesthetics. We can even give him a general anesthetic if he is really freaked out and we will just knock him out.

The real issue is the recovery, which is why a lot of adults don't do it. I say that they should do it, though. Al-Ḥasan al-Baṣri رحمه الله used to give concessions to reverts for circumcision and that is the opinion I follow as well. I think for a new Muslim, it is not obligatory on him to get circumcised. For a revert, it is good to encourage to do this process for the health benefits too but do not pressure them to do it.

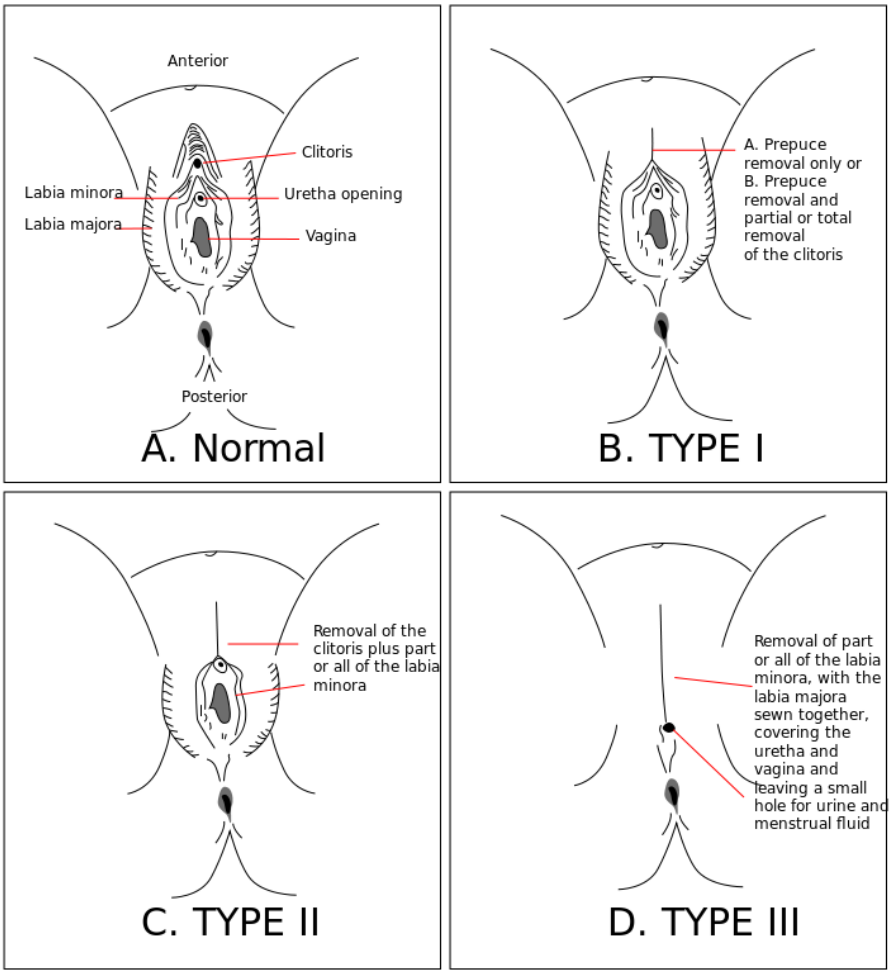
I want you to take a look at this loose skin that is supposed to be cut. Everything is gathered in this loose skin with the infection, the urine, the muck and the germs. It is stuck under the fold of skin. When you have taken away this loose skin, one can now remove the infection issues. As we said, Al-Ḥasan al-Baṣri gave that concession and we will give that concession as well for those who need it.

Imām Aḥmad رحمه الله narrates that ʿAbdullāh ibn ʿAbbās رضي الله عنهما was very strict on the issue of circumcision. He considered it an absolute obligation and he considered the person who did not get circumcised as someone who was not allowed to pray or do *Ḥajj*. He said this is because he has not fulfilled the basic condition of both, which is *ṭahārah*.

I also believe that if he has been approached by new Muslims who told him that it was an issue for them, he would have given them a concession also. We have no proof to say that he is referring here directly to older people. We believe his ruling of obligation has to do with younger people.

Female Circumcision

Now I am going to talk about female circumcision and this is going to be news for many people, so I want everyone to listen very carefully.



The person is lying down and we are looking directly at the structure of the vulva. What you are looking at in terms of annotation (A. Normal, B. Type I, C. Type II, and D. Type III) are World Health Organization designated categories of any form of the operation on the genitals.

There are two types of operations on the genitalia – one which is cosmetic, and one which is done for any other reason.

This is illegal in this country and we are not encouraging anyone to do anything illegal. It is illegal in the UK, Europe, America, and most of the countries across the world. We're not telling anyone to do anything illegal; we're trying to understand the issue and look at it academically.

There are a number of critics of this law which has been suggested by the World Health Organization (WHO) and has been followed up by the governments. The people who have criticized it most have been famous anthropologists and

philosophers. They see it as some kind of cultural colonialism. According to them, "This is a practice that's done by a number of people as a part of their religion or their culture (like Muslims), but because it's not okay with our own religion, culture, or perception, we've (non-Muslims) decided to ban it."

To be honest, it's a good point, and I just wanted to mention that that exists.

At the same time, WHO recognizes that there are different types. The ironic thing is that they have absolutely no problem with anything cosmetic. For example, cosmetically speaking, if the lips of the labia are very big and swollen, there is labioplasty. They'll actually cut down the walls so that they're less coming out and are more in line with the rest of the entire vaginal area which is purely a cosmetic thing.

There are other people who stick earrings or things like that in there and that's legal to do. If you have to remove some skin to help that to happen, then they allow that to happen. From a cosmetic point of view, there are a number of things that they have no problem with at all. Everything else though is put into this category of impermissible or illegal. In fact, the discussion has now changed so much that they don't even recognize the concept called female circumcision.

In the West, in the academic and medical fields, there is no such thing as female circumcision. This is vital for you to understand because you might go and try to explain that "we believe in female circumcision and it's not female genital mutilation (FGM) etc etc". Actually, legally speaking there is now only FGM. Everything (besides cosmetics) is considered genital mutilation. They consider it though to be of a number of levels.

Category A shown in the diagram is normal. This is what a normal scenario would look like, with no operation being done upon it whatsoever. The urethral opening is used for urination. The vaginal opening is used for sexual intercourse. The inner and outer walls are termed labia minora and majora respectively. Everything is normal, nothing has been taken, and nothing has been touched. The clitoris is the key area. It is the clitoris which is under discussion when it comes to female circumcision.

The clitoris is actually very interesting. I want you to understand that the clitoris is the small hard pea-like structure which is at the top of the vulva. It has 8000 sensory nerve endings. The reason I mention that is because I want you to compare it to the entire male penis which has 4000. The reason I am mentioning this is because the whole discussion is about sexual pleasure/desire.

When it comes to the sexual experience, (one of the reasons that) the male is so driven because of the fact that his penis allows him to feel all that sexual pleasure that's based upon 4000 sensory nerve endings. (Yet) the clitoris itself has 8000 just on that small pea-like structure, and it leads to 15 000 other sensory nerve endings (as well as considering that the majority of the clitoris isn't even visible as such). (Thus) when it comes to the discussion of sexual arousal/feeling, there

should be no comparison between the man and the woman and what the woman actually achieves (extra, in sexual pleasure).

(Classically speaking) all the discussion surrounding the circumcision of the female genitalia is referring to the clitoris only. Ibn Taymiyyah رحمه الله has (one of) the most famous statements on the matter. He believes that the woman should be circumcised because if she isn't, her sexual desire is out of control. 'Have you not seen the sexual desire and appetite of Muslim women compared to the Frank and the Tatar ones?' He's referring to the Chinese and Western (East of the Middle East and West of the Middle East i.e. Roman) (i.e. saying that in principle such women and their libido and) their sexual drive is uncontrollable.

He says that it's well known that when you reduce the sexual desire by a small amount, you achieve some parity. That woman will not be doing all kinds of crazy things like going out and having affairs. Likewise, if you reduce too much, then you cause damage to her and her husband because he feels that his wife is not being satisfied and therefore he is forced to get married to others. This is *his* rationale.[13]

I want you to understand that B. Type 1A is something similar to what we consider to be female circumcision in *sharīʿah*. (This is the position of the majority of the scholars and refers to cutting/removal of the prepuce skin as per the diagram

(B. Type 1B is much less practiced although some would consider it to still come under the remit of female circumcision) This would mean not doing anything at the top, but actually partially removing some of the clitoris (by some kind of shaving or cutting of it).

C. Type 2 is the removal of the complete clitoris which is not allowed in *sharīʿah* at all.

Type 3 is to create an artificial blockage and that is to increase the sexual pleasure of the husband. That's completely *ḥarām* and that's ruining her life and causing problems. I want you to understand the psychology. It's very important that you understand why the West has rallied so much against female circumcision. They read it as Type D. They argue about Type A and B as well, but they read it as Type C and Type D - the removal of complete sexual pleasure for the woman and that's what Type C would be.

If you're removing her clitoris, you're almost removing her orgasmic experience. If you do Type D, not only have you removed the clitoris which is her sexual

[13] This was mentioned by Ibn Taymiyyah in his Majmūʿ al-Fatāwa (21/114) but it is not clear whether it refers to actual partial trimming of the actual clitoris which would decrease potential sensory endings, or whether it refers to the more widespread female circumcision which is the removal of all or part of the excess prepuce skin covering the clitoris which would then allow for greater sexual stimulation and easier, more intense orgasm. If a woman had the prepuce removed (known as female circumcision or a clitoral hoodectomy) then more of the clitoris is exposed for greater and easier orgasm, and thus, as the argument would go, one would be more satisfied with one's husband and not be as sexually unfulfilled as previously and thus have less need of desiring for sexual stimulation elsewhere. Perhaps this is what Ibn Taymiyyah was trying to allude to albeit in a more direct and perhaps confusing way. Allahu aʿlam. - AE

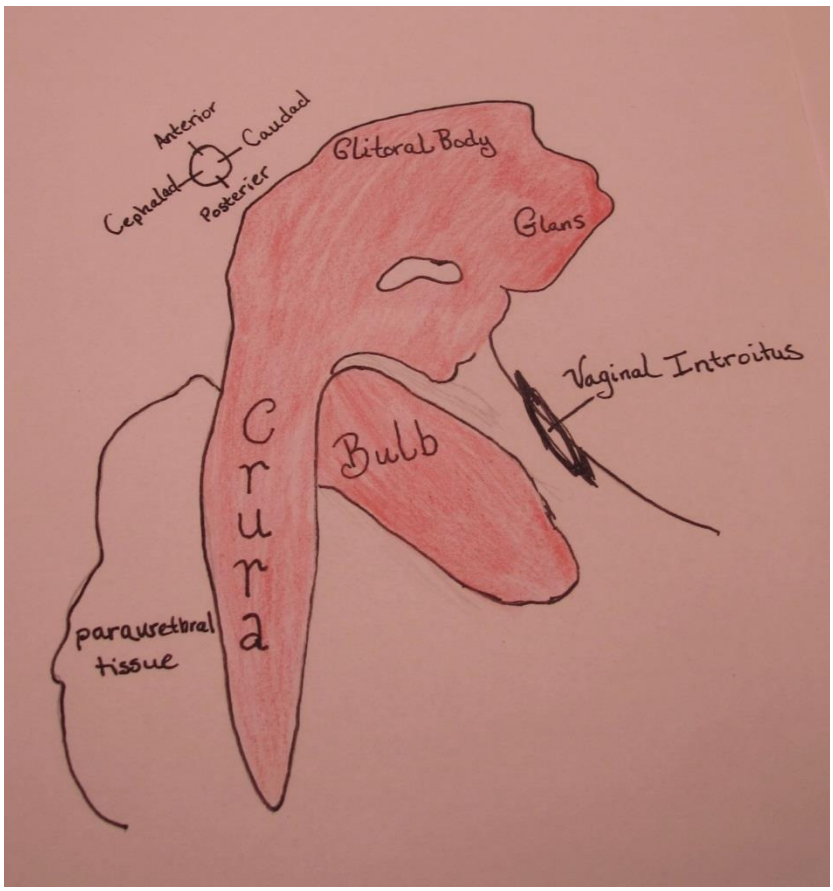
pleasure, you've also made her a complete slave to the husband. The husband wants an enhanced sexual experience, so he wants to reduce the size of the vaginal opening.

The reason that people prefer the concept of virgins when it comes to sexual experience is because her vagina is not widened, because of lack of sexual experience, and that proves for an enhanced experience for the male. That's why whenever the hymen has broken (i.e. the vaginal opening is wider), then the man who will approach her will not have as good of a sexual experience and also believe that she has had previous sexual experience. That's why there's a big fuss about it.

The fourth scenario (D. Type 3) is what cultural people would do just for the selfish reason of the man and not caring about the woman. Effectively, they've made her a female sexual slave, which is completely impermissible in *sharīʿah*.

Now, you will all have a clear understanding about why it is that people would do this and why even Muslims would consider it.

After having said all that, let me show you what they refer to in the books when they say female circumcision.



Remember that we said it looks like the rooster's comb? They're referring to the clitoral body. What you're seeing is what can't be seen from the outside. You're seeing a cross-section of what's inside the vagina. The pea-sized clitoris is what

you're seeing (the glans). It's only a small thing and the massive internal part is where it's all at. It's slightly visible and it's covered by what is called the clitoral hood.

I was looking at this and I found this to be one of the miracles of *sharīʿah*. How to reduce the sexual pleasure of a woman has only been discovered in the last 20-30 years. They always considered that women to be orgasming via a vaginal orgasm. Now, when you look in their field they said that there is no such thing as a vaginal orgasm, it's actually a clitoral orgasm. The orgasm is actually happening because of the enlargement of the bulb and crura and these create a swelling and allow all of the hormones to go.

Trimming a small part of the glans is to reduce the amount of sensory nerve endings. (The other type of trimming is the trimming back of the clitoral hood called a hoodectomy which doesn't reduce the desire, rather quite the opposite – it exposes more of the clitoris for a greater and easier orgasm.)

To finish off, my position on this is that the clitoris itself is something which differs from woman to woman. I want you to know that the issue of sexual desires is also different from people to people, time to time, place to place. The weather has an impact, genetics has an impact. I was reading that when a woman is born, i.e. when she's a baby her clitoris is X size, then at puberty it's four times bigger or something and then when she hits 30-32 years it's four times bigger than that. Then when she hits the menopause, it's two times bigger than that.

You have something which is growing bigger each time and if we're saying that the clitoris is fundamentally what is responsible for a woman's sexual pleasure in intercourse, then you can imagine that that can go out of control. That can get big and there are medical operations where a woman who's suffering from over sensitisation will have it reduced in a hospital operation to keep things under control, inside and outside. Effectively, that's what *sharīʿah* was trying to say.

My **personal position** is this: it is something which is permissible. As Muslims we should never say that it is something *ḥarām;* it's not *ḥarām* at all. If our Prophet ﷺ allowed other people to do it, then we will allow people to do it. In my opinion, there is no evidence that the Prophet ﷺ demanded this from women and therefore I do not consider it to be a *Sunnah* and therefore we can say proudly as Muslims that we do not think this is required from our women.

At the same time, we believe the Prophet ﷺ has allowed and legislated for this to exist as a ruling. If there are women or there are people who want to reduce their sexual desire, we would not say that it is banned. We wouldn't criticise it. The reduction of anyone's sexual desire (or the controlling of it by increasing it for her husband alone by trimming the clitoral hood), in a time where they are not married, is something which is praiseworthy and not blameworthy.

As far as a law point of view goes, it's illegal in this country. So we would never go and tell anyone to go and do it. The good thing is that because it's not obligatory in our *dīn*, we don't have to go and tell anyone to break the law. At best this is a

recommended act and if the law says that it is impermissible in this country for x, y, or z reasons then we would say that it doesn't matter because the law has said what it is.

From our *īmān* and *ʿaqīdah* point of view, the act of circumcision (is a legislated act in our Deen).

(It is the opinion of the scholars and experts that it) has a defined reducing effect (if the clitoris itself is trimmed) on the sexual drive (or *increasing* the sexual impact via a hoodectomy) of the woman that might be required sometimes, and at other times it won't. Imagine if we said that it's *Sunnah* for all women to do that - which is wrong which is why I'm saying it's not our position - and there are women who aren't so sexually aroused. Just like men, for example, who are impotent - we know that that exists. You can't obligate something based upon sexual desire/arousal when you find someone who doesn't have that problem or challenge.[14]

In my opinion, I think that the position of Ibn Ḥazm is good. I think that he recognises that the consensus is that it is permissible.

This is an important point, so I want you to listen to me very carefully - we are currently dealing with an issue where our words can be twisted and misunderstood, not just legally against ourselves but actually by people who culturally are abusing women, and that definitely happens. This is very common in Africa and Egypt. There are men that are out there who have no other interest but to abuse women and they will go all the way.

They will try to pretend to use the religion to justify basically reducing women down to a sex toy, who has no desire herself, who a man can keep going back to and have optimal sexual pleasure. If that was enough reason for us to clamp down on the practice to get a control of thing, then that's a good enough reason, which is why I don t think that Muslims need to make a big thing out of this.

Yes, if you're in the media, don't try entering into the subject because to try and talk about this, you're not going to have a hour and half to explain all the *fiqh* behind it. The reality is that as soon as you try to mention that it's *Sunnah* or it's not... just say, 'Listen, we are against FGM'. They can call it what they like, we know what female circumcision is. We are absolutely against genital mutilation, we are absolutely against the cutting and the removal of the clitoris or anything like that.

Just keep it like that and it's not a problem, but you know *īmānan* (in your heart) that we believe medically, historically, culturally and Islamically that it has been

[14] What is intended by this is that various women have different problems with respect to sexual satisfaction. Some find it very difficult if the prepuce skin is thickly covering the clitoris and thus not allowing her to orgasm easily. Others can have the clitoral hood so close to the clitoris making it super sensitive so that she orgasms very easily and uncontrollably especially in varying environments. The word "desire" in the class was used in a very general sense but for the accurate intention, please see these notes. - AE

shown and proven beyond doubt that clitoris itself is something of extreme sensory function.

I just want to add something, and I think it is a *muʿjizah* (miracle) aspect of our *dīn*. Do you know that the clitoris is the only part of the human body which has no other purpose except for the existence of pleasure. If you look at the penis, it has a function of pleasure but it also has to be there to allow urine to come out .The clitoris has no function at all, just there to allow the woman to be sexually satisfied. For the people of the culture to recognize that and then act upon it, is something that I find astonishing.

I intentionally made this detailed because I don't know of anyone in the East or the West who has dealt with this topic in the detail that it deserves. People need to be educated about this, and they need to see the male and female organ. They have absolutely no idea. At the very least, you are about to get your children circumcised, there's no need to get it done for the girls – just look after them better and you would have no problem with them. For the boys, my advice is: don't use that ring method because it is a cheap method. Get someone who can do it with a scalpel properly in a legitimate good place.

Q & A

Q: If *kufr* is an active state of denying the Creator, then why do so many people and sometimes speakers say *kuffār,* referring to the West or non-Muslims? Is it just the case of them not understanding the true meaning of *kāfir* and thus misusing it (because we are taught *takfīr* is a very serious claim)?

A: Basically what the question is saying is that if *kufr* is an active kind of state, why is it that speakers refer to people in the West as *kuffār* and in that manner? *Takfīr* is a big issue and why are people doing that and is it because they don't know what it means? The answer is actually two-part:

1) It is because people don't understand what *kufr* actually is. A number of speakers are just speakers and have no clue what they are talking about, or they don't understand the Arabic language or studied properly. They just go out and speak. The truth of the matter is they don't understand. I wanted to just say with respect to her saying that *takfīr* is a serious issue - with respect to Muslims, *takfīr* is a serious issue, but not for non-Muslims. That is no problem. The *aṣl* (status quo) of non-Muslims in the west is that they are upon *kufr*. You do not need to worry about making *takfīr* of people upon *kufr*.
2) The second reason that people use the word *kuffār* - and this is an acceptable use is because it is a general naming system for non-Muslims and that is fine. People want to refer to them as *kuffār* in a general sense and that doesn't mean that they don't understand what *kuffār* is. Sometimes it insults people and people think that it is insulting and should use it. That is no problem either.

Q: Why does the author decide to talk about the topic here? It seems random after discussing *bismillāh* before *wuḍūʾ*?

A: Yes, the reason why Imam al-Ḥajjāwi رحمه الله brings circumcision right here is because it is from the fundamental aspects of purification and we are now going into the general ideas and the way of being purified. It is actually perfectly placed here.

V. *Sunan* of *Wuḍū'* III

Qazaʿ (Shaving Part of the Head and Leaving Part)

وتَجِبُ التسميةُ في الوضوءِ مع الذِّكْرِ. ويَجِبُ الْخِتانُ ما لم يَخَفْ على نفسِه، ويُكرَهُ الْقَزَعُ .

It is obligatory to say *"Bismillāh"* when making ablution if one remembers. Circumcision is obligatory as long as he does not fear for himself. It is disliked to shave part of the head and leave part.

This sentence is the one which we are covering now:

ويُكرَهُ الْقَزَعُ - It is disliked to shave part of the head and leave part.

It is disliked (*makrūh*) to shave part of the head and leave part. I am sure that you've probably heard this before from your parents, or it was told to you by your *maulvi* or whatever. You're not allowed to shave part of your head and leave part of it. I am going to explain what that actually means and I am going to describe where it comes from.

This is the concept called *qazaʿ*, and it's actually a very specific thing. We are going to look at what the *ʿillah* for *qazaʿ* actually is, and then you can understand how many scholars differed in their opinion and how it's applied today. What is its actual reasoning and where does it comes from?

Let's just use Shaykh al-ʿUthaymīn's رحمه الله description on this matter. At the top of page 167 in the commentary, he says *al-qazaʿ* is the shaving of parts of the head and leaving part. Because it comes in many other ways, he just mentions a few of them; you can add many other different ways.

The first one is when you shave it in any old fashion, so that you're shaving a part and leaving a part, shaving another part and leaving another part. He says you leave the forelock (which is the front part) then leave the back part, take this off, leave something on the right, then leave something on the left, etc.

He says another type is when you shave the middle and leave the sides. I have no idea what that's called. Then another type is when you shave the sides and leave the middle, which we all know as a Mohican or a punk kind of style.

He quotes Ibn al-Qayyim رحمه الله who said that the people who do this are hooligans, low class people, the people who don't have any self-respect, like the scum of the earth. That is how he is trying to describe it.

Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله also said these people are hooligans. I think that's not a million miles off either. I think that's probably accurate, that it's a hooligan kind of behavior.

Then he also said that another way is when you shave the front part and then you leave the rest.

Regardless, Shaykh al-ʻUthaymīn رحمه الله is only describing what he has seen or what he has read. We could add another fifteen here. We could add so many different versions, so I thought we should do that.

This is actually exactly what *qazaʻ* is. There is a word for it in the English language - it is called tonsure, and that word basically refers to this exact style. It is also used to refer to a religious form of haircut.

There are a few different principles as to the reasoning why it is *makrūh* because the scholars differed. It is based upon copying somebody else's religion, copying non-Muslims, or just going by the *ḥadīth* and avoiding it, and therefore it becomes *makrūh.* This will be explored in greater depth.

This is Catholic in principle, and it is practiced by monks as well. When you look back at the New Testament and other references, the Christians say that Saint Peter said some truth to the people and they rejected him. To humiliate him they shaved his head. According to our Islamic culture or tradition - not from our *deen* per se, but the tradition of the ancient people - the shaving of the head was considered a sign of punishment. Even today, people would understand that if you shave someone's head in a certain context, you're showing that this person is being punished, and it's a way to bring a person down.

Anyway, he went to ʻĪsa عليه السلام, and he was pleased with what he said, so ʻĪsa عليه السلام got some stones or some other material and made it into a garland, then placed it on his shaved head, like a crown of honour. Afterwards, the monks started copying that to a degree. That is where the theory appears to be coming from, in a Christian/Catholic, religious, historical fashion.

That would be the dictionary definition of copying someone. To do something like this in this manner would be not only absolutely *ḥarām,* but actually close to the acts of *kufr* because you are identifying yourself with someone else's religious identity. It's a very, very serious matter. So it would be absolutely *ḥarām.*

Modern Day Examples of *Qazaʻ*

Now, the truth of the matter is that today when people do it, they don't really care about the Christian heritage or reasoning behind the haircut. I want to give you some examples of what would be more modern issues, and I wanted to show you some which I think are clear-cut, some which are not so obvious, and some which are just the most downright ridiculous styles you have ever seen in your life.

For example, look at this cut. What is interesting about this is that this person has not shaved his hair at the sides, but you have a very clear defined difference in length of hair - the top part is significantly longer than the side part. We will assume for the sake of argument that is not a shaved line.

This one will be on the borders of doubt, meaning that it's not clear that some has been left and some has not been left. Two different lengths have been utilized for style reasons, but shaving has not been done here.

There are a number of scholars (Shaykh Muḥammad Mukhtār al-Shanqīṭi is one of them) who said that trimming also takes the same ruling as shaving. In his opinion, he rules by the fatwa of his father. Of course, that would cause a big problem because half the world does exactly that, so this would be problematic.

According to me, I don't think this is impermissible or *makrūh.* I think that he has combed it in a certain way, and on another day that kind of partition would not be so obvious. For me, this is not a problem. This is my own personal position, and I don't even think Shaykh al-'Uthaymīn buys into the idea that any kind of trim would also be considered unacceptable.

I'm going to show you some examples, to show you [styles ranging from] doubtful to least doubtful.

This one, I'm okay with. This is not what we would call 'shaved at the sides', but you can see what we call a fade. We don't know how many days old this is. If this was a couple of weeks old and that was pretty close to a shave [on the sides] then you have that much hair on the top, then that obviously would be considered much more closer to doubtful.

I'm giving you the difficult ones - the ones which are on the line. Now obviously, you could make a position and say that anything which is of doubt should be avoided. That obviously makes sense, to play the cautious card.

For me, this is not a clear *ḥarām.* For Shaykh Muḥammad Mukhtār al-Shanqīṭi, this would be considered impermissible[1]; he would say this shortening on the side is like shaving. So I'm showing these doubtful ones first to show you the difficult ones.

If you look at Beckham's hair when he was young, you can see that it is very similar to the previous one. I think what he has done is permissible. He hasn't completely shaved his head around the side, and the length is also not so much of a problem. Of course, the problem occurs when the hair on the top of the head is significantly long.

If the hair of the top is not so long and it doesn't look so different to the rest, then you are on safer grounds. But when it's becoming very clear that there is a defined difference in length, that is when the scholars start to become uneasy.

Student: It all sounds very subjective.

Ustādh: It is, of course!

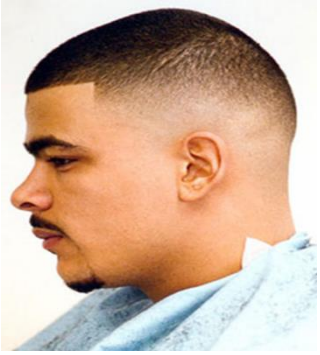
Student: Is there no objective kind of measurement?

Ustādh: The objective measurement was the first one. You will see the objective ones. I put the subjective ones to show you that this is a discussion. The objective ones are coming.

This is a clearer scenario. This also not a complete shave; that is probably a grade 1 or 2 around the sides, but that is not a million miles off from exactly what we are talking about. That is an example of what we wouldn't go down the line of (i.e. it's disliked).

Then we have something like this:

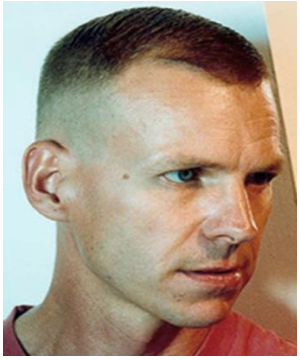
[1] The Shaykh doesn't take the position of *makrūh*, rather he considers in his opinion the correct ruling in every case as impermissible



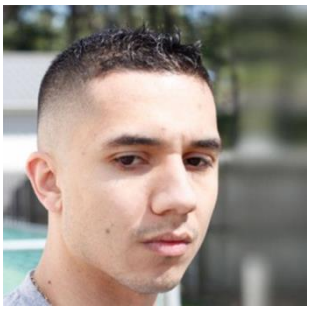
This is interesting because some people don't have long hair. If you don't have long hair, then there is very little between these two. The problem is that for him, there is a complete difference between the two.

Anywhere else, this wouldn't be an issue at all because you are seeing massive differences between the hair in length, whereas here, there is probably a millimetre difference in length between the shaved part and the black part. Because of the nature of his hair and the nature of his ethnicity, that is the way that his hair developed. So this would be a problematic scenario.

Here we have to apply the *ḥadīth* that the Prophet ﷺ saw someone like this and he said 'Either shave it all or leave it all'. This is what would happen here - you would keep it all or shave it all. That is a good example.

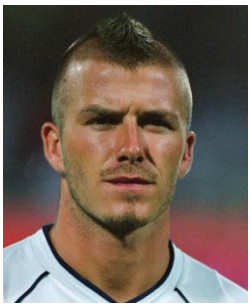


If we carry on, here is the normal kind of example that we would see. This would be unacceptable. This is like the army cut - shaved as opposed to short back and side, so this is a shaved one and he has got clean hair on the top.



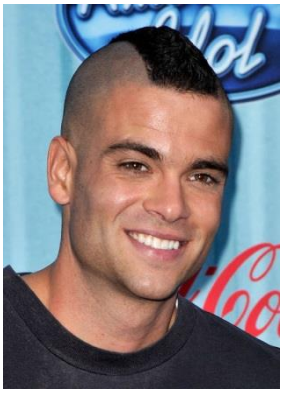
Here is another unacceptable example.

This would be a modern cut, so it's a good example. There is no need for subjectivity here. That is objective situation right there. It's clear [that there is a good amount of] hair on top, and nothing on the sides. We would avoid this.



If you didn't know, this is a Mohican - shaved around the sides, with longer hair on the top. This is probably a Mohican which is a couple of weeks grown in. It wasn't always like this; it was clean shaven on the sides, I remember.

Now we come into the absolutely non-subjective. This is what we are talking about. This guy has lost the plot. This is clear; this is a good example of what is (*makrūh* if done just for the sake of it and) impermissible (if done for the sake of emulating non-Muslims).



My next man has lost the plot completely. That's pure *qazaʿ* right there. That's not even a good Mohican. It's way too thick. He might get kicked out of the Mohican club for that.

What this next guy has is *ḥarām* for a different reason, because the guy who cut this hair must have spent the whole day doing it.

That's unacceptable.

This last one is *ḥarām*. The normal ruling on this is *makrūh*. Remember, the *madh-hab* position and the scholarly position is that these kind of haircuts are *makrūh*, meaning hated. But this last one is *ḥarām* because it's *ḥarām* to make yourself look like a plum.

General Ruling on *Qazaʿ* & Evidences

So those are some examples of clear-cut cases of *qazaʿ* and then other cases where it's not very clear. Let's go back to what Shaykh al-ʿUthaymīn رحمه الله says at the bottom of page 167:

والقَزَع مكروه؛ لأن النبيَّ ﷺ رأى غلاماً حلق بعض شعره وترك بعضه، فنهاهم عن ذلك وقال:

The ruling of everything that we have just seen is that it is disliked. This is because the Prophet ﷺ saw a young boy who had shaved part of his head and left part of it, and so he forbade them from doing that and said to him:

احلقوا كلَّه، أو اتركوه كلَّه

"Shave all of it or leave all of it."[2]

This *ḥadīth* has been narrated by ʿAbd'l-Razzāq in his *Muṣannaf*, Aḥmad ibn Ḥanbal, Abu Dāwūd as well, on the authority of Maʿmar, on the authority of Ayyūb, on the authority of Nāfiʿ, on the authority of Ibn ʿUmar. Ibn ʿAbd'l-Hādi said that this chain is authentic and the narrators of this *ḥadīth* are all *imāms*, (top of their game) and are *thiqāt* (trustworthy). Ibn Kathīr said that the chain of this *ḥadīth* is *ṣaḥīḥ*.

Now based on this *ḥadīth*, they have basically given it the ruling of *makrūh*. This is the position of the majority of scholars. As I said to you, Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله considered it to be outright *ḥarām*, even this.

Shaykh al-ʿUthaymīn رحمه الله continues by saying:

إلا إذا كان فيه تشبُّهٌ بالكُفَّار فهو محرَّمٌ، لأن التشبُّه بالكُفَّار محرَّمٌ

The practice itself of shaving one part of the hair and leaving the other part is *makrūh,* but it becomes *ḥarām* if there is copying of the non-Muslims by this act.

If you see a non-Muslim and you basically want to look like him in this manner, then copying him is *muḥarram* (impermissible). The reason for that is that because *al-tashabbuh bi'l-kuffār* is *ḥarām*. To imitate the non-Muslims in their mannerism and their manners is *ḥarām*. This is because the Nabī ﷺ said:

من تَشَبَّه بقومٍ فهو منهم

"Whoever imitates a people is from them."

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[2] *Sunan Abi Dāwūd*, Book of Combing the Hair, Chapter of a Boy with a Lock of Hair, *ḥadīth* no. 4195

We need to have a discussion on this *ḥadīth.* This *ḥadīth* has been narrated by Imām Aḥmad and Imām Abu Dāwūd on the authority of Ibn ʻUmar. Ibn Taymiyyah رحمه الله said it has a good chain. This is because Ibn Abī Shaybah, Abu Naḍar, and Ḥassān ibn ʻAṭiyyah are *thiqāt* (trustworthy) and they are the most noteworthy narrators of the two authentic collections of *ḥadīth*.

Which authentic collections do we mean? We mean *al-Bukhāri* and *Muslim*. When you get into either *al-Bukhāri* and *Muslim* [as a narrator], you become one of the men of *al-Bukhāri* and *Muslim*. This is the highest praise you can get as a *ḥadīth* narrator, informally.

Formally, you have to go back to the same principles. You check if the narrator is a liar or not, if he has a strong memory, if he is trustworthy, or was someone with mistakes when he got older. You also check if the narrator is an *imām* or *ḥujjah*, etc. You still have your individual rulings. Informally, there is a system as well. For example, we have the *rijāl* of *Bukhāri,* the *rijāl* of *Muslim,* or the *rijāl'l-Ṣaḥīḥayn* (men of the two noble collections). So Shaykh al-Islām Ibn Taymiyyah said that they are honoured, respected folk of high status from the men of the *Ṣaḥīḥayn*. This *ḥadīth*, *inshā'Allāh*, is authentic.

Shaykh al-ʻUthaymīn رحمه الله says 'Therefore, if we see someone who has shaved part of his head and left part of his head, we say to him to shave all of his head or leave all of its hair to grow'. This is the ruling.

IMITATING THE *KUFFĀR*

Now, let's have a chat about this *ḥadīth*. What do we mean exactly by imitation? When you think about the clothes that we wear and the cars that we drive, these are non-Muslim imitations. These are clothes and cars that are made by non-Muslims. We also have our different culture from back home, be it Pakistan, Somalia, Kenya, Bangladesh, or wherever. We have a certain way that we copy of dressing and a certain style of cloth being worn that is not unique. Does it mean that if we copy these people in all of these things, we are considered to be like them?

The *'ulamā'* have said, *'No, actually, it's only when you copy a people in what identifies them <u>specifically</u>'*. To identify them specifically means in either a religious manner or a cultish manner. For example, when you wear what they call a clerical collar that the priests wear.

If someone was to wear one of those, this would be absolutely *ḥarām*. In fact, it would be even worse than *ḥarām* because you are identifying yourself with the religious symbol of someone else. This is where the *ḥadīth* comes into play, in its absolute sense.

Another example is wearing the orange robes that monks wear, or the Bindu that Hindus have on their foreheads. Wearing a cross thinking that it is fashionable is another example. Most people that wear a cross wear it for fashion. They haven't got a clue what it means.

Dreadlocks is an interesting one. Are the dreadlocks itself a sign of whatever the Rastafarians wear it for? Is it some kind of a connection to their idea of Rasta? If it is, then that would be a good example.

Is there anything else? The Sikh bracelet (Kara) is a very specific type of bracelet. It's very thick and hard.

We've covered the clear examples; let's cover some examples which need some *fiqh* or discussion.

Let's talk about the orange turban. The orange turban is a clear sign of a Sikh turban. What we have here is a situation where we have clothing which is specific to a people, but also specific to us as well. If it's specific to us as well, then there's no problem wearing that item. However, if there is a way of that item being specified for another people, then it would be impermissible for us to wear it.

As long as it is not worn in a way where it's immediately recognised to be a Sikh fashion, wearing the turban itself is allowed even it looks like the one Sikhs wear, because of the fact that we wear it as well. And Allāh knows best. The 'Pagg' (Sikh turban) is a very specific shape and I don't know of any Muslim culture that has that shape. If there's no use at all of the turban in that manner, then wearing the turban in that manner would be a problem. Wearing the orange turban would be completely out, of course, because that is immediately identifying yourself with someone else's way.

Let's look at another classic one which is the tie. What do you understand the tie to be? The first opinion is that the tie is something which brings a whole look together and completes the smartness.

Q: Could you say historically there was something about it that made it specific to people, but now it has become something totally different?

A: So, you're suggesting that there is an opinion out there, that the tie was actually something religious? I heard this as well. I read that there was an idea that the tie was a representation of the cross when it's done up. I heard that it was indicating something else like the Crusades, in the way people or the Muslims were meant to be killed, etc.

This is a very interesting point. Is the ruling given to something in what it was known as (in the past) or what it is known as now? That's a question for the scholars.

If we asked a hundred people what a tie is, most of them would answer like Shaykh Abdul Ghaffar did or they would go towards what Zafar says, which is that it's the "done thing". It's either the "done thing" in a certain climate, gathering, style, manner of trade/business, or it actually looks smart. I don't think anyone denies that it looks smart. It formalises and creates a finish which everyone respects and understands. Out of hundred people, how many people think it's a sign of a Christianity or that it's an identification of a cult? I think very few would think so.

The *ḥukm* (ruling) is not based upon the few, but it's based on the general understanding - the *ʿurf* (culture of the people). That's what basically we rule by. There are also few exceptions to this, and we will deal with those another time. One of the exceptions to this is when people are very ignorant and there's something which is outwardly religious, but because the people are so irreligious or ignorant, they don't even see it as something religious.

If Religious Meaning is Lost, Is it Permissible?

Christmas would come into this category and it's a very difficult one to specify, because it clearly has nothing to do with Jesus Christ. It has nothing to do with him per se from a factual point of view, in that it is not his birthday, as the people would like to claim.

It has also been given the kind of razzmatazz that it fits and it's the right time of the year. It's actually the tradition of folk people of many cultures; they started practising it at this time, and those who are orthodox Christians pushed it back further to whatever day it is, probably the New Year which they do believe is when he was born. But there's hardly anyone now who seriously considers that this is actually something that has to do with the birth date of Christ ﷺ.

At the same time, the Christian community has basically thought that since most people already think it's something Christian anyway, they hold mass and religious gatherings then. So in some crazy way, people don't consider it Christian, but because enough of a small number of people did, the religious guys got involved and made their religious ceremonies around Christmas itself.

Of course, we know it's more of a capitalist opportunity - a shopping thing. It's a modern day reality of capitalist ideology. It's an opportunity to market and sell things, make people happy, give people a break from work, have family holiday, etc. Here, we would argue that Christmas doesn't have the most serious religious connotation in the world.

I was discussing this on the weekend as well with the class. When you look at Christmas, there is enough doubt there to allow some people who are in difficult circumstances a way out. It's not an issue for us to be celebrating

anything on Christmas, but it *is* for new Muslim converts who have families who would be incredibly insulted by them not taking advantage of coming and joining them for a meal.

I'm not talking about going with them to mass, breaking bread, or saying prayers, but just having a meal at a set time. What's interesting is that no one claims that that meal has a Christian meaning. That meal itself is what defines the Christmas event. That meal itself is innately and intrinsically irreligious.

Let's assume that there is no prayer at the beginning and no alcohol on the table. This will not come under imitating a people and their religion. We would not do it as it's clearly a sign of *kufr* itself. However, when we are trying to define and give a *fatwa* for someone who is in a difficult circumstance, we would look at how serious the issue is, how rooted that *mas'alah* is, or how much *kufr* is associated with that act.

For example, gathering with the family at Easter. Partaking with your non-Muslim family in Easter mass and festivities is a clear act of *kufr*. Even though there is an attempt to make it a capitalist kind of event with the chocolate, it is all pure religion. The death and the resurrection of Christ, and the whole story of the entire Testament is coming out in those few days. That's something very different.

So let's put Easter on the absolute no-no list, Christmas at the no level where you wouldn't do it, and then birthdays, for example, would come right at the bottom of the list. You would want to avoid that because it's a practice which originated by some people, but now has no formal religious understanding. It's just the way of the non-Muslims and a pointless waste of money. Now the ruling is more based upon it being something which is just a waste of time, has no basis, and is practiced by culture and society as opposed to a religious connotation which is the more serious problem.

That's how you rank different events based upon the practice of the people and whether it's based upon religion or not. Just to clarify this point so that people don't go around saying that I said it's okay, I do think that to celebrate a birthday is a *bidʿah*. It's an innovation which should be avoided. If you don't want to put it in the category of *bidʿah*, it's an act that should be avoided as it's not the act or practice of the Muslims.

At the same time, we wouldn't be so harsh upon a person who would get involved (maybe because they are not practicing or maybe they are completely dominated by a non-Muslim culture), because even the concept of the birthday has some kind of connection in our tradition. We don't practice it, but the idea that someone is born on a day which is commemorated is something which exists in our religion (in principle).

What do we call this? When we are defining *bidʿah*, or when we say that a certain act is *bidʿah*, there are many different ways of classifying *bidʿah*.

One of the ways of classifying *bidʿah* (innovation) is whether it is a pure innovation or a supplementary innovation. In *sharīʿah,* we call it a *bidʿah iḍāfiyyah* or a *bidʿah maḥḍiyyah.*[3] For example, pure, unadulterated *bidʿah* would be me saying that I have to pray in green clothes at every *Ẓuhr* prayer. A pure *bidʿah* would be that I have to make a *duʿāʾ* after every single prayer that I pray and then after the *duʿāʾ,* I need to stand up and sit down, and stand up and sit down, and stand up and sit down. This is what we call a pure *bidʿah*.

Let me explain to you what would not be a pure *bidʿah.* A *bidʿah iḍāfiyyah* would still be a *bidʿah* but a lesser of a *bidʿah*. Birthdays would be a lesser of a *bidʿah* because [when asked about fasting on Mondays], the Prophet ﷺ did say:

فِيهِ وُلِدْتُ وَفِيهِ أُنْزِلَ عَلَيَّ

"***It is (the day) when I was born and revelation was sent down to me."***[4]

There seems to be some kind of indication that the day of birth - if it is a good day for a good person of *khayr* - can be commemorated in some kind of fashion. The *Sunnah* (the way of the Muslim) is to commemorate it according to the *Sunnah* by fasting. That is why we do still say that to celebrate my birthday is *bidʿah,* but there is something there.

For example, we would say that to make *duʿāʾ* every single time in a congregation after prayer is a *bidʿah iḍāfiyyah*.

Why is it *bidʿah iḍāfiyyah*? Because:

1. We do accept the principle of making *duʿāʾ* in Islām.
2. We do accept the practice of *duʿāʾ* after the prayer. The Prophet ﷺ has done it.

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3 *Bidʿah* can be categorised in many ways as per the need. One way is to divide it into a pure *bidʿah* which is completely fabricated and a *bidʿah* which has some kind of basis, yet is of course still unacceptable as an action.

So if something has a basis then we're kind of building on it. Hence the "addition". Hence the term al-*bidʿah al-iḍāfiyyah*.

The opposite is something which has no basis at all. It is completely fabricated. A true fabrication. That's why some call it *al-bidʿah al-haqīqiyyah*. Or it's an original *bidʿah* without no basis. So they call it *al-bidʿah al-aṣlīyyah*. Or we go back to my preferred way which is that it is a PURE unadulterated completely 100% fabricated *bidʿah* so *al-bidʿah maḥḍiyyah* or *al- bidʿah al-maḥḍī* from the word *maḥḍ* which means pure, 100%.

4 *Ṣaḥīḥ Muslim,* Book of Fasting, Chapter on Recommended Fasts of the Month, ʿAshūrah, ʿArafah, Mondays and Thursdays, *ḥadīth* no. 1162 (e)

3. We do accept the principle of *duʿāʾ* being made in the congregation; it has been done by the Prophet ﷺ.

Therefore, we have indications of an act which has some basis. Where does the *bidʿah* come? When you combine all three and make it a regular action. Once you have got it all together, we see it as unacceptable. Is it as unacceptable as a pure *bidʿah*? No. We would call it a supplementary or additional *bidʿah* which is of a lesser magnitude.

Making *duʿāʾ* individually has a separate ruling. In congregation, the act of *duʿāʾ* together with the *imām* after every prayer is *bidʿah,* without a doubt. There is not a single evidence for it, and anyone who says that they should do that needs to bring the evidence. They need to show that Prophet ﷺ did it, or the Companions did it or any *āyah* from the Qurʾān that Allāh ﷻ has allowed it. In the absence of these three, in absence of evidence, the act it not allowed.

This is because it is an act of worship. If it was an act of your personal life, like washing the car, and you said 'After every prayer, I am going to wash my car', I am going to say 'Good luck to you, and well done'. This is because it has no relationship to the *dīn*. You are not saying that Allāh made you do this or the Prophet ﷺ told you to do this. You are saying that this is something you want to do, and it has nothing to do with *ʿibādah*. Once you start saying that you are going to do something and you want to be rewarded for it from Allāh, then you are saying that this is an act of worship.

Anything that you do where you want Allāh to listen, to accept it or to forgive or whatever is an act of worship. Acts of worship are *ḥarām* unless they are taught to you by the Prophet ﷺ. Otherwise, you are saying that you know better than the Prophet ﷺ, because if the Prophet ﷺ doesn't do an action and you do or I do, that is basically saying that we know how to worship Allāh better than how the Prophet ﷺ did. That is the basis behind *bidʿah*.

Q: What I heard is that you say the prayer and you ask for forgiveness after *namaz* (*ṣalāh*) and I can't see why people can't do that.

A: We did not say seeking forgiveness after *namaz* is not allowed. We also didn't say making *duʿāʾ* after *namaz* is *bidʿah*. We said to do an act where we want every person to do it together behind an *imām* in this manner is the act of *bidʿah*.

Q: So when Tablighi Jamaat after *namaz* say 'Let's do a *duʿāʾ*', can we do that?

A: We don't talk about Tablighi Jamaat and any other political parties - this is Cheadle Masjid policy! You should ask them! Tablighi Jamaat are my best friends and I am not going to throw Tablighi Jamaat under the bus. No way. I saw a picture of Mushtaq Ahmed today, and he joined twitter today (@mushy_online). He is a big Tablighi and I am a big fan. I have a connection

with him and I don't want to lose my friends over this *bidʿah*. Tariq Jameel, he is a friend as well. We can't upset everyone!

Q: When you see someone doing *bidʿah*, someone practising *bidʿah*. It's wrong.

A: This is very good. If you agree on this point, then alḥamdulillāh, this has been a success. Just to finish the issue, anyone who believes they should make *duʿāʾ* in congregation after every single prayer is making a big mistake. If he is ignorant, he is forgiven. If he is not ignorant and he believes that this is correct, then he is doing *bidʿah* and there is no doubt about that. He has no evidence and I also do not know of any *ʿālim*, from any *maslak*, any of the *madhāhib*, or from any of the schools of *ʿaqīdah* that said this is an act of *Sunnah*. Not a single one.

So, there is a difference between pure *bidʿah* and supplementary *bidʿah*. The significance is that if we are able to differentiate between an act of *bidʿah* because of how it's understood and the origin of the act, likewise when we copy the clothes of a people, we should have the same discriminatory approach.

Let's study the cloth, or the manner of the clothing. If it's true that the tie has some kind of a Christian connotation, is that how it is understood today? No, it is understood as business wear or formal wear. That's where the question comes in. When we wear a tie, do we wear it to copy the doctor or the businessman (both of whom wear a tie), or are we conforming to the business environment? Of course, it's the second one, so I consider the wearing of a tie not to be a copying of the non-Muslims, and for it to be permissible to wear.

The other example that is given is that of an England shirt. Is an England shirt copying or conforming to the non-Muslims or not? The answer is that it is not, because an England shirt is representative of this country. If it has *ḥarām* things on it, that's where we start to have a problem. *Ḥarām* things would fall under different categories.

Pictures of animals and people in and of themselves wouldn't be *ḥarām* - according to some, and that's my opinion - but what would be unacceptable is to pray in such a garment. If you were to cover that up during prayer, or take it off outside of prayer and play football in it, then I would consider that to be permissible. That's one level of problem.

The other level of problem is if it has certain signs on it which give a connotation of a certain type of ideology. This is much more controversial and interesting. For example, you have the cross, and you have a picture of St. George's cross. St. George's cross, which is a white flag with a red cross, is the actual national flag of England. It's meant to resemble the crucifix cross. The

problem here is that when you actually go back and study the issue, you realize that the origins of St. George himself aren't very Christian.

The connection here isn't very clear. It seems like he was born in Palestine, that he wasn't even a Christian and maybe was a heathen. There are a load of stories. This now becomes controversial. There are some scholars - and I have to say that I used to be of this opinion - who say that the item itself is not representative of a religious symbol, because the majority of people don't see it as that.

Instead, it's a representation of the country, and the representation of the country is something permissible because we are born here and we have every right to feel proud of being English within certain parameters, and not at the level of ideology or *dīn,* of course.

That's who we are. We will play for them, we will defend them, we will represent them internationally, etc. That is something which is permissible to have pride in. However, when it starts leading you to become arrogant, or you take the right of someone else, or you doing *ḥarām* to another person, it's impermissible. That's where the cut off is. It's unacceptable.

There's a scholarly opinion that St. George's cross being worn openly means you are representing Christianity. Now if that was the case, then this will be impermissible to wear. There are a number of scholars who consider it to be like that.

There are some people who argued that the cross itself means nothing. The cross itself actually has no value because the people don't understand it in its religious sense. It was fake at the time. It wasn't even real at the time. It was gathered by some Romans and they made it in that manner. It's not Christian in its origin and if ʿĪsa ﷺ was nailed to it in this manner, then it is a sign of misery and depression and death of Jesus, according to the Christians. However, the people who wear it today they wear it as a fashion statement and as a sign of pride.

So there are some people who argue there is no meaning to the cross and these are the people who say it is allowed to pray in a chapel for example, even with the cross there, because it has no meaning. They don't consider it to have any value so they don't want to give it any value. I also used to follow this opinion a long, long time ago. I now have changed my opinion. For about ten years, I am of the opinion that the cross *does* have function and viability and an ideological basis.

The strongest evidence of this is the *ḥadīth* of Bukhāri which says that when ʿĪsa ﷺ returns, he will break the cross. The breaking of the cross can be metaphorical or physical (he snaps it to show to all the people that Christianity was fake and false, or it is a metaphorical statement where he will state that actually Christianity is false and Islam is the truth). It is

irrelevant, actually. What's relevant is that the cross itself has been given some kind of meaning, whether it is metaphorical or not.

I err on the side of caution. I personally would avoid something with the St. George's cross to not fall into this *ḥadīth*:

مَنْ تَشَبَّهَ بِقَومٍ فَهُوَ مِنْهُمْ

"Whoever resembles a people is from them."[5]

It is for this reason that I personally think that you should stay away from something like that. It is doubtful and Allāh knows best.

Other Doubtful Matters

What other clothes have that kind of doubtful matter?

Any football shirt can be doubtful. A football shirt normally has these key problem areas: a national flag which has a Christian connotation, animals which normally mean you cannot pray in them, advertising for *ḥarām* products such as alcohol (e.g. Carlsberg), betting firms (e.g. bwin) and then of course we have Wonga which is the recent one, which is something very serious which represents a high interest and short pay loans, etc. - all promotion of interest and promotion of *ḥarām*.

They (the key problem areas) have different *'ilal* for why the shirt would be *ḥarām,* because you are promoting *ḥarām*. The Manchester United shirt has two areas of doubt. The first area is AON, the insurance company which is promoting other financial services. Personally speaking, the insurance issue is a different matter and I don't really want to get into that. Let's say it showed other financial products which are interest-based - this would be problematic. You are advertising conventional financing, interest-based financing, and so on.

The second aspect is the depiction of *Shayṭān*; it has a picture of the devil on it. What is the ruling on that? The promoting of the devil is absolutely the worst thing possible. That is devil worship in its maximum form, but then we come back down to the issue of the *fiqh* of images.

From the *fiqh* of images, there are rulings which differ. For example, a model of someone (a real life statue) would be the worst thing possible, and then it

[5] *Sunan Abi Dāwūd*, Book of Clothing, Chapter of Garment of Vanity, *ḥadīth* no. 4031

goes up. These are the things that fall into the absolute category of *shirk, ḥarām,* people looking up to it, etc.

Then lesser down is when you start to paint life-like portraits. Then you have a lesser issue when you take a picture. The reason why people do not apply the same ruling of the painted picture to the photo is because the photo is resembling something of real-life, not an act of the hand. It's like a mirror's reflection and no one considers that to be *ḥarām.* Also, if it's in a digital format, that is something which is not even real; it is actually just light which is then taken off the screen as well. So I am just bringing the whole thing down.

Likewise, cartoons are at this level when it comes to Islamic rulings. Cartoons have a separate ruling because it is obvious that they do not represent something real. For example, if you were to draw Mickey Mouse, the ruling on having Mickey Mouse on a shirt or something is not the same ruling as having a photo of someone imprinted onto it, because this (Mickey Mouse picture) cannot be brought to life since there is no such thing as Mickey Mouse and it's made up. This is how the *fuqahā'* have classified the different pictures.

What about *Shayṭān*? On the United shirt, it's likewise a cartoon version. The problem is, what is the difference between a cartoon version and the real version? The idea that we have of *Shayṭān* is this Christian kind of theory which has horns, a curly tail, carries a spear, giggles a lot and shows his teeth, etc. This is just a kind of cultural pass down. We don't have any proof that this is exactly what he looks like.

Therefore, what normally would have been an easy issue to deal with - a cartoon *Shayṭān* means nothing – now becomes a problem that the cartoon version of *Shayṭān* might actually be a good representation or certainly no worse in interpretation than almost every other version that is out there on the market. So the *Shayṭān* cartoon is a difficult one, and because it is one of doubt, it should be avoided.

The interesting thing is that there people might have said that it's definitely *ḥarām* i.e. wearing the shirt promotes *ḥarām* and devil worship. Most people would ignore that view. They don't see this as calling to *ḥarām*, *Shayṭān,* black magic, or anything like that because this is presented in such a sanitized way – it is a cartoon representation that is not representing devilish features.

So, normally that would be what makes something *ḥarām.* Here, we're not too fussed about that because it is quite clear that that's not the case. What we are fussed about is that this is actually a potentially real representation of *Shayṭān,* or certainly no worse a representation than anyone else.

Let's do a class vote right here. The devil on United's badge - do you see that as simply a logo? Put your hands up. Twelve people see it as simply a logo. If

you think that the devil logo on the United badge is *Shayṭān* with all of its connotations and negativity, raise your hand. We have a total of twelve versus ten people which proves that it is not so obvious.

Does it mean that it is now too doubtful, so it should be avoided? No doubt, that is my position. Does it mean that we will say "*Ḥarām*!" to someone who is wearing it? For me, this is a validation that we would not kick this person and rip it off of his back. This is a classic example of something like that.

However, there is no doubt that anything which is *Shayṭāni* in its nature (whether positive or negative, whether people understand it as a reality or not, whether advertising has done a great trick in fooling us that it is a cartoon character or not) should be avoided, and all the scholars agree on that.

I was expected to do three pages of the *Sunan of Wuḍū'*, and instead we started talking about *tashabbuh bi'l-kuffār.* Still, there are a lot of *fiqh* and principles in this lesson.

Q & A

Q: What's the ruling on dying the hair?

A: The ruling on dying your hair is that any colour is allowed, unless it's a colour which you are copying from some people in something. It's the same principle as the hairstyle. For example, some Buddhists do orange or something like it. If there is some colour that represents a people, then that is impermissible.

Also, to colour the hair to deceive people - for example, you try to make yourself look very young by dying your hair black, for the purpose of deception. This is not the same as the woman doing it for the sake of beautification for her husband, which is a complete different *ʿillah*.

Likewise for her husband, it is permissible for her or even him to do any colour and styling within the boundaries of normal and acceptable taste where people are not being imitated, religions are not being imitated, cults are not being imitated, and the non-Muslims are not being imitated in a specific fashion.

Let me just give a very good point which comes to mind. The imitation of the non-Muslims sometimes does not have to be in religion. Let me give you an example - who changes his hair a lot? David Beckham changes his hair regularly. With women? I don't know! For the women, we cannot think of an example. If you are now copying David Beckham because you see him as your idol, and every time he changes his hair you will change yours, this is a classic example what is not allowed. This is a classic example of *tashabbuh bi'l-kuffār* without a religious or cultish kind of association.

There are some people who just idolise the *kuffār* in that kind of manner. These people (the *kuffār*) have a very complete different set of values; they are changing their hair to keep themselves marketable in pictures, more attractive in films, etc. so the *ʿillah* is different but the principles from the *ḥadīth* are the same.

Q: What about wearing saris?

A: Is wearing a sari synonymous with Hindus or India? I have a feeling it's Hindus, not India. What is the general understanding? Okay, let's have a hand count. If you think India put your hand up. If you think Hindu put your hand up. That's the one I wanted to put my hand up for. So that is fifty-fifty, a clean fifty-fifty. I don't know. Right there, you've seen that's it is difficult. I thought it was India, but when I think about it, I only see Hindus [wearing a sari].

Q: To make *duʿāʾ* right now…

A: That is completely permissible. To make a *duʿāʾ* now is something which would be permissible because this is not legislating it in this manner, and we know that the Prophet ﷺ made *duʿāʾ* in congregation; therefore, that act is permissible.

6. *Sunan* of *Wuḍū'* IV

Clarification about *Bidʿah* and Christmas

I did want to mention a couple of things about questions. Some people thought last week's discussion was the official discussion on *bidʿah* because one of the side tangents led to the topic of *bidʿah*. It is important to understand that just because something is mentioned in class, it does not mean that it is the official discussion on that subject. That is important because when a discussion is done as a tangent, then it is not done in a structured fashion. It is okay to just explain it as a tangent to broaden your mind for that moment but it is not considered a study.

We did not study *bidʿah* last week; we just mentioned a few random principles. I know that is problematic and I know that when a teacher raises a subject, it sometimes raises more questions than it provides answers. Sometimes that discussion is there just to explain the tangent and I know that as mature students, you will have to appreciate that. That is why I do not want to answer the 26 000 questions on *bidʿah* and all its categories - because it was not a lesson on *bidʿah*. It was just us giving some examples on what it means to imitate non-Muslims.

At the same time, I also appreciate that it was completely coincidental that Christmas time is coming and people are stuck on the issue of celebration or just greeting others with this holiday. I take it relatively seriously to greet others on this holiday. I do believe that Christmas has a connotation of Christianity in the eyes of some of those who commemorate it or celebrate it. The date itself is more Pagan in origin and the real reality is that it has more of a capitalist-like flavour today.

Yet, we cannot remove the Pagan/Christian origins from it. Christmas is something that should be avoided and it certainly comes under the category of a *ʿĪd*. The word '*ʿĪd*' means 'celebration', and that is how we understand it. We can even call it a festival. What matters is the first thing that comes to our mind when we think about *ʿĪd*, and whether it is festival or a celebration. Festival is the event, and celebration is the act of showing happiness. What's interesting is the *ḥadīth* of Rasūlullāh ﷺ on this topic.

When Rasūlullāh ﷺ came to Madinah and he established the *ʿĪdayn* (the two festivals) for the Muslims, he saw the non-Muslims celebrating their *ʿĪd*. He didn't just see them celebrating because people can do this day and night. He saw them specifically celebrating a *ʿĪd*. *ʿĪd* comes from the verb *ʿāda yaʿīdu* (which means it comes back or it is reoccurring), so it doesn't actually mean a celebration at all. It means an event that comes on a certain day and people celebrate it or commemorate it, depending on its nature.

It is important to understand that Christmas would fall squarely upon a *ʿĪd*. Firstly, it comes back on the same day, whether it is meant literally or metaphorically. Secondly, people religiously commemorate it or celebrate that day, so it has the returning aspect and it is a festival. So celebrating Christmas is completely impermissible from every angle, whether you use a religious or capitalist one.

That's because Allāh ﷻ has given us our celebrations; He has chosen our days for us. Once you understand that, you will appreciate that anything that is associated with such a thing also then takes the connotation of the original ruling (meaning, to congratulate someone is not permissible and should be avoided). Likewise, to give a card wishing the same thing should be avoided. However, that isn't the real issue of this discussion.

The real issue is how one should get around it without upsetting people. The answer to that is that you should use as much style and confidence as you have to get around it. There is no *sharīʿah* answer for this. The *sharīʿah* answer for this would be *lakum dīnukum waliya dīn* ('for you is your *dīn*, and for me, mine'). However, that's not how we do things when we are living amongst the non-Muslims.

The irony is that we don't want to wish them a "Happy Christmas" because that would be specifying that event itself. Yet, we are happy for them to be able to get together with family, and have a positive holiday. This is wanting good for other people and that's something we can celebrate. So I think it's possible to say, "Season's Greetings", "Happy New Year", "Have a great break", "Have a wonderful time with your family", etc.

You shouldn't really use or allude to the Christmas festival itself. When I used to be in a non-Muslim work environment, it would be very clear that I wasn't interested in Christmas, and I would take them out for a treat a couple of weeks or months before Christmas to make sure that not celebrating on my part wasn't personal or about being stingy. So if you can pull it off like that, then that's great.

That's something which you need to navigate around, and I don't think it's very difficult. The Christmas party is something which, in general, should be avoided – not really because of its date, because no one actually does it on Christmas. I don't think it's a problem from a *sharʿi* point of view in terms of the event itself; the problem is what's going to happen there - alcohol, messing about, people in a state of undress, etc. That's the bigger problem.

On issues of birthdays and it being *bidʿah,* and so on, people have been asking if it is a major *bidʿah*. No, it's not a major *bidʿah* and the reason why I say that is because there are a lot of parents with young children who are too silly/young to understand, and they can't get it in their heads that there is better than this. They start to get psychologically inverted or something.

When they get an invitation here and there, I don't think that it's the biggest problem in the world if you're feeling way under pressure. People just want to find a ruling. I am saying

that if you were to let a child go (and attend that party), it would fall under ‘actions that should be avoided’ and it’s not the worst ḥarām in the world.

I want to make it very clear that you should put your defense up from the very beginning and that’s the best advice as a parent. I never let any of my children go. I would not want them to go because the first time that they taste that, it’s something which you can’t get rid of and it leaves a situation.

It’s not the birthday celebration or the party which is the problem; the problem is the environment which is created with friends, which create a certain state of mind which will never be achieved or seen at home, and therefore there is a 'this' and 'the other' which is created. That is really what we need to be protected against (that 'this' and 'the other'), because 'this' is never as good as 'the other'.

It’s the same reason why in parenting, the father is always loved to be with more than the mother. He is actually 'the other'. The majority of time is spent time with the mother, so it becomes boring, it becomes repetitive, and it becomes all of the negative things that are associated with parenting, whereas the father has little time (that they spend with the kids), so it’s fun time, break time, and so on. Expand that to the bigger scene; involve non-Muslims and impermissible practices, and that's what you create.

It’s important to hold firm. If you do hold firm and the parents are politely informed from the very beginning when your child goes to school, then they generally tend to avoid causing the *fitnah* (because it is a *fitnah* when they keep sending invitations). Once they get a clear, polite message on the first birthday, they generally avoid giving you the invitations later on and they understand it. You can still give sweets and things. You can still give gifts to the child.

On the issue of haircuts, there was a question about womens’ hair and the rules with respect to that. Of course *qazaʿ* applies to them if they felt like doing something stupid, like a Sinead O'Connor or something. But when it comes to the generality of their hair, it is the same - meaning they have the permissibility to cut it short or grow it long. There is no evidence that prohibits cutting it short or having a hairstyle for Muslim women.

Again, some of the scholars will say that is *ḥarām* because it is copying the non-Muslim. We say that actually, short hair for females is not necessarily the preserve of non-Muslim women. It is a style, and if a husband prefers a certain style, or the woman prefers a certain style, then that is allowed. We talked about this in the *ḥadīth* that we discussed last week which is

من تَشَبَّه بقومٍ فهو منهم

"Whoever resembles a people is from them."[1]

This has to do with what people are marked out by, what they are known by. It identifies them specifically - not if it is a general trait, a general matter, or a societal norm. That societal norm is not something that specifies them in a way that is exclusive and kicks out Islam as well. That would be the monk hairstyle that I explained, that would be a dog collar or a clerical collar, etc. So if a woman cuts her hair short and does that because she likes the hairstyle, that is not called copying the non-Muslim, unless she idolizes that woman, wants to be like her and act like her - that is something that is impermissible, of course.

Likewise, I was thinking when it comes to grooming, the *aḥādīth* [mentioned in class] were specifically to do with the beard, and we mentioned one *ḥadīth* where the Prophet ﷺ said that you shouldn't do that every day. Shaykh al-ʿUthaymīn رحمه الله explained this and said that it is because we should not overdo it with luxury. I said that I agree, but also, a man should be a man and should not be in front of the mirror doing all that too much.

The argument can be made for the woman as well; should she be beautifying herself every day? The answer is no. Actually, no Muslim should be beautifying themselves every day above and beyond what would be done for special occasions, such as *Jumuʿah* or the husband for his wife and vice versa. So every day, you would expect them to wash and clean, but on a Friday or every couple of days, you might need to do something extra, or there might be an event, and that is something good - it would not be considered impermissible. That is the difference.

Also, there are other cosmetics which are used for maintenance, and I would not consider that grooming. People might apply a certain cream to keep skin soft or to keep skin healthy. I wouldn't consider that to be grooming. There is subtle difference between looking to impress (in terms of showing beauty, or beard oiling and making it shiny and soft, or women doing their eyes) and someone using cream to soften the skin because it's dry and they have to use it every single day.

That use every single day is not what has been prohibited from the Prophet ﷺ. For example, the Prophet ﷺ even talked about *tarajjul* (combing). That doesn't mean just the quick combing before you go to the *masjid,* for example. It means a proper combing - putting in the beard oil, and doing the full behaviour. That is the kind thing that should be avoided (every single day).

That's a bit of clarification for some main principles that were covered in previous lessons.

EXAMINATION OF THE WORD *'SUNAN'*

[1] *Sunan Abi Dāwūd*, Book of Clothing, Chapter of Garment of Vanity, *ḥadīth* no. 4031

Let's start this major section. It's the *Sunan* of ablution, and in the Arabic text it's on page 4. Imām al-Ḥajjāwi ﷺ said in the *matn* of *Zād'l-Mustaqni*ʿ:

وَمِنْ سُنَن الوُضُوءِ السِّواكُ، وغَسْلُ الكَفَّيْنِ ثلاثاً، ويَجبُ من نومِ لَيْلٍ ناقضٍ لوُضُوءٍ، والبدَاءَةُ بِمَضْمَضَةٍ، ثُمَّ اسْتِنْشَاقٍ، والمبالغةُ فيهما لغيرِ صائمٍ وتَخْليلُ اللِّحْيَةِ الكثيفةِ والأصَابعِ والتَّيَامُنُ، وأَخْذُ ماءٍ جديدٍ للأُذُنَيْنِ، والغَسْلَةُ الثَّانِيَةُ، والثَّالثة.

That is the Arabic of the remaining two pages. The translation of these two pages is:

The *Sunan* of ablution include: using a tooth-stick; washing the hands three times, although it is obligatory after rising from nocturnal sleep which invalidates ablution; beginning by rinsing the mouth and then rinsing the nose; exaggerating in the two, except when fasting; running one's fingers through the beard; running one's fingers through the other set of fingers (and toes); beginning with the right; using new water for the ears, and washing a second and third time.

That is the translation. This is big stuff now. This is serious. We're moving straight into *wuḍū'* which is a major part of our religion, and obviously this is now proper purity that we use every single day. Shaykh al-ʿUthaymīn ﷺ mentioned a number of really beneficial points that we will learn all over this chapter and in the first few pages. We mentioned some of the things, so we will go quickly on that, and we will spend some more time on other things that he hasn't mentioned.

The first thing he says on page 168 is that the author uses the word S*unan,* and *Sunan* is the plural of the word *Sunnah. Sunnah* means 'the way'. That is its general meaning. For example, *Sunnat Allāh* - Allāh uses that a number of times in the Qurʾān. It's the way of Allāh that He has prescribed for the people, the Heavens, or the Creation, etc.

I said before that the word *Sunnah* has different meanings depending on the context. In principle, *Sunnah* is used when we are referring to the Prophet's ﷺ statements, actions, and in is his *taqrīrāt.*

و هي أقوال الرسولﷺ و أفعاله و تقريراته

Taqrīrāt is the *jamʿ* (plural) of *taqrīr* and it means his implicit approval. It also means to agree. For example, Allāh is legislating for us our religion, and that legislation is done via Him, directly through the Qurʾān or via the words of His Messenger ﷺ. Everything that

comes from the Prophet ﷺ is generally going to be taken as a *Sunnah*. So, how is that going to be transmitted to us? Either he's going to say it, do it, or someone else is going to do it, and he ﷺ is not going to have a problem with that.

It is obligatory upon the Prophet ﷺ to speak up if there is a problem. It's not a personal choice that he can leave. If there is something that a Companion did and it was wrong, the Prophet ﷺ will be held accountable if he didn't speak up. It's obligatory upon him and he did. Therefore, when he ﷺ approves of something, it is considered a bona fide *Sunnah*.

Shaykh al-ʻUthaymīn رحمه الله says that there is no difference between this understanding of the Prophet ﷺ and also the words *wājib* and *mustaḥabb*, which is interesting because the word *wājib* means obligatory and *mustaḥabb* means something which is recommended.

What Shaykh al-ʻUthaymīn رحمه الله is trying to say is that sometimes the word *wājib* (or when we say that this is *wājib* upon you) can also mean *Sunnah* and it can also mean *mustaḥabb.* How come the word *wājib* (obligatory) can also mean *Sunnah*, which is an action of the Prophet ﷺ and *mustaḥabb* (recommended)? The word *mustaḥabb* is not necessarily directly from the Prophet صلى الله عليه وسلم himself, but it is understood to be something that he would've recommended or allowed to be done in a way, because of the action of the Companions.

The word *Sunnah* is interchangeable depending on its context. It is clear that Imām al-Ḥajjāwi رحمه الله wants to focus on the meaning that *Sunnah* means non-obligatory. Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله makes a valuable point here though:

I say that one of the biggest problems of our time is our misunderstanding of the word *Sunnah.* When the *ʻulamāʼ* mentioned the word *Sunnah*, they want to try and indicate that this is something non-obligatory. But they don't mention it so that you can now get away with not doing it, which is the modern-day understanding of Muslims. You'll see that when someone doesn't do something and you tell them that they should, they say, 'It's only Sunnah.' For him it's an excuse not to do it and miss it. So, they don't pray their two *rakʻāt* after *Ẓuhr* or *ʻIshāʼ*.

If you want to be a follower of the Prophet ﷺ, you will only be a true follower if you follow him in all of his ways and everything that he does. I will go further - *jumlatan* (meaning in principle), it is an obligation to follow the *Sunnah*. So even though some of the actions of the Prophet ﷺ are not obligatory, it is obligatory to follow all of them, in principle. Yes, individually you can leave some here and there based upon need or some other reason, but they are to be followed. This is *ittibāʻl-Rasūl* (following the Messenger).

Allāh ﷻ says if you want to love Me then you have to love this Messenger ﷺ and you have to follow him. This is something that is well established. That's a reminder to all of us that we must not be negligent when it comes to the *Sunan,* and the Muslim only increases in

excellence the more *Sunnah* that he or she does, in every aspect of their life. This is why we treat the *Sunnah* and study it very seriously even though it's not obligatory.

Back to this interesting point that Shaykh al-ʻUthaymīn ﷺ gives us that is really nice. He says the literal meaning is - as I told you - *'the way'*, but technically, its legal meaning differs upon the field that you are using, and even depending on the *ḥadīth*. Sometimes the Prophet ﷺ uses the statement, or it's used with relation to the Prophet ﷺ, but actually it means obligatory.

The Shaykh gives the first example. He says the first example of *Sunnah* being used in the *Sunnah* (in the collections from the Prophet ﷺ) and it means *wājib* (something which is obligatory) is in the following *ḥadīth*:

قول أنس: **من السُّنَّة إذا تزوَّجَ البكرَ على الثيِّب أقام عندها سبعاً**

Anas ibn Mālik ﷺ said: "It is from the 'Sunnah' that if one is to marry a bikr over a thayyib, then he will spend seven (nights) with her."[2]

Let me just first explain what the Prophet ﷺ is trying to say. He is saying that if someone is already married and then marries another woman, and this woman - for all intents and purposes I'm just going to use this word because I haven't got the correct English word in my head right now, but let's just say the word 'virgin' right now – is a virgin (which isn't the correct word. *Bikr* means someone who has not been married before), then that woman will get seven nights exclusive with her husband (because she's not been married before, compared to the *thayyib,* which is a woman who has been married before).

That's relative to already being married. Obviously, if it's his first marriage then he's spending his whole life with her. I'm saying now that he has to give the *qism*, meaning he has to divide his time between his wives and to give each one their *ḥaqq* (right), and that is obligatory. So if you're already married, then the new bride gets a certain special kind of treatment for the first time. What is that special treatment? If she is a newly married woman (meaning never married before), then she gets seven days. If she has been married before, she gets three days. This is the *ḥadīth* which is very famous.

I just want to mention that this is actually a statement of Anas ibn Mālik ﷺ and take a look at the *takhrīj*. The *muḥaqqiq* says in footnote no. 2: "Narrated by Imām al-Bukhāri in the Chapter of *al-Nikkah*, in the *Chapter of Marrying a Newly Married Woman Over Another Who is Already Married*, *ḥadīth* no. 5213. It's also narrated by Imām Muslim in the *Chapter of*

[2] *Ṣaḥīḥ al-Bukhāri*, Book of Marriage, Chapter on Marrying a Bikr While Already Having a Thayyib Wife, *ḥadīth* no. 5213

Breastfeeding, in the *Chapter of What the Newly Married Deserves and What the Already Married Deserves, With Respect to How Long the Husband Spends Time With Her After the Wedding Night*, *ḥadīth* no. 1461.

We have shown that this *ḥadīth* is in *Ṣaḥīḥ al-Bukhāri* and *Ṣaḥīḥ Muslim*, but it's not the statement of the Prophet ﷺ. Yet the scholars consider this to be a *Sunnah* of the Prophet ﷺ (by consensus) because something like that cannot be made up by Anas Ibn Mālik ؓ, and he clarified by saying it's from the *Sunnah*. This is an example of a *ḥadīth* which is *ḥukm marfūʿ* (it has the ruling as if it was said by the Prophet ﷺ). It is raised (*rafaʿa marfūʿan*) in authority to the level as if the Prophet ﷺ said it himself.

What the Prophet ﷺ is trying to say is that the bachelorette [woman who was previously unmarried] gets seven days because it's her first time, and the one who was married before gets three days because it's not such a big thing (for her).

The word *bikrah* means unmarried, someone who has not and never had a valid marriage contract. There are some people who would get married with an invalid marriage contract and there would be other people who would get married with a corrupt (*fāsid*) marriage contract, which is a level better than the former but it's still unacceptable.

Then there are those who marry with a valid contract. If you get married with a valid contract, that takes you out of the category of *bikrah*.

I was looking in the books of *uṣūl*, and it says every virgin is a *bikr* but not every *bikr* is a virgin.

Zinah comes into it, but there is a discussion over *zinah*. The reason why *zinah* is not normally a part of this discussion is because there was never any intention for a marital contract.

Let's go back and understand it. Not every *bikr* is a virgin. How does that work? We have a woman who enters into an invalid marital contract, and the marriage is consummated and she has lost her virginity, but she is still a *bikr* because the marital contract is not valid. It gets complicated, but the point is that that's the principle.

The *thayyib* is exactly the opposite, meaning someone has had a marital contract, even though there might not have been the consummation of marriage (as that can happen for whatever reason).

Anyway, the main thing is that the word *Sunnah* here is indicating *wājib*. It means 'obligatory'. If you look in the books of *fiqh,* there is a discussion about if a man gets married to a young girl - does he have to go to *jumuʿah* (because he should spend those seven night with the girl)? I want you to know that there is a consensus by the scholars that they basically said yes. He will have to have a proper honeymoon with her, but he can't get out of

jumuʿah. They took the question seriously, which means that this is really an obligatory right of hers, unless she waives it herself.

Then there is another way of using the word *Sunnah* meaning 'recommended'. The use of the meaning 'recommended' is in the *ḥadīth* of ʿAbdullāh Ibn Zubayr ﵁.

صَفُّ القدمين، ووضْعُ اليد على اليد من السُّنَّة

"To straighten up the feet [in a line] and to put the hand upon the hand is from the Sunnah."[3]

To straighten up the feet in the line of prayer and to put the right hand over the left hand in the prayer is something from the *Sunnah*. We know from the supporting evidences that this is the *Sunnah* with the definition meaning 'recommended', not *wājib*, and not anything else.

This *ḥadīth* has been narrated by Abu Dāwūd ﵀ and Imām al-Nawawi ﵀ said that this has a good chain.

As for the *fuqahāʾ*, the jurists, and the *uṣūliyīn* (the scholars of Islamic/juristic principles), they have said that the word *Sunnah* is everything that is not *wājib*. It is everything which has been commanded, but not in a manner that necessitates (not necessarily in an obligatory fashion).

Then we also have the classic *uṣūli* definition that we have covered many times:

أنه يُثاب فاعلها امتثالاً، ولا يُعاقب تاركُها

The one who does it (trying to follow the *Sunnah* of the Prophet ﷺ), then he is rewarded, and the one who leaves it is not punished.

Sunan of Ablution - *Siwāk*

Let's talk about some of these *Sunan* so that we can get something out of this lesson *inshāʾAllāh*.

3 *Sunan Abi Dāwūd*, Book of Prayer, Chapter: Placing The Right Hand On The Left In The Prayer, *ḥadīth* no. 754

The first one is *siwāk,* and that is interesting because it has been mentioned right at the very beginning before one opens the *wuḍū'*, even the washing of the mouth. That indicates that *siwāk* is not actually part of *wuḍū'*. *Siwāk* actually happened as soon as you wake up, and you might just as well grab the *siwāk* and start brushing your teeth. It is there.

That is how it used to be with the Prophet ﷺ. It used to be right there. He would wake up and he would start straight away because the mouth is there, and it is not necessarily going to be sorted out with water. Likewise, when you are going to see the *siwāk* throughout the rest of the day, it is there and it is going to be done at that time. We mentioned this *ḥadīth* couple of pages ago:

لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي أَوْ عَلَى النَّاسِ لأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ صَلاَةٍ

"If it wasn't that it was going to cause difficulty for my nation, I would have commanded them to use the siwāk in every single wuḍū'." [4]

It does not mean with every washing of the mouth. I will tell you why we think that. We think that because every Pak does *wuḍū'* and he uses his finger, right? Actually, using the finger is based upon a weak *ḥadīth*. There is no evidence that the Prophet ﷺ used his finger at all in his mouth. This is a very interesting point. This *ḥadīth* which was narrated by Imām Aḥmad رحمه الله we will come to later, but it's weak and it has been taken up by cultural practice.

Once you use your fingers in your mouth like that, you might think that the toothbrush takes its role. You are already building upon a weak *ḥadīth* in your mind. So I wanted to take a step back and say that the siwāk actually would come in before the *wuḍū'* has even started.

Let me remind you that we are talking about the optional/recommended matters, meaning the non-obligatory matters.

Sunan of Ablution – Washing the Hands

The next one is:

وغَسْلُ الكَفَّيْنِ ثلاثاً

"…the washing of the hands (*kaff*) three times;"

4 *Ṣaḥīḥ al-Bukhāri*, Book of Friday Prayer, Chapter: To Clean the Teeth with *Siwāk* on Friday, *ḥadīth* no. 887

What is the *kaff*? It is the palm, correct. Linguistically speaking, this is the word *kaff*. However, when we say the *kaff* in its general sense, we mean the hand, and the hand is defined from the fingertips all the way to the wrist (the wrist bone itself). That is the definition of a hand. The definition of the hand is from the fingertips to the wrist bone, but the *kaff* also refers to the entire thing.

Technically speaking, the palm is the *kaff* and the reason it is called *kaff* is because *kaffah* means to stop something, to refrain, to push something away, or to withhold something. You do that normally if someone were to come and attack you, you would push them off with your hands. You do that with your palm, and hence that was what was given the name.

ناداه قلب الأم كف يداً و لا * * * تذبح فؤادي مرتين على الأثر

Everyone knows this. This is the last line of the famous poem about the boy who was fooled into cutting out his mother's heart. You've all seen the video of the paralysed brother, Abdullah Bani'mah, the *dāʿī*. He now teaches people and does a lot of lectures and so on, and he gives the example of his own story and how people have abused their mothers. At the end, he recites this beautiful poem. This poem was written by a Lebanese Christian Arab.

If you want to see it you can go online and if you type into Google "Abu Eesa" and maybe "mother" or "mothers" I am pretty sure it will be there (link). The poem is there and the video and the English translation and some commentary to it as well. It is beneficial. When he's about to kill himself in the last line when he realises what he has done (that he has been such an idiot and he has killed his mother), he's about to take the knife and stab himself - a stabbing that will be a lesson for all the nations. A voice called out and it was the heart of his mother that said "stop your hand and don't stab my heart twice in succession". Your heart is my heart. *Kaffa yadā* (stop your hand). That's the word *kaff.* Linguistically, it has always been used in that manner.

Anyway, here he says that it should be washed three times. This is the *Sunnah* of the Prophet ﷺ, that when you start your *wuḍūʾ* anywhere or any time, you wash your hands three times. The reason for that is because the Prophet ﷺ used to do that, as has been narrated by Imām Bukhāri in the Book of *Wuḍūʾ*, in the Chapter of *Wuḍūʾ*, Three Times, Three Times, no. 159 and also it has been narrated by Imām Muslim رحمه الله the Book of Purification, in the Chapter of the Description of *Wuḍūʾ* and its chapter Perfection from the *Ḥadīth* of ʿUthmān ibn ʿAffān رضي الله عنه, *ḥadīth* no. 226.

This is the action which has been clearly authentically narrated that before starting his *wuḍūʾ,* the Prophet ﷺ would wash his hands three times. Why? Because that is the thing you are going to use to do the rest of your washing. If your hands are dirty, then what's the point

of you washing the rest of the limbs with them? Therefore, it is becoming that they are put forward as the things that should be washed first.

Q: Why do we not say, 'It's *wājib',* even though the Prophet ﷺ was seen to have to have done this every single time?
A: It's not in the *āyāt* of *Sūrat'l-Mā'idah*:

﴿يا أيها الذين آمنوا إذا قمتم إلى الصلاة فاغسلوا وجوهكم﴾

"You who believe, when you are about to pray, wash your faces..." [5:06]

He ﷺ did not say 'Wash your hands', and this *āyah* establishes all the obligatory aspects of *wuḍū'*. Therefore, from a scholarly point of view, we see the Prophet ﷺ doing it all the time and telling everyone to do it, and we see Allāh ﷻ mentioning in the Qur'ān (the key aspects) and so when we combine these two sources of evidence, it becomes clear to us that the things mentioned in the *āyah* are absolutely obligatory, and those which were mentioned by the Prophet ﷺ were those of *Sunnah* nature (meaning something that is not obligatory).

Yet, Imam al-Ḥajjāwi رحمه الله then says that washing the hands three times is from the *Sunan*, although it is <u>obligatory</u> after rising from the nocturnal sleep which invalidates ablution. He is saying that it does become obligatory in a certain time and place. We touched upon this about a year ago.

This is all about understanding the Prophetic household and the way that the Muslims were at that time. They do not have plumbing, taps, people don't even have a lota (or something like this). You have a bucket or a pan and it has water in it, and one way or the other you have to put your hands in that pan to get the job done.

Remember, we said the first obligatory act of *wuḍū'* is washing the face. How are you going to wash the face, except that you're going to put your hands in most of the time. Because of that action of putting the hands in, and you're waking up from a night time sleep, and those hands are wherever they are, the Prophet ﷺ said in the *ḥadīth* of Abu Hurayrah رضي الله عنه which we will quote again:

إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلاَ يَغْمِسْ يَدَهُ فِي الإِنَاءِ حَتَّى يَغْسِلَهَا ثَلاَثًا فَإِنَّهُ لاَ يَدْرِي أَيْنَ بَاتَتْ يَدُهُ

"If one of you wakes up at night from his sleep, than let him not dip his hands into the pot until he has washed them three times, for indeed, none of you knows where his hand spent the night."[5]

Orientalists, liberalists and secularists tried to attack this *ḥadīth* for a number of reasons (mostly because of its meaning). They said, 'What does that mean, *where the hand spent the night*? Does it make sense?'

First of all, I want to say straight off the bat that not only is this *ḥadīth* narrated by Bukhāri and Muslim, not only is it from the most authentic *aḥādīth* that we have, but this is actually a *ḥadīth* which is *mutawātir*.

Let me explain to you what *ḥadīth mutawātir* means. A *ḥadīth mutawātir* means a *ḥadīth* has been narrated by so many Companions in so many different areas, at so many different times and collected in so many different places and spread so far, that it was and is actually impossible to fabricate. Every single narration gathered together is exactly the same.

This becomes *mutawātir*. This *tawātur* is a condition for the Qurʾān. Any *āyah* of the Qurʾān to be passed as an *āyah* of the Qurʾān has to pass the *tawātur*, not just to be authentic.

Side question: which is the famous *ḥadīth* which has only been narrated once?

"Indeed, actions are by intentions."

This is an authentic *ḥadīth* that has only ever been narrated once, only ever been collected in one single fashion from Sayyidina ʿUmar ibn al-Khaṭṭāb ﷺ. Only once ever, but it's super authentic.

Then you have other *aḥādīth* which are the opposite of this. They are likewise authentic, but have been collected by a multitude of Companions, a multitude of students and in a multitude of places. That is called *tawātur*, and obviously *tawātur* gives you more confidence than a single narration. That is why the Qurʾān is able to deal with that, because every *āyah* is *mutawātir*.

This *ḥadīth* has been narrated by Imām al-Bukhāri, Imām Muslim, al-Nasāʾi, al-Tirmidhi, Ibn Mājah, Abu Dāwūd, Aḥmad ibn Ḥanbal, Ibn Ḥibbān, Abu Yaʿlah, and al-Dāraquṭni – all ten of them, straight. Also many of the other collections of *aḥādīth* have it as well. Let me just quickly discuss the issue here.

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[5] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: It Is Undesirable To Put One's Hand In The Utensil Before Washing It, *ḥadīth* no. 278

First of all, let's discuss 'where his hand spent the night'.

That's why people always translate this correctly as nocturnal sleep. The idea behind it is because when you say *bātat,* the person has gone and spent the evening. We don't know where his hands have spent the night. Here, we're talking about the sleep which is so overcoming or overwhelming that you literally knock out. When you knock out, you're not aware of anything, and you don't know what's going on. That is sleep that is normally restricted to the nighttime. The scholars differed on what it means, *where the hand spent the night*.

Is it to do with touching something? Some people say 'Yes, because the hand might have touched the genitals and it's dirty'. Some other people said 'The hands might have touched a *najāsah* or some sort of impurity'. The third kind of people said (coming) from their *ʿilal* (plural form of *ʿillah*) that for the *sharīʿah* reasons behind this *ḥadīth,* his hand might be hanging off the bed and Shayṭān might be doing something with it, something metaphysical or spiritual which we don't know the reason. That's something we should also take on board.

We actually do not know the exact reason for the prohibition in this *ḥadīth*, but we can make a good guess that it is because this time, we are touching something dirty. Therefore, if you go to sleep at nighttime and not in the daytime (because normally you don't go sleep deeply during the daytime), then you will have to do it? Yes! And if you are going to sleep deeply in the day for so long, the same thing applies.

Remember, the word 'sleep' is subjective, and the scholars differed what 'sleep' means. Some people said 'sleep is the leaning on the surface with the eyes closed, without losing your senses'. This is hardcore, because sleeping causes a number of issues, especially from the point of view of *wuḍūʾ*.

Basically, the *ʿillah* according to our opinion (and it is the **class position**) is: sleep is if you go to sleep long and deep enough in where you don't have a clue what is going on, and Allah knows best.

For instance, if someone walks in the room and makes tiny bit of noise and you wouldn't be able to hear him because you are asleep. When you are asleep, you can't hear as good as when you are awake. A light sleeper does not mean that he wakes up every time, it means that they are not as disabled by sleep as others would be. You can't say that the one who is awake and who is light sleeping have the same acuity to listen. Is it possible to have the same, medically speaking? My question is "when the person enters the lowest level of sleep, is his hearing at that moment the same when he is awake?" I do think that when you go to any level of sleep, your ability to sense is reduced. That's why the scholars talked about it.

They said that as soon as you go to sleep, at any level that your senses are taken out, that's the one which is *nāqiḍin li'l-wuḍū'*. That's why he has added those words, "*nāqiḍin li'l-wuḍū'*" (that which invalidates the *wuḍū'*) because the Ḥanbalis or Imām al-Ḥajjāwi is my kind of school which is that not every sleep breaks the *wuḍū'.*

We have the *ḥadīth* that the Companions were waiting for the Prophet ﷺ to come out for the *Ṣalāt'l-'Ishā',* and the Prophet ﷺ was delaying it and they were so tired in the *masjid* that they were all sitting there and their heads were gone and they were all asleep basically. They fell into sleep, but none of them got up when the Prophet ﷺ came in, and he ﷺ said:

لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي لأَمَرْتُهُمْ أَنْ يُؤَخِّرُوا الْعِشَاءَ إِلَى ثُلُثِ اللَّيْلِ أَوْ نِصْفِهِ

"If it were not that it would be a hardship on my nation, then I would have ordered you to delay 'Ishā' until the third of the night, or its half."[6]

i.e. Every night *'Ishā'* should be late. He ﷺ said 'I don't want to make it difficult upon you, I can see what's going on. We are not going to do that again'.

He ﷺ didn't tell any of them to go make *wuḍū'* again even though most of them were nodding off. It shows that nodding off isn't a problem, because when you're nodding off, no one actually has to make a sound and you wake up within seconds. Actually, you wake up just by the jerk of the head. You're still alert but technically you're asleep.

Let me give you an example. If you're awake and I'm looking at you now with my eyes open, that would be crazy for me to look at you and nod my head off intentionally with drooling and other disgusting behaviour. I only do that when I've literally lost (my senses) and I've gone. But where I've gone isn't very far.

This is the point, which is why Shaykh says that the sleep has to be a sleep that breaks the *wuḍū',* and the sleep which breaks the *wuḍū'* (according to the Ḥanbali *madh-hab*) is every possible sleep other than the very light sleep of the standing or the sitting one. Basically what they've said is that unless you've nodded off standing or sitting, every other sleep breaks the *wuḍū'*. They understand that if you're standing, it's never a deep sleep. I want you to know that the Ḥanbali position supports the idea.

Shaykh al-'Uthaymīn is going to add to this. He says, actually, the correct opinion is that the real issue about whether the sleep is invalidating or not <u>is about the senses</u> and not about

[6] *Jāmi' al-Tirmidhi*, Book of Prayer, Chapter: What Has Been Related About Delaying The Last *'Ishā'* Prayer, *ḥadīth* no. 167

the lightness, sitting down or standing up, leaning on something or closing the eyes. It's about the senses i.e. *al-iḥsās*.

He says:

فما دام الإِنسان يحسُّ بنفسه لو أحدث فإِن نومه لا يَنْقُضُ وضوءَه،

If a person is able to sense whether he breaks his *wuḍū'* or passes wind, it does not matter how deep or not his sleep is. If he has enough control of his senses that he can tell whether he has broken his *wuḍū'* by passing wind, then this is not a sleep which breaks the *wuḍū'*.

I gave you the example of this from ʿAbdullāh ibn ʿAbbās last time and a number of the companions, where I told you that they were sitting in the *masjid* cross-legged, thus causing the anal sphincter muscles become tense. This, therefore, makes it more difficult to pass wind. He was sitting cross-legged, he fell asleep and the level of his sleep was that he definitely fell asleep where his head was gone. He woke up then turned to his neighbour and said "Did you smell anything, or did you hear anything?" and the man responded "No and No". He then stood up and he prayed there and then and did not go to make *wuḍū'*.

The majority do not accept this. The majority say that you cannot go around doing that. But for me and certainly Shaykh al-ʿUthaymīn رحمه الله, this is his position. He is not going that far, but actually it is a *qiyās* upon what his position is. If you are able to ascertain whether you broke your *wuḍū'* or not, then your *wuḍū'* is fine and your sleep did not affect it. But if you are unable to be aware of yourself, whether you broke the *wuḍū'* or not, then this *wuḍū'* is broken. That is what the scholars mean when they mention the concept of sleep which invalidates *wuḍū'*.

يؤيِّدُ أنَّ الرَّاجح أنَّ النَّوم النَّقض للوُضُوء ما فَقَدَ به الإِنسانُ إِحساسَه

It is clear that the most authentic, correct and the strongest opinion is that the sleep which invalidates *wuḍū'* is the sleep which makes all of your senses go. You have lost all of your senses. The support for this is:

فإن أحدَكم لا يدري

Because one of you does not know, he does not know.

If he does not know, then it means he has lost his senses. That is the sleep which has established that he has lost his senses.

Shaykh al-ʻUthaymīn ﷺ is sticking to that level, but I would take it further. I am saying that the **class position** is what Shaykh al-ʻUthaymīn ﷺ has said. What is the class position? Not every sleep breaks the *wuḍūʾ*; if you fall into a light sleep where you are sure that you have not broken the *wuḍūʾ*, then your *wuḍūʾ* is still in touch.

My personal position - just for your own benefit, but not as a class position - is that you do not need to be sure. If someone else can ascertain for you, then that is good enough. That is the *manhaj* of (some of) the Companions and I am happy with that.

What have we learned from this ruling? The point is that you go to into a deep sleep, whether it is in nighttime or daytime. In principle it's nighttime because it is that deep. One hour does not do it - it has to be a couple of hours, properly knocked out in bed, soft and everything. Also, do not forget that it mentions at nighttime because you normally remove your clothes, so you are less clothed. Whereas in the daytime, you are on the sofa, here and there, and normally you are clothed. There less chance of anything (dirty) happening.

This is why the *ḥadīth* specifies *bātat*. In nocturnal sleep, you go to sleep and you wake up, then it's obligatory to wash your hands three times before you put your hand in a bucket. Therefore, this ruling is not applied to us using a tap. The reason is that this is to do with soiling the water you are about to use. If you turn on the tap, especially if you are using your elbow or you flip it up or even opening it and you wash your hands with soap underneath it or you do not wash your hands and you start straight away – regardless, the ruling is not applied to the water itself.
A person can just put his hands underneath, and if that cleans something there, it cleans it or not. This is actually the position of a number of scholars and has been narrated from Shaykh Mubārakfūri, Shaykh Ṣāleh Fawzān ﷺ and Shaykh al-ʻUthaymīn ﷺ. Actually he mentions it here:

وهذا إذا أراد أن يغمسهما في الإناء

And this is only if he intends to put them into water.

If you go back to page whatever of your notes (early on in Academic Year One when we talked about pure and purifying water), you will remember that the reason it was mentioned there is that if dirty hands are put into a pot of water, does the pot of water lose its ability to purify? We said it does not, and it remains upon its original state.

Therefore, the argument of the other scholars was that when you put your hand into this water, the whole water is messed up, and that's why you cannot do it.

We accept it as an argument but it is not the correct position. The water still remains pure. Why does water become impure? If it changes its color, taste, or if it becomes dirty, not just by virtue of something dirty falling into it. It does not always necessitate it; you have to see it change. Shaykh al-'Uthaymīn رحمه الله is sticking firmly to that principle. He says that it is not really about that. If you are using the tap, it is not a problem.

In summary, I want to say to you that a *Sunnah* is something that is important, so do not take it lightly. It is from the *Sunan* that one does *siwāk* before you start the *wuḍū'*, it's from the *Sunnah* to wash your hands three times, and it is obligatory to wash it before putting your hand in the bucket, but for the majority of us, you are going to be using the tap, so it still just remains a *Sunnah* to do.

Q & A

Q: What is then the reason behind this *ḥadīth* for us obligating the washing of hands if we were to put them in a bucket? What actually is the reason?

A: The answer to that is something which we spent a while on last time, and a little bit this time. Basically, the scholars have no agreement on what the reason is. As I said to you before, the three reasons are that some said he touches the genitals, some said he touches *najāsah* (actual dirt itself), and others said it has a spiritual connotation of *Shayṭān* being involved. Others said we do not know the *ʿillah;* we just follow it, so all of these are possible reasons.

The *ḥadīth* that you mentioned about it being just another limb is not a *ḥadīth* concerning *najāsah,* it is a hadith concerning *shahwah*, so it is not to be applied in the way that you applied it (meaning that touching the genitals if they are dirty still makes your hands dirty).

The statement of the Prophet ﷺ was not about the genitals being dirty, it was talking about it creating sexual desires and him saying that just touching the genitals does not incite sexual desires by itself intrinsically, and the *wuḍūʾ* is only broken if there is desire. We will come to it a little later on. Otherwise touching it - it is just another part of your body. That is the meaning of that *ḥadīth*.

As for *najāsah*, if we were to apply the concept of *najāsah*, then it is obvious. Getting *najāsah* on your hands when you have children is something very common. The children are very bad at cleaning themselves, so therefore when they often scratch themselves - and they do anal scratching, which is why they get worms and so on - their hands will get it. Adults with poor hygiene will do the same.

This is where Shaykh al-ʿUthaymīn رحمه الله comes to power/strength here. He says that this has nothing to do with dirt. He says because the *ḥadīth* says *ʿinna aḥadakum'* (one of you Muslims), meaning that the *mutamayyiz* who is most likely to have dirt on his hands has not been told not to do it, and the non-Muslim who's much more likely to have dirt everywhere has also not been told not to do it, but the Muslims have been, this indicates some kind of spiritual reason which we can't put our finger on. The main thing to learn is that there is no certainty on the *ʿillah*, and without any certainty we won't discuss it too much.

Q: If we're then going to say that we don't know what the *ʿillah* is for definite, then how can we then say that you don't need to wash it if we're using a tap?

A: Number one: as I said, the majority of scholars do consider it to be a filth/non-filth issue. So that answers that question. The second answer is that the *ḥadīth* itself says, '*yaghmisu yadahu fī inā''* (he dips his hand into a container). Now there's a world of difference between you dipping your hand into a closed container of water, and water being carried away when it's flowing. So actually even the meaning of the *ḥadīth* is different, and Allah ﷻ knows best.

7. *Sunan* of Ablution V

Brief Note on Difference Between the *Bikr* and *Thayyib*

In the chapter of marriage, the woman are of two types, which we covered briefly last week and I want to go back to make some clarifications.

Last week, we were talking of the examples of the word *Sunnah*, and we gave the example of the *ḥadīth* of the Prophet ﷺ who said that it's from the *Sunnah* to spend seven nights with the *bikr* and three nights with the *thayyib*. This means she (the *bikr*) would get seven obligatory nights, even though the word *Sunnah* is used.

A *bikr* is someone who's getting married for the first time in a valid marriage contract. She might not necessarily be a virgin. I think that's excellent and it's a perfect definition. I mentioned a statement or maxim that every virgin is a *bikr* but not every *bikr* is a virgin. We are going to start just from there, so we can get the idea clear in our heads. I repeat, **every virgin is a *bikr* but not every *bikr* is a virgin**.

However, in principle, when we say the word *bikr*, we mean virgin. Whenever there's a reference to it, it means virgin but I want you to know that technically speaking it might be possible for a woman to have lost her virginity in a manner that would not make her lose the ruling of being treated as a *bikr*. Rape and *zinah* are classical examples and this is my position.

This is the position of the Māliki school, and that's mentioned by al-Dardīr in *Sharḥ'l-Saghīr* and it's also the position of Imām Abu Ḥanīfa رحمه الله in *Al-Baḍā'iʿ wa'l-Ṣanā'iʿ* , one of the most famous books of Ḥanafi *fiqh*. This is quoted from Imām Abu Ḥanīfah and this is my personal position.

As for the two companions, Abu Yūsuf al-Qāḍi and Muḥammad al-Ḥasan al-Shaybāni, these are students and companions of Imam Abu Ḥanīfa. They are *mujtahid* imāms, leaders in their own right and scholars of the highest order. Their position generally tends to make up the Ḥanafi *madh-hab*.

Remember of course, that when we say 'the Ḥanafi position', we differentiate between what the Ḥanafi schools rule by today and what used to be the individual position of Imām Abu Ḥanīfa. They are often different, but not always. Academically speaking, we should try to achieve clarity on that.

Imām Abu Ḥanīfa said that - and this strengthens our maxim - if a woman is involved in *zinah* or something… I want to take it back just to get a bit technical.

The hymen is like a sheath, cover or skin which indicates virginity, although not absolutely 100%. It is a very big thing in the cultures of the world because no one's a doctor working out different tests. But generally, when a woman is married, her hymen is theoretically intact which is what determines her virginity. That's why intercourse is painful the first time, because it will bleed and split.

What's interesting is that the scholars are often trying to preserve or protect the woman from doing certain activities because they don't want her to suffer the shame on her wedding night of her husband saying that he's married to someone who is not a virgin. She could have had an accident or had an operation or been involved in some physical sports like horse-riding which leads to the hymen breaking. Therefore, the people start to doubt in her chastity.

Generally, the scholars want to avoid that kind of scenario for her. Obviously, if someone was involved in sports and did nothing wrong, then she is still a virgin. I want you to know that the scholars in the books of *fiqh* would still define someone who has had their hymen broken as *bikr* because their virginity has not been lost.

We go further - Abu Ḥanīfah رحمه الله and the Mālikis and myself which is why I mentioned this last week. Even if she does lose her virginity via a manner which is unacceptable or illegal, such as *zinah* or something like that, we will not call her a true *bikr,* but she is *bikr ḥukman,* meaning that she's given the ruling of a *bikr*.

This means that when she's asked for marriage, she needs to respond in an affirmative fashion. It also means that when she does get married, she will get seven nights. So even if she might not technically be a virgin, we do need to apply a ruling to her so that we can give her full rights, as opposed to the one who is a *thayyib*.

A *thayyib* is the exact opposite; it is the woman who has lost her virginity in some kind of marital contract. This is my position, and this is following Abu Ḥanīfah رحمه الله. Abu Ḥanīfah رحمه الله said it doesn't matter whether the contract is *ṣaḥīḥ* or *fāsid* (meaning corrupt or that something has gone wrong), as long as there was some kind of attempt at trying to do this the right way.

This is an issue which often comes up when we have converts. So when a convert man and wife that were married via Christian or civil marriage come to us, we do not make them do their *nikāḥ* again. We don't say you have to do the *ʿaqd* again to become man and wife. The Muslims recognize legitimate marital contracts that were done in *kufr*. As long as it was understood to be marriage by them, be it Christian, civil, or secular.

Likewise, if a person was to have such a contract and they had lost their virginity in that contract, then they would be considered to be a *thayyib*. Another example of course is that when you do get married, there is one thing about the marriage being consummated, and this is the concept of *dukhūl*. What this means is that when the husband and wife are isolated into a room where nothing can be seen, like a

completely closed bedroom. This - for all intents and purposes - not only confirms the marriage, but also it almost is called a consummation of the marriage.

Now, there are two types of consummation. One is the actual consummation which requires the loss of virginity, and the other type is what we would consider to be a 'ruling of consummation' (like a pseudo-consummation), meaning we actually have no idea what happened behind those doors. So for all intents and purposes, someone who wanted to get married to them again (either one of the two parties) would treat them based upon that reality that they were isolated together.

Let me give a practical example. If someone wanted to get married to a virgin, then it would be understandable if he would be saying, 'Well, they were together for three days', for example. It doesn't matter if the husband comes and says, 'We did nothing for three days'. It doesn't matter if he says that. The reality is that they were isolated together. It's almost given like a ruling. That is why the scholars always differed over what happens actually when you have a man or woman in such a scenario.

I want to say to you that I consider someone who has not lost the virginity (even after isolation) also to be given the ruling of *bikr*.

Just imagine a scenario that the two newly-weds are going to a room and there's an almighty kick-off. Absolutely nothing happens and she comes out. How am I going to now treat her? The scholars would differ now. Do we treat her like a *thayyib* (meaning married-lost-virginity kind, even though she hasn't), or the fact that they might have done some foreplay or something like that but then they stopped (so she gets the ruling of *bikr*)?

In my position, she gets the ruling of *bikr*. She protects the rights because she has more favourable rights when it comes to marrying again. I just wanted to emphasise that.

There is difference of opinion on this issue. The Shāfiʿi school, Ḥanbali school and the two companions are the opposing. They said that if a woman loses her virginity regardless of however she lost that virginity, she has now lost the title of *bikr*. She becomes *thayyib*. Imagine an unmarried woman who was raped for example, she would now be given the ruling of *thayyib* and not *bikr*. That's the position of the Shāfiʿi school, the Ḥanbali school and the two companions. But like I said, I rule by the position of Abu Ḥanīfa and its *khilāf* to this. I just wanted to mention that.

Q: Sometimes they do the *nikāḥ*. Among some folks, it happens. The woman is in the *nikāḥ* but she hasn't consummated the marriage. Would she be considered *bikr* or *thayyib*?

A: This is the classic scenario that amongst the Pakistani kind of community, not just them, in all communities, when they do the *nikāḥ* and nothing actually happens. She

stays there for the next two years while he gets off with someone. If that scenario happens, she would still get the ruling of *bikr*, technically speaking.

Ibn Taymiyyah ﷺ on Reducing Desire

I will also just mention one thing right now - recall the position of Ibn Taymiyyah ﷺ that has to do with reducing desire. I think when he says that the process of female circumcision actually reduces the desire, he's trying to explain two concepts - one is if the actual clitoris itself has nerve endings removed, then you are reducing actual physical ability of arousal (in a physical fashion).

I really thought about what he said, and I think what he is really talking about is if the correct form of circumcision is done (which is the removal of the clitoral hood that looks like the crest or comb of the rooster) which is called a clitoral hoodectomy then this actually enhances the experience and makes it easier for her to be satisfied.

When you compare this to the *ḥadīth* (which is authentic enough) when the Prophet ﷺ said 'Don't get rid of the clitoris but just remove the top skin. It is brighter for the face of the female and more pleasing for the male'.[1] It is almost to say that she will be more satisfied with her husband and therefore have no need or desire to go elsewhere, outside, or think in a certain way. That's where the desire translation comes from - to have a desire for somewhere else because actually, she is very satisfied with what she is getting.

The converse would make a lot of sense. By the way, this operation is done medically without Muslims being involved. The clitoris itself is the focus of all sensual pleasure; in fact, we said in the previous lesson that it is a part of the body which is miraculous - it has no function other than to give pleasure. The skin on top of it (the prepuce) can sometimes get so thick and tight that actually she cannot feel pleasure.

You can imagine, then, the frustration and dissatisfaction - this is where *fitnah* starts - desire, thinking about other people, other options etc. Actually, when you think about Ibn Taymiyyah's words, it can be seen like this. He mentioned about the women of the East and the West, that they have higher uncontrolled libido.

Actually, maybe what he is trying to say is that they are more unsatisfied and by not doing this, they are not getting enough satisfaction with their rightful partners, therefore having them go outside, do this and that, and whatnot. Allāh knows best, but that's the kind of *ta'wīl* (interpretation) I could maybe understand from his notes.

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[1] There is a further narration where the Prophet (s) said, *"Umm 'Attiyah, when you circumcise, restrict yourself to cut a minute part and do not excise the glans entirely, for this is beauty for the face and more desirable for the husband*." (al-Ṭabarāni, 8137 and considered authentic by al-Albāni)

I want you to go back and I will explain that in a number footnotes and brackets in the Lesson 4 notes, which inshāʾAllāh will make everything clearer.

Rinsing the Mouth and Nose

We are on the beginning of page 171:

والبداءة بَمضمضةٍ ثمَّ استِنْشَاقٍ والمبالَغَةُ فيهما لغيرِ صائمٍ وتَخليلُ اللحيةِ الكثيفةِ والأصابعِ، والتيامُنُ، وأَخْذُ ماءٍ جديدٍ للأُذُنَيْنِ، والغَسْلَةُ الثانيةُ والثالثةُ

The translation, to continue from the further actions of the *Sunan* of *wuḍūʾ,* is:

"…beginning by rinsing the mouth and then rinsing the nose; exaggerating in the two, except when fasting; running one's fingers through the beard; running one's fingers through the other set of fingers (and toes); beginning with the right (meaning doing everything on the right hand side first); using new water for the ears, and washing a second and third time."

The Ḥanbalis and al-Ḥajjāwi رحمهما الله are trying to say that these are the *Sunan* actions, the non-obligatory aspects of *wuḍūʾ.* I want to talk about this and explain a number of issues. There is a lot of detail here, but I think we can go through this quite quick inshāʾAllāh.

On page 171 of the *sharḥ*, the Shaykh says 'First of all, let's make it very clear that you don't misunderstand. In the Ḥanbali *madh-hab,* to wash the mouth and the nose is an obligation'. What is it doing here, then? Why is it being mentioned here? Actually, let me just explain what it actually is. What is *maḍmaḍah?*

Maḍmaḍah is a word which means to move. The Arabs say '*maḍmaḍatʾl-ḥayyatu*', meaning 'the snake moved very quickly'. It's about *taḥrīk* (quick movement). '*maḍmaḍat/taḥrīk'* means to swirl/shake. What it basically means is to swirl water around in the mouth; it is the movement of the water in the mouth. That is what Shaykh al-ʻUthaymīn رحمه الله says.

إدارة الماء في الفَمِ

Al-istinshāq is to do *nashaq*. *Nashaq* means to snuff water by sniffing water into the nose. This is the technical definition of *maḍmaḍah* and *al-istinshāq*. The Ḥanbalis and a number of scholars say that to wash the face is an obligation. You will learn that the

ruling for washing the mouth and the nose follows the ruling of the face, because they are part of the face. Washing the mouth and the nose is also considered an obligation.

Knowing that, why has Imam al-Ḥajjāwi ﷺ included that here as one of the *Sunan*?

Q: Is it talking about exaggeration?

A: No, because that is coming next. The exaggeration is the next thing. What we are referring to here (the *Sunnah*) is to do it *before* washing the rest of the face. That is what is being said. It is the first thing you start with. You have washed the hands three times, and we have already assumed that. This is not a part of the actual *wuḍū',* it is a *Sunnah* of the *wuḍū'*.

Imagine you are making w*uḍū'* - everyone washes their mouth and nose first, and you wash your face afterwards. Imagine now, that you wash your face and then you wash your nose, and then you wash your mouth. What do you think? What happens?

It is permissible to wash your face first (if you didn't understand what was going on and you washed your face), then you washed your mouth and your nose after it. Your *wuḍū'* is still okay and acceptable. You do not need to start again, or break, then wash your face again. It is a *Sunnah* to wash the mouth and the nose before you wash the face. That is the point.

The Shaykh ﷺ says that the best way to do this, is in three handfuls, three times. Even though we are going to come to learn later that to even do it once is sufficient. This is the *Sunnah*, what is the most complete, and the best.

I want to mention a couple of words. The first word is *maḍmaḍah*, which is to swish water around the mouth.

The second word is *istinshāq*, which is to snuff water up the nose.

A third word which has been used in the *ḥadīth* (it has been narrated authentically in the *ḥadīth*) is *al-istinthār*. *Istinthār* comes from the verb of *nathara* which means to squirt. This is the blowing out part. Sometimes, the description of the *wuḍū'* or the washing of the nose is described as washing the nose three times by snuffing the water up, and other times it is described as washing the nose by squirting three times. If you mention the word *istinthār*, you're automatically assuming that you have snuffed it up. The words are interchangeable, even though the meanings are completely different. The first one means to snuff up, the second one means to blow out basically.

I want to discuss the *maḍmaḍah* - what are you doing it for? You are doing it to clean your mouth. This is something you do every day, and here is the problem: we spent a whole year talking about washing and cleaning, doing *istinjā'* and going in to a

bathroom, and the problem is that 80-90% of the people would not have applied what they learned last year. This is not because of a will not to, but because when people do everything on auto-pilot, it is very difficult (even when you know what the right thing to do is because you have studied it) to apply because you have been doing this for years upon years, so you just carry on doing what you are doing. You are still probably going in to the bathroom and coming out without making the correct duʿāʾ, and now when we talk about how you should be doing the water and the nose and so on and so forth, you know it, and you will still do it incorrectly.

So at this point, this is a reminder to myself and you all that when you are going through all of your actions, you must actually, physically stop. Stop hard core. There are two types of stopping; for example, if you are coming to a traffic light, you stop slowly, and if you are to do the emergency brake, then everybody knows what is going on, and everyone is in shock. I am saying that you have to shock your system.

When you go to make *wuḍūʾ* and you turn that water on, you move smoothly into gear one and two, and then you are in auto-pilot and suddenly you are washing your feet. You do not even know what has happened. You go outside, then five minutes later you are not even sure if you did your *wuḍūʾ* or not, because that is how automatic it is.

For the sake of Allah ﷻ, I am reminding you and myself that this is an act of *ʿibādah.* This is an act that the Prophet ﷺ would do it and worship Allah ﷻ throughout it. When he was washing his face and his nostrils, he was thinking at every single moment that water was going in and out - Allah ﷻ wants me to do this. He wants me to do it like this, and I am doing it for His sake.

For us, it is even easier, because we can visualize the Prophet ﷺ, and when we are washing our hands, we can think to ourselves, 'the Prophet ﷺ would make sure he was rubbing that'. If you are looking at something like washing your hands and wiping between the fingers (which is the *Sunnah),* as you're doing it, it doesn't make sense, but you are thinking 'the Prophet ﷺ told me to do that, and I am worshipping Allah ﷻ by doing this. It is very important to be (mentally) present when you are doing these acts which are part of ritual worship, like *ṣalāh* and *wuḍūʾ*. We are learning this dry kind of *fiqh*, but to make it come alive, you have to shock your system.

The reason I bring this up at this point here is because most people of this generation don't do a proper *maḍmaḍah.* Our parents are the exact opposite. When you watch them, they gargle for like 10 seconds each time. When these parents look at us, they think 'what kind of a *Wahhabi wuḍūʾ* is this?!' There is a huge difference between our generation and their generation, and our children are losing it even *more*.

There are a number of reasons for that. For those who studied *Fiqh of Ṣalāh* with me, I gave my theory there, and I'll repeat it again for you now. I honestly believe that their lesser understanding of the religion, their lesser understanding of the secrets or the

reasons behind the act of worship, and their lesser understanding of the *fiqh* behind it makes them more determined to do it properly.

It is like, 'I don't know what I am doing and I don't understand, but my Prophet ﷺ did this, so I am going to do it like that'. When they are praying, if you look at our older generation and how they are pray, these are a people who have absolutely no idea of what they are saying. You ask 9 out of 10 of the elders and they would not be able to tell you of what the *Fātiḥah* means, forget about any other *sūrah*.

So when these people are praying, how can they make their experience real? They go into lock down, they do not even move, and they are so focused in their prayer because they make it to themselves that they're going to turn it into a real experience. They think, 'I am going to make it artificially, because there might be another person who is understanding the Qurʾān, and he is there, living it, his *īmān* is through the roof, and he is on another planet.' Whereas this guy is looking at him, thinking 'I cannot do it and I cannot understand, so I am going to try and do that artificially'.

Is that not what the scholars used to say, that when you read the Qurʾān, if you cannot cry, you should make yourself cry, even if it is fake? You know you should be, but there is a problem, because you are not connecting and you do not understand, so at least show that you are trying. Some of the scholars used to say that, like Imām al-Nawawi رحمه الله mentions that all over the place.

I am saying that, I think our older generation compensates for their lack of understanding by doing these kinds of acts. I notice it when I watch them make their *wuḍūʾ*. It is a serious *wuḍūʾ*. When I watch my father wash his feet, I think, 'Wow man, you know he probably kills that foot'. It makes complete sense to me, because that is the way he connects and makes it real for himself, because he does not have another option.

Our problem is that we know the ruling, we know where it happened, we know why it happened, we can tell you the *fiqh* of it, the *Sunnah* of it, etc. but we do not connect to anything of it in a spiritual fashion - we just keep it legal. So what I am saying is that of course, both of these positions are unacceptable. We have to have this understanding that we do our religion based upon knowledge, but we must be able to make it a means to get to an end, which is to worship Allāh ﷻ so it becomes an act of *ʿibādah*.

So when you are doing these acts, you have got to try and do it. One of the great things about knowledge is that if you are in a rut or on cruise control, when you do something different, you feel it. So if you are just doing this in a moment (just literally putting water in and then straight out), now when you make *wuḍūʾ* tomorrow morning for Fajr, keep that water in for just an extra two seconds. You won't just hold it there. You will swirl it around. That actual process will liven up your *wuḍūʾ* and make it a real act of worship.

This is just an advice to you all that we need to become awake and aware when we do these acts of worship.

According to Shaykh al-ʻUthaymīn رحمه الله, it is sufficient (meaning on-the-edge-acceptable) to do what we do. I'm calling us 'we', meaning this generation. We put the water in and take it out, so it literally just goes into the nostril. We put it in there just to wet the inside of the nostrils. This is the absolute *adn'l-ḥadd* (this is right on the edge of acceptability). We have to aim to do it properly. I'm now going to explain what it means to do it properly.

First of all, when the water goes into the mouth, it is to be swirled about because the function is to clear the mouth from dirt. There are things stuck between the teeth, or there is a bad smell, etc. so the water should get around and about, everywhere.

The scholars then discuss what happens when you do that. Is it a condition to spit it back out again? According to Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله, it is not allowed. It is not considered *maḍmaḍah* unless you spit that water back out again. It is a <u>condition</u> for one to spit it out. You may think that is darned obvious, but it is not. If you are just literally putting water in, then you may as well drink it. If you are not really giving it the full behaviour, then what is the point?

So Shaykh Muḥammad Mukhtār al Shanqīṭi says it is a condition to spit the water out. Shaykh al-ʻUthaymīn رحمه الله says that if a person doesn't spit it out but swallows it, then it is acceptable. He says it either needs to come out, or it needs to go in, whereas Shaykh Muḥammad Mukhtār al-Shanqīṭi says it needs to come out. Swallowing it will not be acceptable. That is just a point I wanted to mention.

The next statement is that it should be exaggerated (*mubālaghah*). The word *mubālaghah* comes from *bulūgh*. *Balagha* actually means to reach something. So when *mubālaghah* means exaggerated, it's because you've reached the end. When we say to exaggerate, we can only exaggerate to the very furthest aspect of that field. If you're going somewhere end, you push it to the maximum. That is what *mubālaghah* means - to exaggerate as much as possible.

Now, what is very interesting to me is that Imām al-Ḥajjāwi رحمه الله mentioned here that you exaggerate both in the washing of the mouth and the nose, but when it comes to a *ḥadīth* point of view, we don't have any *aḥādīth* that mention exaggerating in the washing of the mouth.

There's the famous *ḥadīth* of the *fiṭrah*, which mentions that there are ten things from the *fiṭrah* (like cutting the nails, the *wuḍū'*, the *istinjā'*, circumcision, and so on). From them, one of them is to exaggerate in cleaning the nose.

All the scholars have said that the reason for this, that we still apply the ruling to the mouth, is because when you emphasis the washing of the nose and it to be exaggerated in then the mouth is even more obvious. Meaning, it is accepted as the part and parcel of the statement. Therefore, when the hadith says that you exaggerate in the washing of the nose, the mouth is already considered to be part of it.

What would be the exaggeration? The exaggeration would be gargling. They said that it should reach the uvula (the 'boxing bag' at the back). You know that thing when you open your mouth and its wiggling down? That there is what we are referring to. The water will touch that. If you understand that the water is going to touch that, now you also know why the Prophet ﷺ said that the one who was fasting does not do this. That is why the statement is there, because obviously water is going to get swallowed.

Paks love doing the old finger in the mouth behaviour. There is no basis for this; there are only a few *aḥādīth* and they are all weak. So actually the use of the finger in the mouth is not part of the *maḍmaḍah* or *wuḍūʾ*. If a person was using his fingers to clean his mouth as part of the process, that is okay. But he should not believe that it is part of *wuḍūʾ*.

It is like he is thinking that his mouth is not getting cleaned, so he picks up the toothbrush while he is rinsing his mouth and he does a little scrub to get the meat out or something. That is permissible, and it is good. Likewise, if a person is using his fingers to dislodge something that is part of his cleaning, then that it is fine.

For the nose, you can imagine what it is. It is putting that water there and snuffing it up. Now for some people that is a killer - it is very difficult to do that, and it completely knocks you out. I am one of those people. I cannot do that at all.

Shaykh al-ʻUthaymīn رحمه الله mentions here that if there are people who have sinus problems or they have issues which would be harmed by this, then they shouldn't exaggerate in this sniffing to keep away any harm.

Q: What if you are fasting in Ramaḍān? Do we need to cool it down a bit when it comes to exaggerating sniffing water up the nose?

A: Yes, that is the exact statement that we are explaining.

"Begin by rinsing the mouth and the nose and then exaggerating in the two except when fasting."

The evidence for that is the *ḥadīth* of Laqīt bin Ṣabrah رضي الله عنه. He said that the Prophet ﷺ said:

أَسْبِغِ الْوُضُوءَ وَخَلِّلْ بَيْنَ الأَصَابِعِ وَبَالِغْ فِي الاِسْتِنْشَاقِ إِلاَّ أَنْ تَكُونَ صَائِمًا

"Do your wuḍū' properly. Run your fingers between one another, and exaggerate in the rinsing of your nose, except if you are fasting."[2]

This *ḥadīth* has been narrated by Imām Aḥmad and Abu Dāwūd, and it was considered to be authentic by Imām al-Nawawi, al-Tirmidhi, Ibn Qudāmah and al-Ḥākim ﷺ. The *ḥadīth* is i*nshā'Allāh ṣaḥīḥ*.

This is a principle that is agreed upon by the scholars of *fiqh*. It is obvious. You are going to take water in, it's going to go down. Any water which reaches the esophagus on the way down, well, *khalāṣ* then.

If you knew while doing it that you have to be careful, and you do want to take water in to clean your nose properly, so you sniff it, that has broken the fast. You know what you're doing, you knew the danger, and you should not have exaggerated therein.

However, if you're completely not thinking about anything, you're fasting, you go in there and you go into the *wuḍū'* process, you gargle, you feel some water go down, and you think 'Oh my God, I'm fasting', that has not broken the fast. That's just the ruling on water.

I also want to talk about what the *Sunnah* is on how to wash. I will show it to you physically later when we do this. I wanted you to know that the Prophet ﷺ would use one hand (his right hand), and he would take a handful of water.

There are two ways that the *Sunnah* has been narrated. The issue is easy. I mean you don't have to follow this exactly, but it is *Sunnah* to do so. He would take water and use one handful of water to wash both the mouth and nostrils. He ﷺ would take from the same handful for gargling, spit it out, and the same handful of water goes into the nostrils as well. Then, you use the finger to clean, and then you rinse out. That's one handful of water. The second one happens again – mouth and nose. The third one is the same – mouth and nose. This is the first way of doing it, and this is the most established *Sunnah*.

The second way of doing it is to take a handful of water and then wash the mouth out once, then twice, and three times. Then wash the nose with a handful of water once, twice or thrice. If you go back again for water, that's okay. Remember, reducing water generally is a *Sunnah* in itself.

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[2] *Jāmiʿ al-Tirmidhi*, Book of Fasting, Chapter: What Has Been Related About It Being Disliked To Take Excessive Amounts Of Water Into the Nose (Al-Istinshāq) When Fasting, ḥadīth no. 788

The first one has been narrated in the *ḥadīth* of ʿAbdullāh ibn Zayd ﵁[3]. You do everything with the same handful of water. So you do the mouth then the nose, mouth then nose, mouth then nose - three times.

The second version is to wash the mouth three times with three handfuls of water, and then do the nose three times. This is also authentically narrated from the *Sunnah*. But I can't see the reference for it here. *Khayr*, that's no problem but it is acceptable.

Imagine you couldn't get water in your hands; imagine that, for example, you had a hose and maybe you couldn't use your hand and you took the hose and you held it into your mouth and then you spat it out and then you held it up your nostrils in some kind of crazy way. That would be okay.

Running Fingers Through the Beard

Anyway, let's quickly jump on to the next part, which is the statement:

"…and running one's fingers through the beard".

Now you can see we've ignored the washing of the face because that's an obligation. He's now just talking about the *Sunnah* acts. According to Imam al-Ḥajjāwi, it is a *Sunnah* to run your fingers through the thick beard. You run your fingers through the beard and there's a number of ways this happens.

The beard is of two types; it's either very short or it's long. If it's long, the fingers will go through it. If it's short, there's nothing to go through because it's on your face, so the fingers will not go through it.

The thin beard will not cover the face and when the thin beard does not cover the face, it means you can see the skin. It then becomes an obligation to wash the skin. The water must reach the skin if you can see the skin. The only time you are going to see the skin is when the beard is short.

The reason we have this issue is because the beard is thick. If the beard is thick and long, then you can't see the skin. Therefore the ruling to wash the skin itself now changes. It is no longer an obligation to wash the actual skin behind the beard. Now we've got to deal with the beard itself.

Let's go into a bit of detail to see what Shaykh al-ʿUthaymīn says. To understand the ruling of this, you have to understand the word of *wajh*. To wash the face is an obligation. The *wajh* is an obligation. What does the word *wajh* mean? It means facing (it comes from *wajjaha*; that which is facing). Hence, anything which is facing has to be washed, and the beard is what is facing. However, if, for example, the beard is so

[3] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter on the *Wuḍū'* of the Prophet ﷺ, *ḥadīth* no. 235

short that the skin is facing, that is why you have to wash the skin underneath the beard. If the hair is what is facing and you can't see the skin, the obligation comes on the actual beard itself (which means that the *ḥukm* applies to the beard itself).

Now Shaykh al-ʿUthaymīn ﷺ says it is not obligatory; it is only required to wash the outside, meaning the facing hairs. There are three aspects of a beard. There is the facing hair (like the front part), there is the hair which is behind (it's layered) and the third aspect is what comes down from it i.e. the ends. We're also going to come to the roots later because the roots have an important ruling in *ṭahārah.*

For example, when a woman needs to have a bath from *janābah*, does she have to get the water to the roots? Many women have their hair tied up in braids, and sometimes they spend a lot of time doing this. So when they go to the bath, they are not fussed about the bath, they are fussed about spending half an hour undoing their hair.

The question is: do we need to obligate it upon them to take it off? The ruling of the scholars would apply.

Here though, what is called *al-mustarsal*, meaning that which are the ends of the hair. Do we need to wash these as well? This is the discussion of the *fuqahāʾ* which we need to try and understand.

Shaykh al-ʿUthaymīn ﷺ says that the *madh-hab* of the Ḥanbalis says that when you are doing the beard, you have to do the ends as well. The Ḥanbalis said that it is obligatory to not just wet your hand and wipe, but you must get in and make sure your fingers touch the ends so that they become wet as well.

He said that the reason for this is because it's facing the people. Some of the scholars said that it is not obligatory because when you wipe your hair, you don't do this even though it doesn't matter how thick our hair is. The action is just straight over, whether you are bald or you have a huge mane - all you're going to do is wipe straight over and you're not going to go to the base of the actual hair.

Shaykh al-ʿUthaymīn said that in his opinion, the ends of the beard must be included and must be washed. He goes on to mention that the reason for this is because there is a difference between the hair on the beard and the hair on the head. Because the hair on the head grows long, the ends are all *muwājaha* (facing) and the ruling of washing the beard hair only comes from the fact that it's what's facing. To wash what's facing is an obligation. Allāh ﷻ says in the Qurʾān to wash *wujūhakum* (faces) in an obligatory fashion, therefore anything on the face has to be washed. As for the hair on the head (*bi ruʾūsikum*), Allāh ﷻ says in the Qurʾān to wipe on your heads.

Raʾs means the highest part of something, so the ruling on the head is not to get to the ends of the hair (which might be hanging down the sides etc), but on the top of the *head*. The top of the head is the top part of the hair, and not the bottom hanging parts

or ends of the hair. Therefore, he says that the two types of ruling for the two types of hair is completely different and what is acceptable for the head is not the same for the beard.

There are two ways you can put the water through the beard, and Shaykh al-ʻUthaymīn says the first one is that you take a handful of water and you put it underneath and then you rub it. That's the first way.

Khalal comes from *khallala* and it means *naqs*. *Naqs* means a deficiency in something. An example is: if I was to ask for an oak door to be made, and there was a gap in it, we would say this is a *khalal* or this is a *naqs*. The builder made a mistake because he didn't stretch the wood properly. This would be a weak part in the door, and the whole thing would start to collapse.

Actually, a *khalal* means a small gap, but this gap is very damaging and it is considered a deficiency. It is such a deficiency that I can complain about it and get my money back for what was made.

So the word *khalal* means deficiency and linguistically, it means a small gap. In our discussion, it means small gaps in the beard. The word *takhallul* means you are hitting all the small gaps in your beard. That is the connection between the linguistic meaning and why the Prophet ﷺ used to *yatakhallal* (go through the beard).

The second manner is where you use your hands like a comb. You wet your hands and you go through the beard - this is the most common way and easiest way. It is sufficient to do it three times, and the idea is that the beard is all covered with water. One time is the minimum for a part in wuḍūʾ, and doing it twice is better than one. Doing a part three times is the perfection of wuḍūʾ. This is based on the *ḥadīth* of ʻUthmān ؓ, where he said:

النَّبِيَّ صلى الله عليه وسلم كَانَ يُخَلِّلُ لِحْيَتَهُ

"The Prophet ﷺ used to run his fingers through his beard in ablution."[4]

The *ḥadīth* is narrated in *Sunan al-Tirmidhi* and al-Qattan makes the point that it is *ṣaḥīḥ.* Al-Tirmidhi and Ibn Khuzaymah said the same. Al-Murakkim considered it a *ḥadīth ḥasan*. Imām al-Bukhāri said a comment on this *ḥadīth*; he said the most authentic thing I have concerning the running fingers of beard through the beard is this *ḥadīth* of ʻUthmān ؓ.

Someone said *yatakallamūn fī hādhaʾl-ḥadīth* (they talk about this *ḥadīth*). When we say that they talk about a *ḥadīth*, this means that they (the scholars) criticize it. Imām

[4] *Jāmiʻ al-Tirmidhi*, Book of Purification, Chapter: Going through The Beard, *ḥadīth* no. 31

al-Bukhāri ﷺ said it is *ḥasan* (it is a good *ḥadīth*). It is not good enough for *Ṣaḥīḥ al-Bukhāri* or *Jāmiʿ al-Ṣaḥīḥ*, but I am okay with it.

We can conclude that to run our fingers down through the beard like a comb is *Sunnah*. Shaykh al-ʿUthaymīn ﷺ said scholars have considered that there are three ways of *ṭahūr* applying to the beard.

Ṭahūr means purifying, or that which purifies. What is that referring to? I said that there are three ways in which the *ṭahūr* reaches the beard and what's beneath it, and that's divided into three different ways. My question is: what does *ṭahūr* refer to?

If we are going to say that the way that the *ṭahūr* applies to the beard and how it gets to the beard through to the skins, that type of cleansing is divided into three parts. So what do I mean by the word *ṭahūr* here now, practically speaking? What does *ṭahūr* here refer to? *Al-ṭahūr* means that which purifies. What are the things which purify? Water, and *turāb* (dirt/earth) in the the process that is called *tayammum*. Whenever you see a scholar not use the word water and he mentions the word *ṭahūr*, he always wants to introduce dirt/earth into the discussion.

So when you use *ṭahūr*, there are three ways that you can wash your beard and face:

الأول: ما يجب فيه إيصال الطَّهور إلى ما تحت اللِّحية، كثيفة كانت، أم خفيفة، وهذا في الطَّهارة الكُبرى من الجنابة

The first type is when it is obligatory for that *ṭahūr* to reach your skin, i.e. *ghusl*. In the proper *ghusl* from *janābah,* it is an obligation to get the water through the beard and onto the skin, regardless of how thick the beard is. Water has to touch everywhere. This is because in the *ḥadīth* of ʿĀʾishah, it says:

كان النبيُّ صلّى الله عليه وسلّم يصبُّ على رأسه الماء حتى إِذا ظَنَّ أنه أروى بشرَتَه أفاض عليه ثلاث مرَّات

"The Prophet ﷺ would pour water over his head until he was sure that the skin had been wetted and then he would pour upon it three times."[5]

This *ḥadīth* has been narrated by Imām al-Bukhāri and Muslim.

[5] *Ṣaḥīḥ al-Bukhāri*, Book of *Ghusl*, Chapter: To rub the hair thoroughly (while taking a bath) till one feels that one has made his skin wet (underneath the hair) and the one pours water over it, *ḥadīth* no. 272

There is another *ḥadīth* which he quotes:

اغسلوا الشعر، وأنْقُوا البشرة

"Wash the hair and cleanse the skin."[6]

This *ḥadīth* is *ḍaʿīf jiddan* (very weak) and that was considered to be the case by Imām al-Shāfiʿi , Imām Aḥmad, al-Bukhāri, Abu Ḥātim al-Rāzi, Abu Dāwūd, al-Bayhaqi, and al-Nawawi. They all caned it - it's not down.

That's the first type.

الثاني: ما لا يجب فيه إِيصال الطَّهور إِلى ما تحت الشَّعر، سواء كان خفيفاً، أم ثقيلاً، وهذا في طهارة التيمُّم

The second type of getting the *ṭahūr* to your beard is where it is not obligatory to get the *ṭahūr* to that which is underneath the hair, regardless of whether it is *ghafīfan* (thin) or *thaqīlan* (thick).

The answer to that is the *ṭahārah* of *tayammum*. When you have the *turāb* (dust), you strike it, wipe your hands with it and wipe your face once. You don't try and get it into your beard.

What is obligatory with the third type is to get the *ṭahūr* to the skin underneath the beard if it is thin, whereas if it is thick, it is not obligatory and that applies to *wuḍūʾ*.

Shaykh al-ʿUthaymīn (*raḥimahullāh*) closes with a tangent. If you've got somebody who is bald and doesn't have any hair at all on his head and he turns up for *ʿUmrah*, after completing *ʿUmrah*, what does he have to do?

There are two types; there's *taqṣīr* (which is to shorten) and *ḥalq* (shave).

Shaykh al-ʿUthaymīn (*raḥimahullāh*) says, some of the scholars said that you would still run the blade over the head. That's been narrated in al-*Inṣāf* (the book of Ḥanbali *fiqh*). He says that there is no benefit to this whatsoever, because the running of a blade over the head is not what is required. It's not *maqṣūdan lidhātihi* – that's not the objective. The *ʿillah* is not to run a blade or get a scissor, it's to get rid of the hair.
If the hair is gone, why should we go over it again? Once nothing happens as a result of it, there's no position.

[6] *Sunan Abi Dāwūd*, Book of Purification, Chapter: Regarding The *Ghusl* For *Janābah*, *ḥadīth* no. 248

This is similar to the one who is mute (i.e. can't speak). What is the condition of *Sūrat'l-Fātiḥah* in *ṣalāh* when praying alone? It has to be recited. It's not something which you can just play out in your brain. You have to actually verbalize it, but the mute one can't speak. Some of the scholars said that he must recite *al-Fātiḥah* by moving his tongue and his lips, even though he doesn't produce any sound.

وهذا لا فائدة له؛ لان تحريك اللسان والشفتين لاظهار النطق والقراءة، وإذا كان هذا متعذرا فتحريكهما عبث

Shaykh al-'Uthaymīn رحمه الله says that that is completely pointless. He says that the point of moving your tongue and lips is to produce sound, pronounce, and recite. If this is something which isn't possible, moving your tongue and lips is a waste of time.

Q & A

Q: Why the obsession with a woman's virginity? What if she discovers the man is not a virgin? That is equally disappointing.

A: This is a *dars* about moral ethics and who is disappointed or not. This is not a class that is making a moral judgement that a man's virginity being lost is not as bad as a woman's virginity being lost. This is a class describing the nature of what a *bikr* is.

Q: If a non-Muslim couple who are married become Muslim, is she considered a *bikr*?

A: She is not. She is not a virgin, so she is not a *bikr*.

Q: Please clarify – is it Sunnah to take water in the mouth and nose in one motion?

A: It is more narrated from the Prophet ﷺ that he would do exactly that. I said there are two ways to take in water. One is to take the water and wash the mouth and nose from one handful. That way is then divided into two different ways. One way is to rinse the mouth, pause, then rinse the nose. The other way is to do it all in one motion, which is pretty hard by the way. It's literally all going in the mouth, you already started your *maḍmaḍah,* you start going up, and then your handful is emptied all in one go. Both of these are narrated. All of them are *Sunnah,* but people should do what is easier.

Q: Can you clarify what you said about washing your mouth? It is *Sunnah* to use your finger, but I am confused. When we did the chapter on toothstick, the text says that brushing the teeth using a soft twig is *Sunnah* at all times, but towards the end you said the class position was anything which cleans the teeth achieves the *Sunnah,* but *siwāk* is better.

A: Correct. What is not *Sunnah* (and in fact, worse – it's actually *bidʿah*) is to believe that to use your finger is a part and parcel of the *maḍmaḍah* process. *Maḍmaḍah* means to rinse your mouth. If you believe that you cannot rinse your mouth without using the finger to go around, that's a *bidʿah*.

The reason why people believe that is because there is a *ḥadīth* that is narrated by Imām Aḥmad that states that use of the finger during *maḍmaḍah* is part of it. But this *ḥadīth* is weak, and that's what we believe.

Going back to what you said about *siwāk* being a *Sunnah* at all times, especially during *wuḍūʾ*, before *wuḍūʾ*, and in the middle, that is just part of *wuḍūʾ.* You are not saying it is part of *maḍmaḍah*. That is actually part of the intrinsic process of the mouth cleaning. The *maḍmaḍah* is done in complete whether you use toothstick, brush, finger, or not.

Q: Could you clarify the third way of washing the beard?

A: We said there are two ways, and three types. We said when it comes to water reaching the skin, there are three different types.

1. One way is that its obligatory to touch the skin - that is when you are doing *ghusl* from *janābah*.
2. The second one is when it's not obligatory to touch the skin at all. That's when you are doing the *tayammum.*
3. The third is when you doing *wuḍūʾ*. If your beard is thick, it doesn't need to go to the bottom; if it's thin, it must touch the skin.

Then I talked about when you are making *wuḍūʾ* there are two types of making *takhlīl.*

1. One is to get water and go underneath, then to rub it into the roots and massage it in. That way, you are scrunching up the hair.
2. The other way is just to make the hands wet and then to go all way through.

Q: Ḥanbalis say that rinsing the nose and mouth is an obligation, but they also said that doing it before washing the face is a *Sunnah*. If something is an obligation and it builds upon another obligation… For example, the washing of the face is the first obligation. Once he washes his face, he does the nose and mouth. Why is the author not saying that you do it twice (because you do not replace an action which is done with the intention of *Sunnah* with that which you are saying is an obligation)?

A: The act is not Sunnah; the washing of the nose and the mouth is not considered Sunnah. What you just described would apply if we considered the act of washing of the mouth and the nose to be Sunnah. But that's not the issue at the hand here. The issue is the timing (*badāʾatʾl-maḍmaḍah*).

The *tartīb* refers to the obligatory acts alone. It is obligatory, but if you wash them before you wash the face, it is *Sunnah*. It will be made clearer when we reach the chapter about obligations inshāʾAllāh.

8. *Sunan* of Ablution VI

Let's get into the text. Reading from page 4 of the English notes, it says:

"The *Sunan* of ablution include: using a tooth-stick; washing the hands three times, although it is obligatory after rising from nocturnal sleep which invalidates ablution; beginning by rinsing the mouth and then rinsing the nose; exaggerating in the two, except when fasting; running one's fingers through the beard; running one's fingers through the other set of fingers (and toes); beginning with the right; using new water for the ears, and washing a second and third time."

Q: When you have got *wuḍūʾ* and you are eating food, some say you have to rinse your mouth three times to get that *wuḍūʾ* back. Is that true?

A: A question has just been asked randomly that if you are eating some food or have eaten, do you have to wash your mouth three times to reinstate your state of *wuḍūʾ*? The answer - which will be further discussed in the section on the invalidation of *wuḍūʾ* - is that eating doesn't invalidate *wuḍūʾ*, although we will discuss an opinion about hot food. We will discuss that *inshāʾAllāh*, but the answer is: first of all, eating doesn't invalidate *wuḍūʾ*. The reason you rinse your mouth has nothing to do with the *wuḍūʾ* - it has to do with making sure there's nothing left in the mouth of significant size, so that if you are praying, you are not swallowing things down.

We will also learn about the kind of things that invalidate the prayer when we come to the book of prayer. Is everything that is swallowed something which invalidates the prayer? The answer is no. The issue is about significance, and if it's something that is insignificant (like tiny bits of food stuck between the teeth), then it doesn't break the *ṣalāh*.

Last week, I mentioned the issue of the mute person - does he have to recite the *Fātiḥa*? Shaykh al-ʿUthaymīn's opinion is that there's no point in him doing that because he doesn't have the ability to do so. The idea is that you move your tongue and lips to produce sound. So if you can't produce sound, then why would you do that? That's his reasoning, and I want you to understand that it's only his opinion. I think it's a fair opinion, but not something very strong because it can be argued against.

When you are not mute and you move your lips and your tongue, you are not making a sound anyway. The answer back to that is that you are not making a sound that other people can hear, but you are definitely still articulating and you do hear it. At this point, we must re-emphasise that the prayer is not valid unless everything is articulated.

There is this idea amongst the Paks that as long as you can hear yourself saying it in your head, it's fine. I teach *Fiqh of Salah*, and I think it's an obvious point but then I mention it and there are people going "Oh, I've been doing that all my life". It actually needs to be articulated. You can't hear my recitation but I can hear myself clearly. So the tongue and lips do play a part.

Lip readers can read your lips without you making a sound, so it has nothing to do with the sound anyway. If you are able to move your lips, then the lip readers can read it. I say two things to that:

1) Not everyone is a lip reader.
2) The ruling is not based upon others' understanding of what you are saying. The ruling is based upon *qirāʾat al-Fātiḥah* (the reciting of *al-Fātiḥah*). Therefore, the reason that you are moving everything is to achieve *qirāʾah* (reading), as opposed to achieving someone else understanding you. That is not the *ʿillah*.

If a person can't move, then he still has to pray with some kind of gesture, even if it means moving his eyes. The argument (being put forward by the Shaykh) is that if he can't pray, then he should do nothing. The answer to that would be (and *Allāhu aʿlam)* that Allāh ﷻ has set a precedent in *ṣalāh*, that if you can't do this, then do that. So it might not have gone all the way. Moving the eyes is not something from the Prophet ﷺ, but it is almost an agreement amongst the *fuqahāʾ* that the three things have been mentioned - the sitting and the laying down. If you can't stand, sit. If you can't sit, lay down. If you can't lie down, do this; if you can't do this, then do that. This is an indication of continuation, so they would say there is evidence for what's being done there.

One thing that does come to mind - again, it's not very strong, but it's a support for saying that you should try to move your lips - is the pretty much full agreement of the Companions of the Prophet ﷺ that a person should do *ramal* even if they are not able to. So when you are doing *ṭawāf,* it is *Sunnah* in the first few circuits to do *ramal,* which is to run, to show strength, and to show that you're fit after you've just come off of a long journey. When it's really packed, you can't run. You have the whole synchronized kind of behaviour when you're going at it on the spot. It looks completely freaked out, but the ironic thing is that it actually has been prescribed by the Companions that this is what you do. If you can't run, you pretend to run, doing it to the best of your ability.

You know that what's trying to be achieved is not achieved. What I would argue is that it actually is making you look like an idiot. It's not achieving anything. At the same time, the counterargument is that it's still showing fitness because even to jog on the spot requires fitness. The *ʿillah* is - and this is the important part - that when the Prophet ﷺ described why they were doing that, it was to send a message to the Quraysh. It all fits into the uncovering of the right shoulder to show the arm, strength, biceps and muscle.

You show that you're running. (You show that) we've come all this way, but don't think we're weak. Don't think that we're pilgrims and some pathetic kind of people, and just because we're out there in Medina and not in Makkah at the moment that you can just walk over us. We've come, so we're ready. We'll bring another hundred thousand over if we need to. We're here and doing our *ʿibādah*. We are peace-loving people, but if you want to rock, then we're ready as well. The *ʿillah* has been made very clear.

I guess it could be argued - yeah, it might look stupid, but it's still achieving something you can't do. If you could run between the gaps, you would, but because you can't, you do maintain that level of fitness which shows that you're not tired or you're not knocked out. That's something that came to my mind. *Allāhu aʿlam.* Even if you're not able to do the full thing, you do something similar to it. I'm sure if you sit and think about it, you can probably think of some more examples.

Running One's Fingers Through the Beard

I wanted to mention something that I came across with respect to the beard. It's narrated authentically by Imām al-Bayhaqi, on the authority of Nāfiʿ (he is the freed slave of ʿAbdullāh ibn ʿUmar) that when ʿAbdullāh ibn ʿUmar would do his beard in the *wuḍūʾ*, he would rub his sideburns.

What's the position of <u>washing</u> the beard? What is the ruling on <u>washing</u> the beard?

Student: It depends upon how thick it is. If it's a thin one, then you can wash to the skin and that's fine and sufficient. If it's a thick one and you can't get to the skin, then you run your hands or your fingers through it.

Ustādh: Right! That's fine in its right place, but that doesn't answer the question that I'm asking. You're actually answering a different question that we covered last week. I will come to the point that you're making. I repeat: What is the ruling on the washing of the beard? Let me make it easier. What are we talking about here? What point of *fiqh* are we discussing at the moment? What's the topic?

Student: Running the fingers through the beard.

Ustādh: That's why I asked the question, because I knew. I got a feeling that the people are really confused about the beard thing. I thought we'll spend some time on this. We're talking about running the fingers through the beard. What's the ruling of running the fingers through the beard?

It's *Sunnah*. When is it *Sunnah*? It is *Sunnah* in *wuḍūʾ*, but it's *Sunnah* only in one circumstance. What is that circumstance? When it's a thick beard - that's what we discussed. We said it is an obligation in another scenario (in *ghusl*), and if the beard is

very short. That is with respect to the ruling of running the fingers through the beard. I asked a different question. I said what is the ruling concerning *washing* the beard?

Let me ask an easier question; in fairness, I don't expect you to know because we haven't come to that section yet. What do you know with respect to the ruling of washing the face in *wuḍū'*? It is *wājib*, an obligation. What do you think is the ruling of washing the beard? Bobs is saying it's an obligation - why is that? The beard is not known as the beard when it comes to the face itself, so washing the beard is an obligation, but now we also need to add some details.

I mentioned this one last week and I think that's where the confusion came. There's a difference between the inner and external parts of the beard. Remember when I talked about layers? When it comes to washing the face, if I were to get a water now and I was to wash my face, it's an obligation to wash [the area of the face that is covered by the beard] because this is part of my face and it has to be washed.

Now, if it is thick, then I don't need to go like this and wash the skin underneath; but if it was very thin then as I wash it, I would have to obligatorily get the water onto the skin. Because the skin is hidden well, I don't need to go into the skin itself, but it is still obligatory to wash the beard which is part of washing the face.

When it comes to the rest of the beard, an additional point is to comb your fingers through that - it is *Sunnah*. Now that you have washed the obvious parts, do the *Sunnah*. There are couple of ways of doing it - you start from the back like this or from the front like this, or you get the water underneath then rub it from the roots.

I came across an *athar*[1] (narration) from Ibn 'Umar ﵁ that he would rub his sideburns. This is the description of how he would treat his beard in *wuḍū';* this is the *mukammal Sunnah* proper way. So he would wash his face and would rub this part like this, definitely getting through the skin, then he would comb his beard sometimes and leave it sometimes.

Again, this indicates that this is a *Sunnah*, meaning that this is not something that is obligatory (combing through a thick beard). Remember that the *Sunnah* comes from the ruling of the Prophet ﷺ who said:

هَكَذَا أَمَرَنِي رَبِّي عَزَّ وَجَلَّ

"That is how my Lord, Mighty and Exalted, commanded me to do so."[2]

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[1] *Sunan al-Kubra* (al-Bayhaqi), Book of *Ṭahārah*, Chapters on *Sunnah* and *Farḍ* Actions in *Wuḍū'*, Chapter on Scrubbing the Sides, no. 236

[2] *Sunan Abi Dāwūd*, Book of Purification, Chapter: Parting One's Fingers Through The Beard, *ḥadīth* no. 145

The command remains as an obligation, until evidences show that it actually was a recommendation. That is the basic system in Islām and in *sharīʿah*. We know the fact that the Prophet ﷺ didn't wipe his fingers through the beard many times indicates that his statement 'I was commanded to' must mean 'I was recommended to'. That's how we work in *uṣūl'l-fiqh*. That is how we understand the principles. There is a complete way of doing it.

There is another narration as well from al-Ḍaḥḥāk ibn Mazāḥim (one of the *tābiʿīn*) who said "I was making *wuḍū'* and ʿAbdullāh ibn ʿUmar saw me and said *'Yā* Ḍaḥḥāk, comb through your beard'"[3].

He (Ibn ʿUmar) said *khallil*. Remember, I described *khallil* last week. I said that *khallil* is a command [word that comes from] the word *takhallala*, which is the verb (which means to fill gaps). Remember that I said to you that *khalal* is when you have a deficiency in something - a small spot, a small imperfection, or a *naqs* is called a *khalal*, so what you are trying to do is to deal with the small gaps.

Whilst watching him making *wuḍū'*, Ibn Umar said '*khallil'* to him*. Khallil* basically means 'sort the gaps out'. So what did he do? He went like this [Ustādh runs his fingers of one hand into the fingers of the other], and he (al-Ḍaḥāk ibn Mazāḥim) thought that Ibn ʿUmar was referring to the gaps in between the fingers. ʿAbdullāh ibn ʿUmar then said '*hakadhā*' (meaning 'like this!'), then he pointed to his beard and then started to comb through it underneath his chin.

I want you to be clear [about this]. To wash the face and the outer parts of the beard is part of the obligation of washing the face. As for the combing of the beard through the longer parts, it is a *Sunnah* which you should do and it's not an obligation to do all of the time - this is the position of pretty much the majority of the scholars. We should always try to maintain the *Sunnah*. Of course I emphasise again, everything we mention on this section of the *Sunnah* is not to just be rejected, or [taken as] unimportant. It is important and this is the complete system. Again, to re-emphasise, you should only go for the skin and the beard is pretty much ignored if the beard is very thin. If it is very thin, the focus is purely on the skin underneath the beard.

Running One's Fingers Through the Other Set of Fingers (and toes)

The next thing he says is:

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[3] Collected by Abu ʿUbayd in *Al-Ṭahūr*, Chapter on the Mention of *Takhlīl* of the Beard Along With the Washing of the Face, narration 318.

والأصَابِعِ

[This means] the fingers. Shaykh al-ʻUthaymīn رحمه الله says on page 175, 'Likewise, from the *Sunan* of *wuḍūʾ* is to run the fingers through the hands and the feet, and it is more emphasised'.

Ustādh: What is more emphasised?

Student: The feet.

Ustādh: Correct. He says there are two reasons why the feet are more emphasised. What's the first reason?

Student: They are dirty because we walk around [on our feet].

Ustādh: Good, that's actually the second reason, but that's fine. Okay, they are dirtier in general. They collect dirt more easily because the feet are used to walk around in places. If you wear socks, it gathers whatever that stuff is... fluff. If you are walking barefoot, then it becomes all dirty. That is the obvious reason that it is more emphasised [to clean] than the hands. What is the first reason?

Student: Feet generally they sweat or perspire more.

Ustādh: You can put that under the second reason - that they get dirtier.

Student: You are going to wash your hands, regardless of whether you are going to do *wuḍūʾ* or not.

Ustādh: I think that is also good, but there is a specific reason. I think that in fairness, there could be three or four reasons – you are right. You are generally washing your hands all the time and keeping them clean. You are going to generally wash your feet less.

These are good reasons; I don't know why he (Shaykh al-ʻUthaymīn رحمه الله) didn't mention them as well. But he did focus on two.

Q: Is there are a *ḥadīth*?

A: No, there's no *ḥadīth* that emphasises it more so. There are *aḥādīth* which mention it, but what he (Shaykh al-ʻUthaymīn رحمه الله) is trying to say, is 'why?'
The answer is physiological; it's not spiritual or anything like that. Think of your hands, and think of your feet and their structure.

Student: What about the gaps between the toes?

Ustādh: What about the gaps?

Student: They're closed.

Ustādh: (Correct). Shaykh al-ʿUthaymīn ﷺ says the toes are always touching, and your fingers aren't always touching. That's pretty true. Maybe your big toe kind of blags it here and there, depends on whether you have one of those weird big toes.

If you look at the structure of your toes, they are actually designed to curl. Your foot goes like that (Ustādh makes a curved gesture). It's rare that you see your toes flat. Shoes are also shaped like that. If you think about it, a proper shoe should theoretically keep your feet kind of flat-ish, but they don't - they curve in.

But anyway, to be honest, I like that. He (Shaykh al-ʿUthaymīn ﷺ) says that because they are touching, they are going to be more in contact.

Anyway, he says 'As for how the washing of the hands is done, then that's done simply like this by putting the fingers in between the others. You can do all of them and that's the *Sunnah* way of doing it, to actually put the fingers through. I say "*Sunnah*" - I mean that that is the only way that is narrated from our Companions. If a person wants to use one finger, that is okay as well. As for the feet, every Pak knows the little finger (pinkie) on the left hand is used to clean the feet.

That is according to Shaykh al-'Uthaymīn ﷺ who said you should use the little finger on the left hand, and the manner is to start with the little toe on the right foot and work your way through. Use four swipes of the little finger between each toe, and then carrying on from the big toe on the left foot, ending on the little toe on the left side.

Shaykh al-'Uthaymīn ﷺ said the reason for that is simply maintaining the right-left preference, starting from the right-hand side and then moving to the left. The second thing regarding the use of the little finger on the left hand is:

1) It is the smallest, so it is easiest to get between the gaps.
2) The left hand is used to clean dirt.

This was considered to be good – *istaḥsanahu,* meaning it was considered to be good by the scholars. But can we say that it is a *Sunnah?* As Shaykh al-'Uthaymīn ﷺ said nothing has been authentically narrated about this action by the Prophet ﷺ.

But can we say it is a *Sunnah*? Is it possible to say it is *Sunnah*? Shaykh al-ʻUthaymīn ﵀ says nothing has been authentically narrated about this action from the Prophet ﷺ. It is considered something good that you do, but we do not stick to it as if it is a *Sunnah*, and make it out like a big thing as if it is a *Sunnah*. In fact, there is nothing narrated from the Prophet ﷺ to do that.

وهذا استحسنه بعضُ العلماء، لكن القول: بأنه من السُّنَّة وهو لم يَرِدْ عن النبيِّ صلّى الله عليه وسلّم فيه نظر!، فيُقال: هذا استحسانٌ من بعض العلماء، لكن لا يُلتَزَمُ به كسُنَّة.

He continues, 'Similar to this is what they say about cutting the nails. Some of the scholars said that when you cut your nails, you should cut them *mukhālafan.'* What is *mukhālafan*? A *ḥadīth* has been narrated which is not authentic, on the authority of the Prophet ﷺ, who said,

أن من قلَّم أظفاره مخالفاً لم يصبْه رمدٌ في عينيه

"Whoever cuts his nails 'mukhālafan' will not be ever affected by conjunctivitis in his eyes."

This is a *ḥadīth* which has been narrated by Ibn Baṭṭah in the *sharḥ* of *al-ʻUmdah*, and it is also mentioned by Ibn Qudāmah in *al-Mughni*, and in number of other books. Ibn Qayyim al-Jawziyyah said, 'It is the most disgusting of fabricated *aḥādīth*'.

Mullah 'Ali Qāri from the Ḥanafi scholars and al-Sakhāwi from the Shāfiʻi muḥaddithīn both said that there has been nothing that has been authentically established from the Prophet ﷺ concerning the manner of how you cut your nails. We will come to that section in its right time.

As we said, the *ḥadīth* is not authentic, but Shaykh al-ʻUthaymīn ﵀ still continues and he says, 'Let me just explain to you what they mean by '*mukhālafan'*.

وصِفَةُ المخالفة هنا أن تبدأ بخِنْصَرِ اليمنى؛ ثم الوسطى؛ ثم الإِبهام؛ ثم البِنْصِر؛ ثم السَّبَّابة. وفي اليسرى أن تبدأ بالإِبهام؛ ثم الوسطى؛ ثم الخِنْصَر؛ ثم السَّبَّابة؛ ثم البِنْصِر.

The description of this concept of *mukhālafan* is that you start from the *khinṣar al-yumna* (meaning the right little finger), then *al-wusṭa* (the middle finger), then *al-*

ibhām (the thumb) then *al-binṣar* (the ring finger), then *al-sabbābah* (the forefinger/index finger). Then you go to the left hand and start with *al-ibhām*, then *al-wusṭa*, then *al-khinṣar*, then *al-sabbābah*, then *al-binṣar*. This is what '*mukhālafan'* means.

وهذا لو صَحَّ فيه الحديث لقلنا به وعلى العين والرأس، فربَّما يكون سبباً لشفاء العين ونحن لا ندركه،

لكن الحديث لا يثبت عن النبيِّ ﷺ.

Shaykh al-ʻUthaymīn says if the *ḥadīth* was authentic, then *faʾl-ʻaynu waʾl-raʾs* (an Arabic phrase which means we bow down to it and we do it), even if we do not understand how on earth it is going to stop you from conjunctivitis because maybe there is something there that we do not know. That is really good that he says that.

That's really good because when I said conjunctivitis, you all looked at me, and we all had a little giggle thinking 'How is that going to happen?' A little giggle at the ridiculousness of it curing conjunctivitis is not the academic response. The correct response is, 'let us look to see if this *ḥadīth* is authentic or not. If the *ḥadīth* is authentic, then I'm not giggling at all. I just don't get it, but it must work somehow'.

That is proper *īmān*, and that is why when I mention some of these points and say this is a point of *īmān* or a point of *ʻaqīdah*, that is what I mean. That is what the scholars mean. They do not mean that to not cut the nails is a point of *ʻaqīdah*, or to cut the nails is a point of *ʻaqīdah*, or female circumcision is a point of *ʻaqīdah*. What I mean is: when something is narrated authentically, it becomes a point of *īmān* and *ʻaqīdah* to accept whether we like it or not, and whether we understand the reason behind it or not. That is what I mean when I say it was a point of *īmān* or *ʻaqīdah*.

Anyway, the *ḥadīth* is not authentic. Therefore, if you really want to cut your nails in any kind of *Sunnah* way, then you should do it as it was related by ʻĀʾishah ؓ, when she said:

كَانَ النَّبِيُّ ﷺ يُعْجِبُهُ التَّيَمُّنُ فِي تَنَعُّلِهِ وَتَرَجُّلِهِ وَطُهُورِهِ وَفِي شَأْنِهِ كُلِّهِ.

"The Prophet (S) used to like to start from the right side on wearing shoes, combing his hair and cleaning or washing himself and on doing anything else."[4]

[4] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍūʾ*, Chapter: While Performing Ablution or Taking a Bath One Should Start From the Right Side of the Body, *ḥadīth* no. 168

In everything that he used to do, he liked starting with the right-hand side. So if there is a *Sunnah* in cutting the nails, it means starting with the right-hand side. The right hand is first and he should start with the small finger. Therefore, if you want to know the *Sunnah,* you start with the little finger on the right hand side, then the ring finger, then the middle finger, then the *sabbābah* [index finger], then the thumb, and then you would start with the left thumb, then the left [index] finger, then the middle, then the ring finger, then the *khinṣar* [little finger] at the end.

Then he says that this is the best way of doing it. This sticks to the general evidences.

Q: So we don't have anything authentic to say that we use the little finger to clean, starting from the little toe on the right hand side?

A: Correct, we do not. I did have a narration here which I will read to you. The reason why some scholars consider it to be a *Sunnah* is because of a narration - the *ḥadīth* of al-Mustawrid ibn Shaddād

عَنِ الْمُسْتَوْرِدِ بْنِ شَدَّادٍ، قَالَ رَأَيْتُ رَسُولَ اللَّهِ ﷺ إِذَا تَوَضَّأَ يَدْلُكُ أَصَابِعَ رِجْلَيْهِ بِخِنْصَرِهِ .

"I saw the Messenger of Allah ﷺ rubbing his toes with his little finger when he performed ablution."[5]

This is narrated by Imām Abu Dāwūd رحمه الله in al-Tirmidhi and Ibn Mājah رحمه الله, and this *ḥadīth* is considered to be weak.

Beginning with the Right

Let us talk about *tayāmun*. *Tayāmun* is starting with the right-hand side. We have covered this a few times already. What we are trying to say is that when it comes to the *Sunnah* of doing *wuḍū'*, we should start with the right-hand side, which immediately indicates that if you did not start with the right-hand side (as has been narrated by many of the Companions), then there is no problem.

ʿAbdullāh ibn Masʿūd was asked by a man if it is acceptable if a person washed his left leg or left arm first – which I think would never happen. Would you agree?

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[5] *Sunan Abi Dāwūd*, Book of Purification, Chapter on Washing the Feet, *ḥadīth* no. 148.

If you are making *wuḍū',* it is almost like doing *tashahhud* before standing in prayer - it is that ingrained into us. If you started with your left hand, you would have a heart attack, wouldn't you? Actually, I think you can also feel what the Companion said as well, because someone did it and he went to ʿAbdullāh ibn Masʿūd and told him 'I started the *wuḍū'* with my left hand and then I did my right'. ʿAbdullāh ibn Masʿūd ﷺ said it's no problem. Therefore, we know that it's a clear *Sunnah* and if you do not do it, it is not a problem.

So what are we referring to when we say that we should start with the right-hand side first? It is concerning the four limbs. We are talking about the two hands and the two feet; these are the four limbs. We start with the right hand and then the left hand and then the right hand and then the left hand.

Now remember, when we say hand we are not talking about the washing of the hands at the beginning. This is because washing the hands is a *Sunnah* anyway. You might not do that. Remember, we go back to the whole discussion about your hands after waking up - they might have been... God knows where. Or, your hand might not be clean when you start. You might turn the tap on and just put your hands underneath and just get ready to start washing your mouth and nose, and so on and so forth. It is not about that part - that's the normal washing of the hands.

When we are talking about the washing of the hands, we are talking about the whole arm. It's very important, and this will become clear in the obligatory section. But whenever the word hand is mentioned, it's referring to the arm, and in the *āyah* when the hand is mentioned, it says up until the elbows.

The number one mistake that all forms of Muslims - practicing and non-practicing - make is that they do not wash their hands when they are washing the arms. What happens is that because the hand is wet and they have already washed their hands, they stick their arm under the tap to give it a good old rub, but they do not do the hand. The obligation is to wash the hand. Because it is wet already, you think 'Well, it's wet'. So the washing of the hand (especially if you start following the *madhāhib* like the *Mālikīyyah* which obligates *dalk,* which is the major rubbing) is when you actually start doing what is in between your fingers behaviour. That happens at that point.

I want you to imagine most people. I see it all the time - they put their hands underneath and literally do the arms and they forget the hands. That is important. When the hand is mentioned, it means from the fingertips to above the elbow. We will come to that later anyway.

So how do we do this? What does right and left mean? We start off with the right-hand side, and the whole arm is done. Then we move on to the left-hand side, and then the right foot and left foot .

The Shaykh then says 'Let's talk about the face.' He says 'The text indicates that there is no right-hand side or left-hand side when it comes to the face. Shaykh Muhammad Mukhtār al-Shanqīṭi goes even further. He says the concept of *tayāmun* (of starting with the right-hand side) can only be applied to something that is a pair. It cannot be applied to something that is singular, except in one case - the body in *ghusl*.

The face is one [example as well], isn't it? The head/face is one as well. When you pour the water over, you rub the right-hand side of your body. You rub that whole side, so your foot gets done, your arm, your leg, and your ear gets done. It's a S*unnah* to do the right-hand side.

Shaykh al-'Uthaymīn makes a really nice statement. Wallahi, I liked it. He says that therefore, from the text, it is clear that when something is only one - the face has no right-hand side or left-hand side - it should be washed in one go. That's the S*unnah*. It's all in one go, unless a person is having difficulty for some reason, or is unable to wash it in one go.

If that's the case, then you start with the right-hand side, and then the left-hand side. Honest to God, I love that opinion. I think that's *fiqh*. Basically, what he's saying is that if there's a single limb or a part of the body that is washed in one go, but for some bizarre reason you are unable to do it in one go, then you apply the right-hand side/left-hand side rule. If you do, it's S*unnah*. If you don't do it, it's no problem.

Has anyone done that before? No? One common place where it happens all the time?

Student: If you have injured your hand.

Ustādh: Oh, that's good. That wasn't what I was thinking of, but if you injured your hand you can't, or you can. I think that's really interesting what you said about that one hand thing. The reason why us Paks (or I should say us modern Paks) say 'when you're one-handed' is because in our minds, washing the face is how we see the non-Muslim washing the face. Maybe it is not fair to say 'non-Muslim', but people in modern society do it by pouring water into the hands, and then splash it all over, whereas washing the face when it comes to classic times is just getting water and rubbing the face with it.

So, in actual fact, the S*unnah* would be that you would have a single hand, and you pour your water in. But when we do it – modern people who are used to taps can't hold anything anyway - we pour water into our hands. We do it because we're not used to it.

That's why Hajj is great. You know Hajj has lots of stuff. When I take my Hajj group, I get some next behaviour. The night before we leave for Mina, I get everyone and say "Go, get your bottles." We get small 500ml bottles and I say "This is going to be your best friend. This is going to save you. You need to go bring a bottle and two bottle

caps." So they bring their bottle caps and I have a pin (safety pins are very important during Hajj). You've got your normal bottle cap, and that's fine. You take your second bottle cap, and you make your holes in it. Make it like a salt shaker with 10-20 holes. That stays in your pocket. Then you cap up the full bottle of water, and that's going to be your water for your *istinjāʾ,* and it will be your water for your *wuḍūʾ*.

When it's being used for *istinjāʾ,* then you're just going to pour out water from the bottle, because you need a solid amount of water to clean the back and front. When it comes to *wuḍūʾ*, you swap the cap, and put on the shaker cap. I will show you this when we do our physical demonstration. I'll show you how you can do the entire *wuḍūʾ* with a tiny amount of water. There are people who can do it without a shaker, but if you use a shaker, it becomes the easiest thing in the world. This much amount of water it will take. You put that much water in a bottle, put on the shaker, just a squirt, a couple of drops fall in your hand and then you rub it. When it comes to the face, you literally get the bottle, squirt a little bit here, a little bit there. Put the bottle down and you just rub your face. It's more of a squirt here, a squirt there - you get a little bit of water on your face now, and now it's just rubbing everywhere that's possible.

Very little water gets on the floor. You put so little on your body that there is no water that comes off. It all gets absorbed into the skin.

This is now getting closer to this idea that the Prophet ﷺ would do his *wuḍūʾ* from the *mudd*[6]. Yep, one *mudd* is this much (cups both hands together). *Arbaʿat amdād* (four of these) is the entire *ghusl.* The only way you can understand that is the way I am explaining it to you. It's just wetting the body and rubbing it. It's the only way possible; it's not possible to pour four *amdād* upon your head (like a flowing shower we are used to).

I wrote last year that if you want to learn how to do the *Sunnah* of *wuḍūʾ,* practise it in the airplane toilets. You will learn the *Sunnah*. You will learn how to use little water; you will learn how to rub everything. How does that saying go? Necessity is the mother of all inventions. *Ṣaḥ*. That is when you will learn - when you need to, when you have got no opportunity to be able to put water on the floor.

Anyway, Shaykh continues by saying something interesting. He says the ears are to be wiped only once. We'll talk about the description of wiping the ears later; it's not for now because wiping the ears is an obligation. He says the ears are only wiped once, because even though they are two, it's part of the 'one' thing. You see in the *āyah* about wiping the heads, there is no mention of the ears.

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[6] *Ṣaḥīḥ Muslim*, Book of *Ḥayḍ*, Chapter: Amount of Water for *Ghusl*, *ḥadīth* no.325

﴿وامسحوا برءوسكم﴾

"...wipe then your heads.." [5:6]

There's no mention of the ears. So the obligation of wiping of the ears comes under the obligation of wiping the head, because as the companions used to say that the ears are part of the head, so when you wipe the head the ruling of the ear applies.

So how many times do you wipe the head? Once. You can wipe it three times, though. However, in general the idea is that it is only once that is required. It's also not done by the right side then the left side, rather it's done at the same time. And if he was not able to do that (as in, he was not able to lift both hands) and Shaykh al-'Uthaymīn رحمه الله says that he would then be able to do one and then maybe the other one. For example, if his left hand is broken or something.

Shaykh said that the evidence for starting with the right is the *ḥadīth* which I just mentioned, and it is the *ḥadīth* of 'Ā'ishah رضي الله عنها which, as we said, has been narrated in *al-Bukhāri* and so on. He also says that when it comes to the issue of wiping over the *khuff* (meaning the leather socks, and by extension, the socks as well), he should do both of them together. Why?

لأنَّهما لما مُسحا كانا كالرَّأس

He says that when we wipe over the feet, according to the *āyah,* the analogy of wiping the feet is not washing the feet. This doesn't make much sense now, but next week it will when we discuss the āyah and the different recitations (*arjulakum* and *arjulikum*).

Arjulakum is how it's spelled in the *āyah,* and that means to wash the feet. When you wash the feet, you start doing the right and then the left. That's when you recite it as '*arjulakum'* in *Sūrat'l-Mā'idah*. However, when you recite it as '*arjulikum',* which is a correct recitation, then this means wiping the feet. When you recite it as *'arjulikum',* then that <u>wiping</u> has been based upon the head. Why? Your head is wiped in one go, therefore when you are wiping your socks, you wipe them in one go and this is the *Sunnah*.

Also, in the *ḥadīth* of Mughīrah ibn Shu'bah, he said:

وَضَّأْتُ النَّبِيَّ ﷺ فَمَسَحَ عَلَى خُفَّيْهِ وَصَلَّى

"I helped the Prophet ﷺ in performing ablution and he passed his wet hands over his socks and prayed."[7]

This *ḥadīth* has been narrated in *al-Bukhāri*. He didn't mention that he started with the right hand or left hand, so 'wipe over the socks' is to be taken in its absolute sense - it was done all in one go. Some of the scholars say it is recommended to start with the right-hand side because the *mas-ḥ* is actually part of the washing; it's like an extension of washing, so you should follow that general kind of pattern.

He says that there are two limbs - one is different from the other and it's not like the head. You can't make an analogy of the two feet with the head; you should make an analogy from the two feet to the two feet which are washed.

وإنما لم يذكر التَّيامن لكونه معلوماً من هديه ﷺ أنَّه كان يعجبه التَّيامن، كما لو قال في الوُضُوء: ثم غسل رجليه، ولم يذكر اليُمنى قبل اليُسرى. وهذا هو الأقرب؛ أنَّك تبدأ باليُمنى قبل اليُسرى،

Shaykh basically says that the argument is there for both sides. You are either going to understand it as the head and do it in one go, or you're going to do the right side or the left side by understanding it as right and left.

Shaykh al-'Uthaymīn رحمه الله says that that's a very good opinion as well, and he says:

والأمرُ في هذا واسع إن شاء الله تعالى.

There's a lot of flexibility in this *inshā'Allāh*, so it doesn't matter (which of the opinions one chooses).

Shaykh al-'Uthaymīn's own opinion has been narrated elsewhere in his *Majmū' al-Fatāwa*, which is a collection of his legal verdicts. This is footnote number one on the page. He says, 'My opinion is to do the wiping with the right hand over the right sock, and the left hand over the left sock, all in one motion'. One would wipe from the tip of the toes to the beginning of the ankles with each hand on each foot', and we will come to this wiping of the socks later. (**This is the class position**)

USING NEW WATER FOR THE EARS

[7] *Ṣaḥīḥ al-Bukhāri*, Book of Prayer, Chapter: To Offer the Prayers Wearing *Khuff* (Leather Socks), *ḥadīth* no. 388

The next S*unnah* is to take some new water and use it for your ears, or you take some fresh water. You wet the hands again because they may be dry by now after you used them to wipe your head. You use some fresh water because you are just wiping your ears and you are not cleaning them very much. This is the logic behind it and it is also done because of the *ḥadīth* of ʿAbdullāh ibn Zayd which says:

أَنَّهُ رَأَى رَسُولَ اللَّهِ ﷺ يَتَوَضَّأُ ، فَأَخَذَ لِأُذُنَيْهِ مَاءً خِلَافَ الْمَاءِ الَّذِي أَخَذَ لِرَأْسِهِ

He saw the Prophet ﷺ doing wuḍūʾ and he took water for his ears, other than the water that he used for his head.[8]

So he saw the Prophet ﷺ wash his arms and then get more water to wipe his head. Then the Prophet ﷺ went and got more water and then wiped his ears. Imām al-Bayhaqi narrates this *ḥadīth* and he says it has an authentic chain. Ibn al-Turkmāni and many other scholars disagreed with this conclusion. The main reason they disagreed that this was authentic is because it goes against a more authentic *ḥadīth.* They considered this *ḥadīth* of Ibn Zayd to be a weak *ḥadīth* and *shādh*.

Shādh means 'odd', or it is going against something which is well-known. When you say something is odd, it is something abnormal. The same applies with *ḥadīth*; when something contradicts what is well-known and authentic, then we call it *shādh*. Ibn al-Qayyim رحمه الله says in his book *Zād al-Maʿād* (Volume 1, p. 155) that nothing has been established from the Prophet ﷺ that he took new water for his ears. He says this has only been narrated from ʿAbdullāh ibn ʿUmar.

What is authentically narrated from Ibn ʿUmar is:

الأذنان من الرأس

This is an authentic narration from him in *Muṣannaf Ibn Abi Shaybah* and *Musnad ʿAbdʾl-Razzāq*[9]. This means 'The ears are from the head', and this is important.

It has also been authentically narrated by Abu ʿUbaydah in the book *al-Ṭahūr* that Ibn ʿUmar would wipe over his ears while washing over his face[10]. We don't need to go there, but it is interesting that he was washing his ears at the time of the face.

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[8] *Sunan al-Kubra* (al-Bayhaqi), Book of *Ṭahārah*, Chapters on *Sunnah* and *Farḍ* Actions in *Wuḍūʾ*, Chapter on Wiping the Ears With New Water, *ḥadīth* no. 287

[9] *Muṣannaf ʿAbdʾl-Razzāq*, Book of Purification, Chapter on Wiping the Ears, narration 24.

[10] *Al-Ṭahūr*, Chapter on the Mention of the Ears and Their Place in Relation to the Head and Face, narration 363.

In the Muwaṭṭa of Imām Mālik (Volume 1, Number 34), on the authority of Nāfiʿ, it says:

كان يأخذ الماء بأصبعيه لأذنيه

Ibn ʿUmar would wipe his head, then take water with his fingers (so he would get more water and then go back in). This is because the idea is to get in and clean.

Also, the manner of how he would wipe his ears has been authentically narrated from ʿAbdullāh ibn ʿUmar, but we're going to come to that later. Just so that you know now, he would put his fingers in his ears and he would wipe the inside and the outside. This is *al-ẓāhir* (outside – Ustādh points to the outside of the ears) and this is *al-bāṭin* (inside – Ustādh put his fingers into his ears).

The *bātin* is being done like that, and if he goes inside, this is good as well (see video 1:08:40). Then in then out and then the outside of the ear (see video 1:08:40). That's important because Paks don't do their ears properly and people need to wash behind their ears, because people don't and then it gets dirty.

As Ibn al-Qayyim says, there's nothing authentic from the Prophet ﷺ, but from ʿAbdullāh ibn ʿUmar, it has been authentically narrated from him that he used to do that.

Shaykh al-ʿUthaymīn رحمه الله says:

وهذا الحديث شاذٌّ

The *ḥadīth* that we just mentioned of ʿAbdullāh ibn Zayd is *shādh* (odd). This is because it contradicts what has been narrated by Imām Muslim:

أن النبيَّ ﷺ مسح برأسه بماء غير فضل يديه

The Prophet ﷺ wiped his head with water with other than what he had used with his hands.

That's it. He never mentioned that he took separate water for his ears. The *ḥadīth* is very clear - he washed his arms, then took the water again, then wiped his head and then carried on with his ears. There is no mention in the *ḥadīth* of Muslim (which is more authentic and more established) that he stopped, went back to the water and

then did it again for his ears. Why is this important? If the Prophet ﷺ had been described as going back to the water to wipe his head, then if he had gone back to the water to wipe his ears, it would have been narrated. The *ḥadīth* in Muslim doesn't state that, therefore that is what is established.

Remember, when someone wants to bring something to the game (meaning an additional action), then you have to make sure that it's well-established because the *aṣl* (status quo) in *ʿibādah* is that everything is *ḥarām.* If you want to establish it, you have to bring the game and make sure that it's very clear. It's not a case that he washed his hands for his head, so we'll just do that again for the ears as well. No, you have to bring evidence for each step.

فعلى هذا يكون الصَّواب: أنَّه لا يُسَنُّ أنْ يأخذ ماءً جديداً للأُذُنين

Therefore it is correct to say that it is not *Sunnah*. He disagrees with the Ḥanbali position; it is not Sunnah to take new water to wipe for the ears, and if someone does it following ʿAbdullāh ibn ʿUmar, then that's okay.

Shaykh al-ʿUthaymīn رحمه الله just mentions another point. Why is it that people even said that you should take new water for it?

There is a principle that every time you move to a new limb, you are meant to use new water. If you think of your tap, that's an obvious thing. You wash your hands, then you go to wash your face and then you go back in again and wipe your hair. They said that the ears are a separate limb to the head.

Shaykh ʿUthaymīn رحمه الله disagrees and says that the ruling of the ears comes under the same ruling as the head, so there'll be no need.

Washing a Second and Third Time

و الغَسْلَةُ الثَّانيةُ والثَّالثةُ

"...and washing a second and third time."

The first time is obligatory. To wash everything once is obligatory. Allāh ﷻ says,

﴿فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ﴾

"...wash your faces and your hands up to your elbows..." [5:6]

The obligation is very clear by the statement 'wash'. He didn't say 'wash once, twice, three times'. Wash in its absolute sense means once.

Shaykh 'Uthaymīn ﷺ says if you wash it a second time, that's even better and if you wash it three times, that's perfect, because that's going to ensure you clean everything.

What has been narrated by Imām al-Bukhāri in *Kitāb al-Wuḍū'* from the Prophet ﷺ is that he ﷺ washed everything once[11], twice[12], and three times[13]. It's three *aḥādīth* that Imām al-Bukhāri narrates, one after the other, showing that it is acceptable to wash each limb in that manner.

It has also been narrated that the Prophet ﷺ washed his face three times, his hands (to the elbows) twice, and his feet once. And this has been narrated by Imām al-Bukhāri as well[14] and by Imām Muslim.

Some of the scholars considered it to be *makrūh* to differ between the limbs like that and that has been narrated in *al-Inṣāf.* But the correct position is that it can't be makrūh, because it's been narrated from the Prophet ﷺ.

Shaykh Al-'Uthaymīn ﷺ is finishing off and saying that it is good to alternate between all of these. This is about maintaining the *Sunnah*. It's very important. Remember how I said last week that when you're washing your arm, it's not just about cleaning yourself, but it's doing it for the sake of Allāh ﷻ.

When you wash it once and move on, your body will stop and you'll think that actually, you haven't washed that right and that you need to do it a second and a third time. And that's when you suddenly become alive and kick-start your *wuḍū'*.

And when you go to your right hand and you wash that once and your body tells you that you need to do that a second and a third time, you've done the *Sunnah* of only washing it once, so that's okay. The fact that you noticed was a big result and that's good enough for us.

Some of the scholars argued that the Prophet ﷺ only washed things once to show that it is permissible and not because he wanted to make that a *Sunnah*.

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[11] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍū'*, Chapter: The Washing of the Body Parts Once in *Wuḍū'*, *ḥadīth* no. 157
[12] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍū'*, Chapter: The Washing of the Body Parts Twice in *Wuḍū'*, *ḥadīth* no. 158
[13] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍū'*, Chapter: The Washing of the Body Parts Thrice in *Wuḍū'*, *ḥadīth* no. 159
[14] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍū'*, Chapter: The Washing of Feet Until the Ankles, *ḥadīth* no. 186

لا على سبيل التعبُّد باختلاف العبادات، وتوضأ مرَّتين لبيان الجواز أيضاً

This is *uṣūl*. The Shaykh says that that's an argument and he accepts that. The people might say that he ﷺ washed once - not to establish it as an act of worship, but actually to establish that it's permissible if you can't do it (two/three times). [They also might say that] he washed twice - not to state that it's legislated and making it an act of worship, but to show that it's permissible, and to indicate that three is actually the best way.

Shaykh Al-ʻUthaymīn says that the basic status quo regarding acts of worship is that it's legislated. The Prophet ﷺ didn't do something for nothing. Yes, it might show indication, but by indicating permissibility, it's also establishing it as an act of worship. Therefore, it's quite sufficient to do that number.

He continues [by saying] that sometimes scholars confuse themselves, that the reason this discussion came about was because they are trying to wrestle with their concept that *wājib* is to wash it once. The *Sunnah* which the Prophet ﷺ mostly did was three times. Now, they are stuck and trying to explain (with long) essays because they are trying to make out that the *Sunnah* is better than the *wājib*. They got themselves confused and are trying to explain it by saying it's not religiously legislated among others.

Shaykh Al-ʻUthaymīn mentions the *ḥadīth qudsi* where Allāh ﷻ says:

وما تقرَّب إليَّ عبدي بشيءٍ أحبَّ إليَّ مما افترضت عليه

"My slave does not come closer to Me except by performing what I have obligated upon him, until I love him"[15]

That is the basic principle. The obligatory actions are and will always be better than the *Sunnah* actions. *Sunnah* has a separate reward as an extra, but it's not better than the wājib position. Therefore, to do it three times is a *Sunnah,* and it is better. He says that some of the scholars say that to start the *salām* is *Sunnah,* and to return the *salām*

[15] *Ṣaḥīḥ al-Bukhāri*, Book of Softening the Heart, Chapter on Humility, *ḥadīth* no. 6502

is obligatory, therefore it is better to start the *salām* rather than the obligatory response.

He continues [by saying] that washing the second and third time is part and parcel of the obligation; it's not a comparison between the three (times) versus one (time). The three and two (times) are part of the one (time), they are part of the obligation itself. It's not a face-off between the recommended and obligatory actions. They are actually the same thing.

In his conclusion, he says it is not ever possible for something that is non-obligatory to be much better than the obligatory, and you should not get yourself confused in this matter.

So I conclude on this section of *Sunan* by saying that to wash the hands or any parts three times, you do the *Sunnah* and it's good to do that. If you do it once, then you have done the *wājib* and it's quite okay. It's not a massive disastrous thing - that's legislated done by Prophet ﷺ and exact a reward.

As I said, if you are aware during that one time and you are feeling it, then that would be better than washing your limbs a hundred times. If you are washing once and you know that you are preparing it for *ṣalāh*, your *niyyah* is there for *ʿibādah*, that's a feeling that some people don't get it their entire life.

There are some people who pray all their life and they don't actually feel the prayer. They are making *wuḍūʾ* day and night and they are not feeling it, or thinking 'I am getting excited about this that I am doing this for Allah ﷻ'. So you should start and take baby steps as we say and that's good *inshāʾAllāh.*

Q & A

Q: What was the last point? You wash your face once and you get your reward for that. If he then goes on to washing a second and third time, you get extra reward for that (meaning if you do washing for three times, it is better than washing one time).

A: There is no doubt that a person who carries on washing it more, wanting to follow the *Sunnah* of Prophet ﷺ will get extra reward, but that statement, 'getting extra reward' is all you should say. We don't say that makes the *Sunnah* better than the *wājib*, because we are creating a paradox or whatever.

We are just saying that this is the *Sunnah* of Prophet ﷺ and it is the part of obligation and the most complete form of that obligation is to wash it three times.

The scholars themselves got confused and they said how are you going to compare, etc.

Q: What is conjunctivitis, the eye thing?

A: Conjunctivitis in when your eyes get inflamed and then the conjunctiva gets inflamed. It's an eye condition.

Q: (inaudible)

A: Wallahi it's a good question to be honest and I haven't thought about that why he did that.

Q: What about the folks who whisper in the *ṣalāh*?

A: With respect to recitation of the *Fātiḥah* and the prayer, you are not allowed to recite it to disturb the people. For them to hear something is okay, but when you know that someone is reciting (because you may hear the odd 'S' sound), that's fine. But when your sound becomes loud because you are whispering, that's not allowed. Whispering is talking. We are not saying that *Sunnah* is whispering - whispering is like me saying, 'Hey, don't tell anyone' (in whispering tone). We are saying that a person recites it so that only he hears it himself, no whispering. The other person should only hear that something is being said. No whispering.

Q: How do you reconcile all of what you are saying with the idea of it being to clean, and actually we know not to clean...

A: I have always made it very clear from the first day that *wuḍū'* has got nothing to do with cleaning, meaning that the *ʿillah* is not to clean. The *ʿillah* is ritual ablution. There would be some cleaning as a result of it, but cleaning is not the *aṣl.* We know that when we want to clean, then we go do *ghusl*. If we know we are going to clean, then we are going to obligate soap to be used in the ears, etc. That is why the word ritual is there - to make it clear that it is a prayer for all kind of things (spiritual things) which we do not know the reason behind. That doesn't necessarily mean that it can't do some cleaning too. But it's clear that the function is not cleaning.

Q: Is it a spiritual cleaning?

A: There is no doubt about it being a spiritual cleaning. That is what it is. If you go back to the early lessons in Year One and you look at some of the notes, it would come through stronger - that ethos that *wuḍū'* is not to clean the body physically, because you can do that in so many better ways. You can use alcohol washes, etc.
At the same time, because it is spiritual, that doesn't mean that it can't clean the body at the same time.

Q: Say, for example, you're in a situation where you can only use one hand over two hands. This is sort of a two part question. Is it ok to just use one hand for everything? And is it better to use one hand over two hands if you do have the option?

A: The principle in washing the parts of the body are two hands. That's always the principle because even as we were talking about pouring, I was giving the example of one hand but that's not always the case. When we pour, we will pour in a number of ways, depending on the actual container. So either what we do is grab the container from the edge and we tilt it into two hands, put it at the back and then we use two hands, or you get the container, pour in one hand, put the container back down again and the other one gets involved. So it's not the most important thing; there is nothing from the Prophet ﷺ to specify these details, meaning the issue is flexible.

9. The Obligations Of *Wuḍū*‘ I

Today we will start with our *ḥiṣṣah* or section of study with a wonderful opening by Shaykh al-‘Uthaymīn رحمه الله and Muḥammad Mukhtār al-Shanqīṭi رحمه الله in this particular chapter.

We are now starting with the new notes; we will start from page 1 of the class notes, and page 182 of the *Sharḥ* in Arabic. It’s *Bāb Furūḍ al-Wuḍū’ wa Ṣifatuh*, which means ‘The Obligations of *Wuḍū*’ and Its Description’.

There is one thing that I wanted to clarify - in the previous lesson, I was talking about *al-muwājahah* (that which is facing). We were talking about washing the face, and the rulings which apply to the hairs on the face. We described the fact that if it’s thin hair, the water must get to the skin; if it’s very thick hair, it is enough to just comb your fingers through the beard.

We spoke about the hair that is *mustarsal*. I translated it as ‘roots’ - actually, it shouldn’t be translated as ‘roots’; rather, it’s the opposite (the ends). However, the ruling is the same. The ends must also be wetted, so if you have a beard, you will not just be going through and combing, but also going through to the end as well. If you have a thick beard, it’s not necessary to get to the roots of the actual beard itself.

I gave some examples that it is a concession when it comes to getting to the roots. That (concession) is given to women in *ghusl* and that will come in its right time.

Obligations of *Wuḍū’*

Let’s start with the Arabic text first *inshā’Allāh* to start us off.

Bāb Furūḍ al-Wuḍū’ wa Ṣifatuh, (or it can be read) *wa Ṣifatihi* as well. I will explain to you why the scholars differed over that.

Imām al-Ḥajjāwi رحمه الله says,

(فروضُه) سِتَّةٌ: غَسْلُ الوجهِ والفمِ والأنْفِ منه، وغَسلُ اليدينِ، ومَسْحُ الرأسِ ومنه الأُذنانِ، وغَسْلُ الرِّجلينِ والترتيبُ والْمُوالاةُ، وهي أن لا يُؤَخِّرَ غَسْلَ عُضْوٍ حتى يَنْشَفَ الذي قَبْلَه،

The obligations (of wuḍū’’) are six:

- washing the face, with the mouth and nose included;

- washing the hands up to and including the elbows;
- wiping the head, with the ears included;
- washing the feet;
- maintaining the above order;
- maintaining continuity, meaning that one doesn't delay the washing of a limb until the one before it dries up.

Al-muwālah means 'continuity that one doesn't delay the washing of limb until the one before it dries up'. I will explain all of these in detail *inshāʾAllāh.*

Now, this is [a class which has been running for] a year and despite the fact that it's a book of law and *fiqh* where we talk about *ḥalāl, ḥarām,* and *Sunnah,* we surprisingly haven't actually covered the concept of *farḍ.*

Concept of *Farḍ*

When we speak from the grammatical point of view, the word *farḍ* (which we all understand to mean 'obligatory') is a verbal noun (a *maṣdar*). According to the grammarians, in principle, the verbal nouns do not have plurals. We don't pluralize a verbal noun.

This is a rule of the *naḥwiyīn* which is what Shaykh al-ʿUthaymīn رحمه الله mentions. The interesting thing is that because we actually have more than one *farḍ*, we have more than one obligation and because of the need, we have given it a plural. That plural is *furūḍ*. That's what the chapter title has as obligations.

Some scholars consider the most correct singular of the word *furūḍ* to be *farḍ*. Shaykh Muḥammad Mukhtār al-Shanqīṭi said it's *farīḍah*. *Farīḍah* is also acceptable and means the obligatory thing. It's in its feminine form. When we talk about the prayer, we will actually call it the *farīḍah*. 'I'm going to pray my *farīḍah'* means 'I'm going to pray my four *rakʿāt Ẓuhr* without any other prayers attached to it. Sometimes we give that specific name when something is individually obligatory. *Farḍ* or *farīḍah* can both be used quite easily.

The word *farḍ* has a number of meanings. It means 'to obligate'. It also means 'to cut'. Shaykh al-ʿUthaymīn says that in its original linguistic meaning, it means *al-ḥazzu waʾl-qaṭaʿu*. *Al-ḥaz* and *qaṭaʿ* both actually mean 'to cut'. There is a difference between them in the Arabic language. The word *ḥaz* is used when you cut something or nick something, but you don't separate it. It's not cutting something into two, but you might go all the way to the bone or you might just take the top. This is the *ḥaz* (like a cut). Whereas the *qaṭaʿ* includes the *ḥaz*, but it will separate something into two or into pieces. It's the proper cut all the way through.

Farḍ in the language means that. *Farḍ* also means to measure something. *Farḍ* also means a share. It's used in a manner of *naṣīb,* meaning that if I've given you your *farḍ*, I've given you your set amount or quota. These are all its linguistic meanings.

From a technical meaning (*ḥukm sharʿi* point of view) according to the majority of the scholars, the word is a synonym for the word *wājib*. With the majority of us being Paks, we have a natural distinction between the word *farḍ* and *wājib* in our minds. We have that because we are Pak, Indian, Bengali and that entire sub-continent of course is following the *madh-hab* of Abū Ḥanīfah رحمه الله. This is ultimately legal terms.

When it comes to Islamic legal terms, our vocabulary is set by our tradition which comes from our parents, which, in turn, comes from the *madh-hab* that we follow - the *madh-hab* of Imām al-Aʿẓam Abū Ḥanīfah رحمه الله. Abū Ḥanīfah does have a differentiation.

He differentiates between *farḍ* and *wājib,* but let's look at what the majority said. The three imāms, the majority of the scholars, and the *muḥaddithīn* all made it very clear - the word *wājib* means the word *farḍ*. Both of them mean 'obligatory'. There is no difference in consequence, and there is no difference in its definition.

What does *wājib* mean and what does *farḍ* mean? [They both mean] 'that which has been commanded to do' - *ʿalā sabīl al-ilzām* (meaning 'it is absolutely necessary to do'). That's how you'd define it as a word, but its ruling is something different. We have covered this a number of times.

Who can tell me what the ruling of the word *wājib* and *farḍ* is?

Student: Something that you have to do and you're rewarded for doing it.

Ustādh: I want just another word in that definition to make it a bit more accurate.

Student: If you leave it, you're punished.

Ustādh: No, that's the second part. We're still within this first portion.

Student: You do it correctly.

Ustādh: Correctly is a given.

Student: According to the Sunnah.

Ustādh: Good! You do it according to the Sunnah, meaning that it has to be done correctly but with an intention to do it. Sometimes you might be forced into doing an act where you have no intention to do it. Sometimes you might do something accidentally as well.

If you want to be rewarded for it, it has to be *imtithālan,* meaning that we have to have an intention to follow the Prophet ﷺ or Allāh ﷻ in that command, or the way that the Prophet ﷺ showed us to do that command. That's the first part. It's something that has to be done and you are rewarded for doing it. Carry on with the second part.

Student: If you leave it, you're punished and held accountable for it in the *ākhirah*.

Ustādh: That much detail is not even necessary, but that's correct. The one who doesn't do it is punished. That word 'punished' refers to (depending upon the type of obligation) the *ākhirah,* meaning it's a sin. The reason that he mentions 'in the *ākhirah'* is just to make it accurate.

There are possibilities that a person could be punished in this life, but that is not unique to an obligation. For example, when it comes to the Islamic ruler, he is able and he has the leeway to make certain things which are not even in the Qurʾān and *Sunnah* obligatory upon you. They don't even have a basis.

You're right - from the accuracy point of view, it is important to introduce whether one is punished in this life or the hereafter, but the punishment in this life will vary from action to action. Sometimes it won't actually be a physical action, so other people can't even see whether you're doing it or not. It might be an internal thing. There are many internal obligations. For example, it's obligatory to not backbite or it's obligatory to have good thoughts about Allāh ﷻ (*ḥusn al-ẓan*). That's why it's not always a punishment in the *dunyā*.

This is according to the majority of the scholars, but Imām Abu Ḥanīfah رحمه الله has something a little bit different. What did Abu Ḥanīfah رحمه الله say? He said:

الفرض ما كان ثابتاً بدليل قطعيِّ الثُّبوت والدَّلالة

This is a classic legal definition for the Ḥanafi school; the obligatory act (the farḍ) is that which is established with definite evidence with an expressly indicative meaning.

Qaṭʿīʾl-thubūt AND *qaṭʿīʾl-dalālah*

Let me explain two points here. The words that we want to examine are:

قطعيِّ الثُّبوت والدَّلالة

Qaṭʿīʾl-thubūt and *qaṭʿīʾl-dalālah*. *Thubūt* and *dalālah*. *Thubūt* comes from the word *thabt* (something which is *thābit* means something that has been definitely,

authentically established or narrated, like Qur'ān or like a very authentic *ḥadīth* which is *mutawātir*). I will explain this in a minute.

First, we will deal with the authenticity side, which is *qaṭʿī'l-thubūt*. *Qaṭʿī* means 'definitive'; there is no discussion after it, and it is absolutely guaranteed. It is the opposite of speculative. It is one hundred percent definite, and established.

Qaṭʿī'l-dalālah - the word *dalālah* comes from the word *dallah,* which means 'to guide'. A *dalīl* (which we call an evidence) can be footsteps, and those footsteps are a proof that someone was there. It leads us to where we want to get to. We don't want the footsteps, we want to go to where the footsteps are going to. That is why when we want to establish a ruling, we need to establish the *dalīl* (the evidence) because it leads us without any doubt to the final consequence. The *dalālah* is that guides us.

In legal terms, when we are given a *ḥadīth* which has no qualms about its meaning; there is no hidden potential meaning or some kind of second or third meaning. It is absolutely clear, like

﴿قُلْ هُوَ اللَّهُ أَحَدٌ﴾

Not two, not three, *'aḥad'*. The word *aḥad* cannot be interpreted into three different understandings. So what you are seeing Abu Ḥanīfah ﵀ do is to take doubt out of the equation. We are not going to have doubt with respect to his authenticity and we are not going to have any doubt with respect to his meaning.

If we have that ruling in that manner, and these two conditions are fulfilled, that is what is going to be called a *farḍ*. And if we go and establish a *farḍ* (this is what Abu Ḥanīfah ﵀ says), that we are going to have certain legal consequences that follow on from that.

For example, it is *farḍ* (obligatory) to pray *ṣalāt'l-Fajr*. If a person misses *ṣalāt'l-Fajr* because he oversleeps, then he will be punished if he played a part in that. If he went to sleep early and something happened and it wasn't his fault, then of course he is not punished. We have the *ḥadīth* of the Prophet ﷺ who said when a person wakes up, he prays when he wakes up.

But if this person knows he is not going to wake up for *Fajr* and he keeps on staying awake, messing around, playing around (and he knows that if he doesn't go to bed right away, he is not going to wake up for *Fajr*) and as a result of his actions he doesn't wake up for *Fajr*, then he is punished.

A third person will look at the time and say 'I can't be doing *Fajr* any more… sack that. I want ten hours of sleep and seven hours isn't going to cut it. It's not that important

anyway. As long as I get it done before *Ẓuhr,* then it is okay'. This guy is now playing in a very dangerous area. He is now not only not doing a *farḍ*, he is intentionally not doing a *farḍ*. We are going to leave the ruling on this person to the side for a minute.

Then you have a complete freak in scenario number four. He comes along and he says 'I don't know what you guys are killing yourselves in the morning for. Just wake up at nine o'clock and go to work, there is no problem. This *Fajr* prayer is only for people who wake up early and as for the rest of the people, we need to be productive. We are in a modern society and as long as I pray one or two prayers in a day, who cares about praying *Fajr*?'

He basically denies the obligation of the prayer. According to the scholars, because the *Fajr* prayer is a *farḍ*, this person would be leaving Islām by that action (denying that which is established by Allāh ﷻ). He is denying the obligatory act, and by that, he enters into disbelief.

Now because of this consequence of this person ending up in disbelief, Abu Ḥanīfah رحمه الله wants to very careful and he wants to make sure that people end up in that situation by mistake or by an easy kind of scenario. What does he want to do? He wants to reduce those things which are actually *farḍ* as much as possible.

Do you understand his rationale? He wants to make sure that we only restrict such a severe consequence to the absolute bare minimum possible, and how is he going to do that? He is going to make the conditions of meeting out the *farḍ* as tight and restricted as possible. If those conditions are met, then he can say, 'I tried my best for you, mate. I really tried to find an excuse for you, but you are taking liberties now and good luck to you'. So what does he try to do next? The only other thing which we (meaning the majority) might consider to be a *farḍ*, he will try to bring down to the level of *wājib*. How will he define what is wājib?

ما ثبت بدليل ظَنِّيِّ الثُّبوت أو الدِّلالة

Wājib is that which has been established only via speculative evidence (meaning speculative in authenticity in its meaning or *dalālah*). In the way it indicates its potential meanings, there might be a second meaning, there might be a third meaning - it is not very clear what it is trying to say. The scholars differed over the *tafsīr* or the *sharḥ* of the actual concept, and because it has that kind of *ẓanni* aspect to it, there is some speculation, you are in doubt, and it is not absolute clear. As we said, it's the opposite of *qaṭʿī.*

For example, the *ḥadīth* itself is not absolutely and supremely *mutawātir*. We are going to talk about that in a second. [It is not] super authentic, [and it's not like there is] absolutely no doubt about it, so we are going to rule this action to be a *wājib.* If a

ruling comes via this way (evidence that is speculative in its authenticity or its meaning), then we are going to consider that to be a *wājib.*

Singular Narration

If you really want to understand what this is really about, this goes back to age old argument concerning *ḥadīth*. Now I want to introduce the concept that I want to cover, the concept of the *khabr aḥad*, or the *khabr wāḥid* (which is the singular narration).

When it comes to the sciences of *ḥadīth,* there are many ways to define the *aḥādīth* and divide them up into categories. You can divide them by narrators, by the different types of authenticity, by meaning, by status of narrators, and so and so forth. There is also another way of defining or categorising of *aḥādīth* - by the amount of narrators at each stage of the chain. Remember we covered before that the word 'chain' means *isnād* or *sanad*.

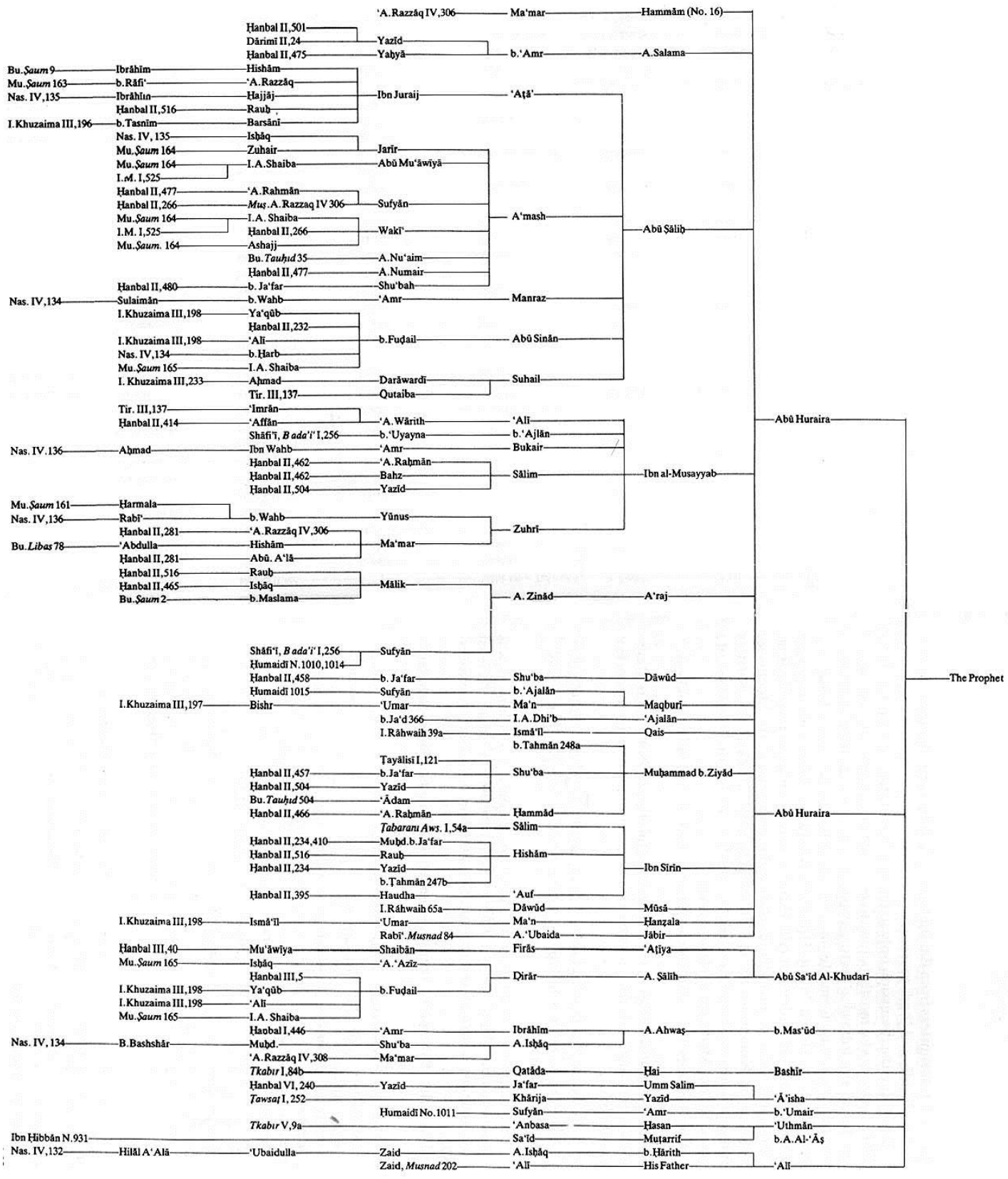
For example, we have the Prophet ﷺ at the top, and he will narrate a *ḥadīth* to a Companion like Abu Hurayrah ؓ. Then a *tābiʿi* (meaning a man who is a believer, who has met a Companion in a meaningful fashion, and passed away as a believer) narrates it from the Companion like Abu Hurayrah ؓ, then someone else who is from *atbaʿ al-tābiʿīn* narrates it.

Actually, it can go either way - it can go along the same, or he might narrate it to another *tābiʿi*, or he might narrate it to another six *tābiʿīn* from his neighbours, for example. Where he narrates it is important as well. Then he might narrate it to those in the generation underneath him (to young students, for example), and so on and so forth.

I want you to look at the different levels or generations of narrators. We have the Prophet ﷺ at the top, then underneath that we have the Companions, then underneath that we have the *tābiʿīn*, then underneath that we have the *atbaʿ al-tābiʿīn* (the followers of the followers), then underneath that we might have the *imāms* (the *imāms* of *ḥadīth* and so on), and underneath that we might have the teachers of the students of these *imāms*.

In this kind of generation we are starting to get the collectors of *aḥādīth* like Aḥmad, like Mālik certainly, then a couple later you will find Bukhāri and Muslim, Tirmidhi, and Aḥmad (*raḥimahumullah*) and so on and so forth. Then they will actually write it down. We have covered this before – the basic structure of a *sanad*.

The following diagram might make it easier for you to visualise what a *sanad* looks like.


'A.Razzāq IV,306
Ma'mar
Hammām (No. 16)
Ḥanbal II,501
Dārimī II,24
Yazīd
Ḥanbal II,475
Yaḥyā
b.'Amr
A.Salama
Bu.Ṣaum 9
Ibrāhīm
Hishām
Mu.Ṣaum 163
b.Rāfi'
'A.Razzāq
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Ḥajjāj
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b.'Uyayna
b.'Ajlān
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Aḥmad
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'Amr
Bukair
Ḥanbal II,462
'A.Raḥmān
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Bahz
Sālim
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Ḥanbal II,504
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Ḥarmala
Nas. IV,136
Rabī'
b.Wahb
Yūnus
Ḥanbal II,281
'A.Razzāq IV,306
Zuhrī
Bu.Libas 78
'Abdulla
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Ma'mar
Ḥanbal II,281
Abū. A'lā
Ḥanbal II,516
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Ḥanbal II,465
Isḥāq
Mālik
Bu.Ṣaum 2
b.Maslama
A. Zinād
A'raj
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b. Ja'far
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b.'Ajalān
I.Khuzaima III,197
Bishr
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'A.Raḥmān
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Rauḥ
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Ḥanbal II,234
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Ibn Sīrīn
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Haudha
'Auf
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A. Ṣāliḥ
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I.Khuzaima III,198
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I.Khuzaima III,198
'Alī
Mu.Ṣaum 165
I.A. Shaiba
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'Amr
Ibrāhīm
A.Ahwaṣ
b.Mas'ūd
Nas. IV, 134
B.Bashshār
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Shu'ba
A.Isḥāq
'A.Razzāq IV,308
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'Ā'isha
Ḥumaidī No.1011
Sufyān
'Amr
b.'Umair
Tkabīr V,9a
'Anbasa
Ḥasan
'Uthmān
Ibn Ḥibbān N.931
Sa'īd
Muṭarrif
b.A.Al-'Āṣ
Nas. IV,132
Hilāl A'Alā
'Ubaidulla
Zaid
A.Isḥāq
b.Ḥārith
Zaid, Musnad 202
'Alī
His Father
'Alī

I want you to imagine that if the Prophet ﷺ is narrating a *ḥadīth* and only one Companion hears that *ḥadīth* from thousands, it does make us think 'Why did the rest of them not narrate that?' What that moment of reflection leads us to is important. According to the majority of *imāms*, it does not mean anything because you know he is a Companion - that is good enough for us.

We now go onto the next generation. If a major Companion narrates a *ḥadīth*, the major Companions who are narrators of *aḥādīth* have many students, and they will then be teaching that *ḥadīth* to many students. If he then only narrates the *ḥadīth* to one person (one *tābiʿī*), we will have to say to ourselves 'Why is it to only one person, when he has thousands of students?' It will make us question. If this *tābiʿī*' (this *imām*) then narrates this *ḥadīth* again to only one person….

I want you to imagine - we have a couple hundred people here (Logical Progression live students). I am now narrating a statement and this is in the land of non-Muslims, where people are not listening as carefully as they are for *ḥadīth,* and we are able to gather this many people at one time. Over there, there were thousands in the circles that are memorising every single letter that comes from the lips of these *imāms*. It is very strange that we come across a *ḥadīth* where there is only one person narrating from one person narrating, from one person and so on and so forth.

ḤADĪTH MUTAWĀTIR

In fact, it is so strange that this happens that the scholars called it *gharīb*. *Gharīb* actually means 'something strange'. The scholars then defined *ḥadīth* into two general types: they said either a *ḥadīth* is a *khabr wāḥid* or it is *khabr aḥad* (meaning a singular narration), or it is a *ḥadīth mutawātir*.

A ḥadīth mutawātir means when you look at every generation of the narrators in the chain of that *ḥadīth...* for example, the Companion narrates it to the *tābiʿīn,* and there is not one *tābiʿi,* not five, there is maybe seventy. Or there is twenty, or there is ten. Then when he narrates it, he narrates it to another ten or fifteen, or twenty and so on. Then when he narrates it, it is to another twenty or sixty. That is one aspect - the large or significant numbers.

The second interesting thing is the way that these narrators are grouped geographically. I want you to imagine if I make a mistake in my transmission of a statement, and two hundred people narrated that statement. A person from the outside may say 'Two hundred people narrated that statement, so it must be true'. But if I made the mistake in this single sitting, all you have done is transmit a mistake.

For example, I might say 'Guys, guess what? It is sunny outside,' because my phone says that it is sunny outside. Because you have turned off your internet, you all agree with me. Now, I am not realising that my phone actually is showing tomorrow's

weather. But then when I go tomorrow and sit with another group of people somewhere else (another fifty or two hundred people) and I say to them 'Well actually, today is sunny and yesterday was rainy'. However, you guys go out now and tell everybody that it is sunny right now. You have made a mistake, and numbers did not help you.

The numbers did not help the people online or outside - all they know is that two hundred people immediately related this statement. Just numbers by itself does not mean too much. If we are able to add different locations, so if, for example, two hundred people from Malaysia confirm that I said it is sunny outside, or two hundred people outside this building are seeing the weather and saying 'Yes, it is,' this adds to the certainty of my narration. So it is not just numbers that is taken into the concept of *tawātur.*

It is also the possibility of mistakes, and the possibility of lying. Another example - I could say 'Guys, listen to me. Ten bucks for all of you to just follow the statement,' and everybody puts their hand up and agrees, then I say 'You have to say that Shaykh Waleed Basyouni is not a patch on Shaykh Abu Eesa,' for example. So if I now pay you to make that statement, I have control over this group of people because I paid you, and you all colluded to lie and present a statement.

But if at the same time that that statement is made, a group of two hundred are saying it exactly the same over there, another two hundred here and there. So now what we are understanding is that there's geographical distance between people and narrators (and remember it is not possible to call or communicate with them at that time), so we are now getting an absolute level of confidence. This confidence is called *tawātur*. When we see a narration that has *tawātur* at every stage of narration (whether it's a narration of an *āyah* in Qurʾān or a *ḥadīth*), we have one hundred percent confidence - it is impossible not to have confidence.

At the same time, I should say it's not possible to have that same kind of confidence in a narration which has been narrated in a singular manner. That's why there's this idea of definitive and possibility.

You might ask 'What is the defining number that has to exist at each level to define *tawātur*?' The scholars (*muḥaddithīn*) differed over that. Some said over four, and others said ten. Others said thirty. Imām al-Ghazāli narrates a number of opinions that say forty, seventy, etc. The *muḥaddithīn* differed over the exact number. The exact number is irrelevant. The point is that you have that confidence.

Categories of Singular Narrations

Now, let's get back to *khabr aḥad*. These singular narrations can be divided into at least three categories. The first category I've told you already - it is the category of

gharīb. That means that at any stage of this narration, there is only a single narrator. For example, the Prophet ﷺ said:

السَّفَرُ قِطْعَةٌ مِنَ الْعَذَابِ، يَمْنَعُ أَحَدَكُمْ نَوْمَهُ وَطَعَامَهُ، فَإِذَا قَضَى نَهْمَتَهُ مِنْ وَجْهِهِ فَلْيُعَجِّلْ إِلَى أَهْلِهِ

"Traveling is a kind of torture, as it prevents one from sleeping and eating! So when one has finished his job, he should return quickly to his family."[1]

This is a well-known *ḥadīth*. When you're travelling, you don't have your comforts, your food, your family, so you get stressed out. This *ḥadīth* has been narrated from the Prophet ﷺ by Abu Hurayrah ؓ. It was narrated from Abu Hurayrah by Abu Ṣāliḥ (one of the *tābiʿīn* and one of the most well-known *imāms*).

There are a number of chains, and there is a difference of opinion in this, but I'm just going to go by what my own *shaykh* told me. There is a chain which was narrated by Imām Mālik which comes from Yaḥyā ibn Abi Ṣāliḥ (the son of Abu Ṣāliḥ) who, in his opinion, narrated directly from Abu Hurayrah ؓ.

This itself is a controversial statement, but let's just accept the argument. So this chain would be: Mālik narrated from Abu Ṣāliḥ, who narrated from Abu Hurayrah (although it should really be form his father), who narrated from the Prophet ﷺ. There are three or four generations of narrators, and at each stage there is only one person.

This is a classic *khabr aḥad* (singular narration), and from these singular narrations, it's a *gharīb ḥadīth* because it's one, one, and one all the way. I want you to know that in general, *gharīb ḥadīth* like this that come under the category of *khabr aḥad* are weak.

In fact, Imām Aḥmad had a very famous statement. He said, 'Don't write a *gharīb ḥadīth'.* He's making a very generalised statement, but what he's trying to say is that more likely than not, the *gharīb ḥadīth* are probably going to be weak.

I want you to know that we as *ahl'l-Sunnah wa'l-jamāʿah* accept a *gharīb ḥadīth,* even if it is only narrated by singular narrators all the way through the chain. If it is authentic - if they met each other, they fulfilled all of the conditions of the meeting, filling all of the gaps, no hidden faults, their memories are intact, everything is fulfilling the conditions of an authentic *ḥadīth*, and that it is a continuous chain back to the Prophet ﷺ, that *ḥadīth* is *ṣaḥīḥ*.

[1] *Ṣaḥīḥ al-Bukhāri*, Book of Food, Chapter: The Mention of Food, *ḥadīth* no. 5429

That means we will rule on the *ḥadīth* in an authentic fashion. That is the majority of the scholars. Even if we have to use that *ḥadīth* in something important, even in matters of *ʿaqīdah*, then we are still going to use it in matters of *ʿaqīdah*.
I just want to quickly run by other versions of the *khabr aḥad*.

We have the second form of the *ḥadīth* which is called *ḥadīth ʿazīz. ʿAzīz* is the second category of *khabr aḥad*, and here the number of people in each generation is two to three people. Remember before we said one person only, but now we can increase the number to two to three. The third category of *khabr aḥad* is the *ḥadīth* which is called *mash-hūr*, which can be translated as 'the more popularly known', and by that we mean four narrators at each stage.

Let me give you an example - the Prophet ﷺ narrates the *ḥadīth* to Abu Hurayrah ؓ, but Abu Hurayrah ؓ then narrates it to three individual people. Those three individual people then narrate it to one single person. Then that one single person maybe narrates it to five people, and then that goes into a book, collected by Imām Mālik ؒ, for example.

What do you think the ruling on that narration would be? How do you understand that (that we have one, then we have three, then we have one, and then we have five, for example)? What category do you think you're going to place that *ḥadīth* in? After saying to you that the *gharīb* is one, the *ʿazīz* is two to three, and that the *mash-hūr* is four – what do you think?

Gharīb? Who said that? Why is that?

Student: (inaudible)

Ustādh: Good. That is the position of the majority. There is a difference of opinion in this, but we don't want to go into too much of that detail. However, I just want to explain to you that it is the weakest link that we focus on. If we see a singular narration in there, that is the one we're going to focus on, and we're going to bring that *ḥadīth* down to the level of *gharīb*.

When we say we want the *ḥadīth* to be *ʿazīz*, we want that number to be there consistently at every level. We want a couple of Companions who have heard it to narrate it to a couple of *tābiʿīn*, who relate it to a couple more of the *tābiʿ al-tābiʿīn,* and so on and so forth.

Normally these things go like a pyramid. They should increase. We don't expect a *ḥadīth* to go like that [decrease]. We want to ask the question, 'What is going on?' This is the way that the *khabr aḥad* are divided.

Abu Ḥanīfah ؒ is basically saying if any *ḥukm*, any ruling, any action comes to me by way of a *khabr aḥad*, whether it is *gharīb*, whether it is *ʿazīz,* or whether it is *mash-*

hūr, I am not going to give it the status of *farḍ*; rather, I am going to give it the status of *wājib*. He is basically saying, 'I've found enough reason to bring this *ḥadīth* down from the ruling of *farḍ* and therefore apply the ruling of *wājib*. That's why the Ḥanafi scholars considered the only obligation when standing in *ṣalāh* with respect to reciting is something from the Qurʾān. This is because Allāh ﷻ says:

﴿فَاقْرَءُوا مَا تَيَسَّرَ مِنَ الْقُرْآنِ﴾

"...So recite what is easy [for you] of the Qurʾān"[2]

Meaning just recite something simple and basic. The Ḥanafis says this is clear Qurʾān *āyāt*. Any *āyah* in the Qurʾān which is definitely *qaṭʿī'l-thubūt* – it is very clearly established in terms of authenticity. It is also *qaṭʿī'l-dalālah* - it is clearly indicating a very simple thing i.e. recitation of the Qurʾān. It does not mean putting your Qurʾān on your head, or put your Qurʾān in your pockets. It means reciting the Qurʾān, so therefore we cannot take two meanings from this. Therefore it is obligatory to recite something in the prayer.

Now the rest of the scholars, what did they say? What is obligatory to recite? The *Fātiḥah*. The Ḥanafis turned around and said 'Well no, we are not going to make the recitation of *Fātiḥah* a *farḍ* in the prayer, because the obligation to recite comes to us via a *khabr aḥad*. It comes to us by a singular narration and because of that reason, we will not lift the ruling up to obligatory. We will bring it down to *wājib*.

Now what is the ultimate consequence of that? The consequence would be if a person was to come and to say 'I refuse to recite the *Fātiḥah.* There is no such thing as reciting *al-Fātiḥah* in the prayer and you watch me now' and he just recites two *āyāt*.

The Shāfiʿi scholars would come down upon that guy like a ton of bricks. They will say '*Kufr*, this, that, denying what is well-known, blah, blah,' and this is a hypothetical scenario. But if he said that in a Ḥanafi school, the Ḥanafis would not declare *takfīr* of this person. They would not declare *takfīr* of this person, because for them, the recitation of the *Fātiḥah* even in the prayer itself is not something that has been established by *qaṭʿī'l-thubūt* nor *qaṭʿī'l-dalālah.*

This is very important for us and we had to spend time on it right now because the concept of *farḍ* and *wājib* is going to come up so many times now. Now that we have gone through water and all that kind of general stuff, we are getting into specific legal rulings. Then it is something which is important. So we are done with the concept of *farḍ* and *furūḍ*.

Before I go on to the word *wuḍūʾ*, I want to mention that when we use the word *farḍ*, it is possible for it to have synonyms as well. In different times and different cases, it will be clear. For example, when we come to cover the prayer, you will see that we

[2] [73:20]

need to have more than just a simple differentiation between actions that are *farḍ* and *Sunnah*.

Sometimes we have to have *shurūe* (the condition or prerequisites), and then we need to have *arkān* (which are pillars or essentials), then we have actions which are obligatory like the *wājibāt* or the *furūḍ.* We also have the *Sunan,* which are the recommended acts. We might even go further - for example, in the Shāfiʿi *madh-hab*, they have other acts which are 'liked' (which they almost put in their chapters of *adab*) or which beautify the action. They use different names.

I want to say that most often, the word *farḍ* refers to the word *rukn*, and so *furūḍ* here is referring to the world *arkān* (meaning 'pillars'). So when we're now talking about the *furūḍ* being six, it's like we're saying the pillars of *wuḍūʾ* are also six.

I want you to know that when we say something is a *rukn*, or when we say that something is obligatory to that level, it's because we understand that that is the essence of the act. When we have a verse or a *ḥadīth,* how do we define that these are the absolute obligations or the pillars? It is because when you study it, you can see that what is being quoted or stated is the actual essence of the act. They are always done repetitively. They are never left out by the Prophet ﷺ or by the Companions.

Wuḍūʾ

Finally, the word *wuḍūʾ* is derived from the word *waḍāʾa,* and the word *waḍāʾa* is a word that denotes purity, beauty, cleanliness, radiance, and brilliance.

Of course, what's interesting is that when you think of radiance or brilliance, you're thinking of light, aren't you? There's the cleanliness aspect as well. I want you to remember that last week when people were saying, "Isn't *wuḍūʾ* or *ṭahārah* meant to clean?" and I said no, because physical cleaning can be done in a number of ways, and the best way that we know is to use alcohol. The best way is to use strong, good soaps, for example. But neither of the two have been obligated in *wuḍūʾ*.

We know that the real essence of *wuḍūʾ* is a spiritual one, because the definition of *ḥadath* is 'ritual impurity'. It doesn't mean dirt. The Arabic word for physical impurit*y is najāsah*. The word *najāsah* means something which is disgusting, like urine or something like that. That's *najis*.

To be in a state of *ḥadath* is to be ritually impure. It doesn't mean you are physically impure. You might go to the toilet, on one of those toilets like Shaykh Waleed has, one of these Tokyo toilets. He has one of those Japanese toilets or Tokyo toilets. What it does is give you valet service. It cleans you, and it washes you, it heats you and it wipes you. It does everything, it's amazing. You'll come out of that number two cleaner than you went in.

Now this person, can he go and pray? No, he can't… because he is in a state of impurity? No, he isn't. I just told you he came out of the toilet cleaner than he was when he went in. But he's not allowed to pray because he is in a ritual state of impurity, meaning that he now has to do the *wuḍūʾ* to allow him to pray.

You know, Shaykh Waleed is *māshāʾAllāh* a *muttaqi* and a *zāhid*. He only uses this much water to make *wuḍūʾ*. He knows it's *Sunnah* to use less water, and so on. When Shaykh Waleed uses this much water to make *wuḍūʾ*, do you think it's going to clean anything. It's not going to clean anything, is it? It will get his *wuḍūʾ* done, it will tick all the boxes, but he's not going to wash himself and be absolutely clean. He will make his *wuḍūʾ* properly.

We know that the *Sunnah* of the Prophet ﷺ is (to use) a *mudd*, which is just a handful. It should be enough to make *wuḍūʾ* properly. There is enough water in that two handfuls to pour water over the face and to wash everything else.

So clearly I want you to know that if I was to use a bucket then I would clean my body more. We have to understand that yes, if there is some dirt there, then it's going to physically get rid of that dirt. But to us, the meaning of *wuḍūʾ* is not to physically clean.

That's why the word *waḍāʾa* is talking about radiance, brilliance, and beauty. The actual beauty and the whiteness is something of the *ākhirah* and we know that the Prophet ﷺ said:

"On the Day of Resurrection, my followers will be called "Al-Ghurrʾl-Muḥajjalūn" from the trace of ablution and whoever can increase the area of his radiance should do so (i.e. by performing ablution regularly).' "[3]

Their areas of *wuḍūʾ* will be shining and bright white. That's why in English, the translation for *wuḍūʾ* is not wash, but ablution. The word 'ablution' is actually a Christian religious word for a ritual wash. It's not to physically clean; it's to fulfil a spiritual function. So that's the closest translation, and that's why ablution is the only word that we should use in the English language. That's where the word *wuḍūʾ* comes from and that's its basis.

Anyway, that's good *alḥamdulillāh*. We at least did the title, which is good. That's good progress for us normally.

[3] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍūʾ*, Chapter on the Virtues of *Wuḍūʾ* and the Shining Parts from the traces of *Wuḍūʾ*, *ḥadīth* no. 136

THE ALTERNATIVE CHRISTMAS MESSAGE/*WUḌŪʾ*

Shaykh Waleed Basyouni

بسم الله والحمد لله والصلاة والسلام على رسول الله

Something I really want you to pay attention to – Ustādh Abu Eesa spent most of his time explaining the Ḥanafi position on the differentiation between *farḍ* and *wājib*, even though the majority of the Muslim jurists don't believe in the differentiation between them. But there's a very important concept that I want you to pay attention to that all the fuqahāʾ agree upon.

All the obligatory actions in Islām are not all at the same level. Some of them are at a higher level than others. It's an important point to keep in mind. Personally, when I study *fiqh* and I look at the *Aḥnāf* and how the *farḍ* is above of the *wājib*, it gives the emphasis and the idea that the obligations are not at one level, so always keep that in mind.

People think that the religion is black and white, so if it is *ḥarām*, it's all at the same level and if it's *wājib*, they're all at the same level. It's not like that. When I say '*Assālamu ʿalaykum'* to you, it's wājib for you to reply to it. So, that's an obligation on you. When I say sneeze and say '*alḥamdulillāh'*, according to the majority of the *fuqahāʾ*, it's *wājib* on you to say, '*yarḥamakumullāh'*.

But no one will ever say that this obligatory act can be compared to the obligation of taking care of your parents, or being good to your Muslims brothers or to give *naṣīḥah* to each other. It varies, so keep that in mind. The *fuqahāʾ* were very smart in the way they classified *fiqh* into different categories and levels.

For anyone who is interested, one of the *fuqahāʾ* who was a *muḥaddith* as well, and he put so much emphasis in this aspect and did great work on it was Imām ibn Ḥibbān رحمه الله in his *Ṣaḥīḥ*. He classified his work (*Ṣaḥīḥ ibn Ḥibbān*) based on the level of the obligations and recommendations. He classified them into approximately 360 levels of *wājib, mustaḥabb, makrūh* and *ḥarām* and his work is unmatched. I don't know anyone who has put so much thought and effort into classifying them in this way. I think it is worth for the advanced students of knowledge amongst you to study it. It's one of a kind.

Shaykh Yasir Qadhi

To be honest, *wuḍūʾ* is one of my personal favourite actions of worship when you read the blessing of *wuḍūʾ*. One of my personal favourite *aḥādīth* about w*uḍūʾ* is a *ḥadīth* that has a lot of theology and a lot of *adab* and a little bit of *fiqh* in it as well. It is the *ḥadīth* narrated by Muʿādh ibn Jabal in the *Sunanʾl-Tirmidhi* or in the *Jāmiʿ of Tirmidhi*[4]:

[4] *Jāmiʿ at-Tirmidhi*, Book on *Tafsīr* of the Qurʾān, Chapter on *Sūrat Ṣād*, *ḥadīth* no. 3235

"One day the Messenger of Allāh ﷺ was delayed from praying ṣalāt'l-Fajr until we could have almost seen the horn of the sun. The Messenger of Allāh ﷺ then came hurriedly and the iqāmah for the ṣalāh was made. He prayed and when he made the salām, he said: "Stay as you all are in your rows." He then turned towards us and said, "I will inform you as to what kept me back this morning"

He ﷺ then gave one of the most intriguing *ḥadīth* that - to this day - puzzles scholars as the topic of a number of treatises. Theologians go wild over it and the *fuqahāʾ* don't know what to do with it because it's a very deep and profound *ḥadīth* . Now I wouldn't be able to go into a detailed *sharḥ* (but a brief *sharḥ* will suffice). The Prophet ﷺ continued (by saying):

"Verily I stood in ṣalāh last night and I prayed what was written for me to pray. I then began to feel sleepy in my ṣalāh until it overtook me. Then suddenly I was with my Lord in the best of appearances."

Let's pause here. This is the big controversy of theology - how could the Prophet ﷺ see Allāh ﷻ when Mūsa عليه السلام didn't see him? The response: the majority of *Ahl'l-Sunnah* say that it's allowed for the Prophets to see Allāh in a dream and not in a wakeful state. This is the interpretation of Ibn Kathīr, Ibn Taymiyyah and others - that they are not seeing Allāh the way see when awake - this is a seeing of the dream which is a different seeing.

"***He said, 'O Muḥammad' and I said, 'Labbayk'"***

So we get a *fāʾidah* here - this is how we respond to Allāh ﷻ. When Allāh ﷻ calls, we say '*labbayk'*, and that is why another *fāʾidah* is that when we called for the *Ḥajj*, our response is '*labbayk'* because Allāh ﷻ is calling us for the *Ḥajj*. The Prophet ﷺ said '*labbayk'*, so Allāh ﷻ asked him:

"What are the highest angels debating about?""

Firstly, concerning the question 'What are the highest angels debating about?' - this shows that the angels are of ranks and the higher they are, the better they are. Secondly, the topic of the angels' discussion is about blessings and good matters and even angels ask questions and debate (amongst others). The angels are debating about the noblest of deeds. What are the noblest of deeds? Which are the best deeds that man can do? The inquisitiveness of the angels was about this. So the Prophet ﷺ was asked this question and he said, 'I don't know'. Allāh ﷻ asked him three times, and he kept on repeating the answer 'I don't know'. This shows us the humility of the Prophet ﷺ. When you don't know - even if you are *Rasūlullāh* ﷺ - you say 'I don't know'.

Here's another theologically loaded statement. The Prophet ﷺ continued (by saying):

"Then I saw Him put His hands between my shoulders until I felt the coldness of His fingertips between my chest and everything was made manifest to me and I knew. So He asked (again), 'O Muḥammad, what are the highest angels debating about?'"

We benefit here that there is a type of *ilhām* (divine inspiration) that Allāh ﷻ directly inspires upon His servants. Ibn al-Qayyim lists six, seven, or eight types of *waḥy* - one of them being the direct inspiration without the angels. Allāh ﷻ is directly informing the Prophet ﷺ here of something and immediately when the Prophet ﷺ was asked now, he said:

"Regarding the kaffārāt (deeds which expiates sins) and the darajāt (deeds which raises the rank in the Hereafter)."

The angels are arguing about two things – what are the actions which expiate sins the most (*kaffārāt*) and what are the actions that raise the ranks the most (*darajāt*). This shows us another benefit and that is that all of us have to concentrate on two matters:

1. How to get our sins forgiven.
2. How to gain Allāh's blessings.

The two are independent and the two are not mutually exclusive; rather, they are mutually required. You need the both of them together. We need our sins forgiven and we need to raise our ranks. Allāh ﷻ said:

"What are the kaffārāt?" I said, "Moving the feet towards the jumuʿah ṣalāh, sitting in the masājid after the ṣalāh and performing the wuḍūʾ properly in difficult conditions."

This means walking to the *masjid* all the time, waiting for the next *ṣalāh* in the *masjid* (you just sit there and you are waiting and you have nothing else to do other than prayer), and then perfecting your *wuḍūʾ* in times of difficulty. Then Allāh ﷻ asked:

"'What are the darajāt?' I said 'Feeding others, being lenient in speech, and ṣalāt during the night while the people are sleeping.'"

This *ḥadīth* is a famous *ḥadīth* with a lot of beautiful points.

You have been hearing me lecture about a very important theme here in my latest lecture about the difference between book knowledge and real life knowledge, the difference between reading and theory and between practices.

I have read this *ḥadīth alḥamdulillāh* so many times. It's in *Riyāḍʾl-Ṣāliḥīn* and in *Sunanʾl-Tirmidhi*. The reality of *isbāghʾl-wuḍūʾ fiʾl-makrūhāt* never really struck me until I was in my first year of school at Madinah. Allāh ﷻ has blessed us - we live in

the West, so we rarely make *wuḍū'* with cold water. We always turn on the hot water and we wait, even if we have to wait five minutes. In the winter time, we wait until that water comes. Even if we are quick, we do it while we are in our heated homes.

I had never done *wuḍū'* outdoor or in a desert area until my first year at Madinah when in one occasion in November or December, we were going for '*Umrah.* On the way, in the middle of the night around 4:30 A.M. we stopped so we could make *wuḍū'* and wait for *Fajr,* and you really cannot explain in words the reality of the cold desert wind. You are wearing *iḥrām* and you feel even more cold in every single aspect and on top of this, we didn't have the luxury of having burners. We had nothing.

We were in the middle of the desert and our water bottles were going have to do for *wuḍū'.* That was the first time in my life that this *ḥadīth* struck me. The first time in my life that I understood because I did not want to do *wuḍū'.* The last thing I wanted to do was to rub that water and make sure it reached every single last joint and bone.

Desert wind is not like city wind; it is a different type of wind and you feel exposed. The *iḥrām* makes you exposed. I am just saying one *nuqtah* (point), and that is that book knowledge is great, fine and dandy, but real knowledge, experience knowledge, live knowledge is a whole different thing. That was the first time in my life that I genuinely appreciated that I was doing this once after 22 years of my life.

I realized our Rasūl ﷺ had to do that every single morning throughout the winter months of his life. Every single morning, he would wake up in Madinah in the desert and he had to do that. That's when it struck me. That is why it has those blessings.

May Allāh ﷻ make us of those who perfect these *kaffārāt* and also of those who do all of the *darajāt*.

<u>Shaykh Navaid Aziz</u>
Māshā'Allāh Abu Eesa did a fantastic job explaining the spiritual element of *wuḍū'* and one of the spiritual elements of *wuḍū'* is when you actually get to learn the *wuḍū'* from your teacher. I remember in my first year of learning Arabic in *Madinah* - our teacher, Shaykh Ahmad Rashid, took us out to the desert. We had prayed *ṣalāt'l-Maghrib* and we had just eaten. He explained that you need to make *wuḍū'* after eating camel meat, and then he said, 'I am going to use this opportunity to teach you *wuḍū'*'.

He took one of these plastic glasses/cups - if you've been to Saudi Arabia, you would have seen that they sell them for one riyal - and he said, I want to make *wuḍū'* with this. For me, it was the first time (seeing this) and I was thinking that's impossible - how can you make *wuḍū'* with a glass of water? I thought it's not possible because we were used to the taps where we waste water excessively.

He took this glass of water and very meticulously showed us how you can make *wuḍū'* with even half of that. As he explained the *ḥadīth* of 'Uthmān ﷺ, I thought to myself '*SubḥānAllah*, this chain of making *wuḍū'* while it's starting with my Shaykh right now is going all the way back to 'Uthmān ﷺ and to the Prophet ﷺ - and that was a very uplifting moment for me. This shows the great tradition in Islām where we are not coming up with our own rulings, but everything is going back to the Companions, to the greatest men that walked the earth, and the greatest of messengers coming from the best of angels - going directly back to Allāh ﷻ. That was a very uplifting moment.

Shaykh Abdulnasir Jangda
I want to say *salām* to the audience and specifically the students that have been benefitting from the online class. It really shows dedication when students commit themselves. With all this material available and teachers and *shuyūkh* conducting online classes consistently, no matter where they are at, there are not many excuses for us to not learn knowledge. People still come and say 'I want to learn knowledge. What should I do?' There's really not much excuses because knowledge is readily available and if someone is dedicated, then they have the opportunity to seek it. This practice takes us back to the Prophet ﷺ. May Allāh grant us consistency.

On the topic of *wuḍū'*, it is a beautiful practice that takes us back to the Prophet ﷺ. When you go through the collection of *ḥadīth*, there are sixteen different Companions that related learning *wuḍū'* directly from the Prophet ﷺ. We need to take the books and implement them into real life, as Shaykh Yasir said.

We need to take that idea from the Prophet ﷺ. He was like a spiritual father to his people. One of the things I complain about to our Muslim community in America is that we outsource religious education for our kids. Where are they going to learn *wuḍū'*? That's what Sunday school is for. That is what the Islamic school or *maktab* or the teacher is for. Just like you see the cute little kid praying next to his father and making *sujūd*, we also need to teach our kids *wuḍū'*.

So make *wuḍū'* as you learn it from the *mashāyikh*. The Prophet ﷺ said, along these words, that these body parts we wash will glow on the Day of Judgment. Shaykh Abu Eesa was just saying the word *waḍā'a,* or they are going to be glow. Our body parts will glow and shine on that day and people will be able to identify you from far away.

In the west, in a non-Muslim majority country, *wuḍū'* is an awkward thing. This is especially true in a professional workplace. It is much easier in a majority Muslim place like Pakistan, Egypt, or Birmingham. The foot-in-the-sink moment can be an awkward moment, and so the next time a non-Muslim sees you and says 'Oh my god', you can say 'Yeah, what's up? I am washing my foot'. So we should take pride in making *wuḍū'*.

10. Obligations of *Wuḍū'* II

Clarification Regarding *Farḍ* & *Wājib*

Let's start from where we left off. I have already seen a question or two from students that were a little bit confused concerning a statement, when I said that the *furūḍ* (which are the obligations of the *wuḍū'*) refer to the *arkān* (the pillars).

Some people said that they understand *arkān* and obligations to be separate aspects. *Arkān* are the essentials, and the obligations are something which are the *wājibāt* or the *furūḍ*, and then we also have *Sunan.*

The classic example is the prayer. In prayer, we have *arkān* such as reciting the *Fātiḥah*, standing (*qiyām*), going for *rukū'*, and going for *sajdah* - these are the *arkān* of the prayer. Then we have the *wājibāt* or the *furūḍ* (the obligations). Both words are synonymous.

The *farā'iḍ* or *furūḍ* and the *wājibāt* are the same. How is that different from *arkān*? When you study the *fiqh* of *ṣalāh* for example, those *furūḍ* are: when you say '*Allāhu akbar'* when you are going to the *rukū'*, and to say *'sami'a Allāhu liman ḥamidah'*, when you come from the *rukū'*, to say '*subḥāna rabbi al-'aẓim'*, to say '*subḥana rabbi al-'alā'*, the first *tashahhud, 'al-taḥiyātu lillāh'* - these are a few of the obligations. You can call them the *furūḍ* or the *wājibāt* of the prayer.

It is actually a significantly different level of action to the *arkān,* and some people were rightfully saying, 'How come here you are saying *furūḍ* are the *arkān*, when in other actions, they are two separate categories of action?' It's a good question.

Shaykh al-'Uthaymīn raḥimahullāh says that in this Chapter of *Wuḍū'*, we don't have a variation in the two categories or classes. Here, the *furūḍ* <u>are</u> the *arkān*, and the *arkān* are the *furūḍ.*

وبهذا نعرف أن العُلماء . رحمهم الله . قد ينوِّعون العبارات، ويجعلون الفروضَ أركاناً، والأركان فروضاً.

Therefore, we know that these scholars - may Allāh ﷻ have mercy upon them - sometimes use different categories where they make the *furūḍ* as *arkān*, and sometimes they make *arkān* the *furūḍ*. This is flexible.

Remember the Prophet ﷺ and his Companions never ever said these; they never said that when you make *wuḍū'*, these are the *furūḍ* and these are the *arkān*, these are the *shurūṭ,* these are the *wājibāt* - they understood all the actions just straight off the bat.

So when they saw the action being done, they were able to clock on and know that that's an essential thing, and this one can be left out if feeling tired or whatever, and this one is nice to do, but it doesn't absolutely have to be done.

They treated their *dīn* like that. It was very on the fly and very easygoing with very deep understanding.

These categories, classes, explanations and types (type 1, type 2, etc.), tables (memorizing six, ten, eight obligations) came afterwards when people started to lose touch with the core and pure understanding. They needed it to be easily laid out.

This text is a classic example of that. Not only will Imām al-Ḥajjāwi رحمه الله divide these different things into categories, but he will say *these* are obligations and *these* are *Sunnah* and he will also say there are six and then *tell* you the six as well. It's a really basic kind of presentation of the *fiqh*.

There is nothing wrong with that. As long as we don't start to take the categories as *waḥī* (revelation), that the word is something which is Qurʾānic and you can't change the phrase or wording. Of course you can, as these are the words of the *fuqahāʾ*. In fact, I could throw away the words of *arkān* and *furūḍ* and make my own category. I'll say 'the most important things in the *wuḍūʾ*', and that's absolutely fine.

The intention is to make you understand what the key aspects are, and not for me to make you learn that the word is *arkān* or *rukn,* or *wājibāt,* or *furūḍ,* or whatever. These are phrases which help the *madhāhib* try to get a theory or idea across. It's very important that you remember that from the beginning.

This is linked in to a very important principle - which I often focus on in *fiqh* classes and I think probably will have mentioned here in LP as well - that not only the names of categories and the types of categories but also numbers [should not be held on to so staunchly].

Man-made Classifications

When a scholar says that the obligations are six, that six is another man's five, and another scholar's seven. Ultimately, it's me looking at something and seeing them as six, whereas another man will say that at least one or two can be separated to make it seven. One can be put into two categories (1a and 1b), so let's just make it one and two which increases the category to seven.

Never get too caught up on numbers. That's very important. When someone says there are only six obligations and another guy comes across and says there are four obligations, it's possible that his four obligations are the same as your six, but just

bunched up. It's also quite possible that he understands the issue differently and he doesn't consider two of your obligations to be obligations; rather, he considers those two to be *Sunnah*.

Likewise, another point of note when you study *fiqh* and *dīn* (more a *dīn* issue) is when the scholars try to explain a point to the laypeople. It's like when you hear the *jumuʿah khuṭbah*. Nowadays, there is a big push upon the *jumuʿah khuṭbah* to be presented by more than a *khaṭīb* - a speaker. To be honest, people have become overly critical when it comes to many aspects of our *dīn*.

One of the things I find very strange is the approach to the *jumuʿah khuṭbah*. It is highly criticised if it isn't mentioning the affairs of the Muslims around the world, politics, and societal problems among others.

I want you to know that the *jumuʿah khuṭbah* is not some kind of soapbox. It's not some kind of political party broadcast. It's not to tell people what they know quicker than the *khaṭīb* knows. The *khaṭīb* might be preparing his *khuṭbah* the night before, and the *muṣalli* who's just coming in (to the *khuṭbah*) has already heard or seen the latest updates and news on his phone. He's more knowledgeable than the *khaṭīb* (in this).

The *khaṭīb* is not someone who says that there's a war in Syria and we should make *duʿāʾ* for the people. We know that any Muslim under any kind of stress needs *duʿāʾ* and we know the movements of the war. That's not the function of the *jumuʿah khuṭbah*. In the non-Muslim lands where the Muslims are not getting a regular understanding of their religion, then you might want to mention one or two things as an announcement. These can be used as announcements after the *ṣalāh*, after the *khuṭbah* has finished or even after one of the two parts of the *khuṭbah*. This is because the *khuṭbah* itself has one and *only* one function - and that is to remind the people of Allāh and His Messenger ﷺ, and to soften people's hearts.

This is why each of the *aḥādīth* which talk about the importance of the *jumuʿah khuṭbah* focus very strictly upon the one who misses it - the heart will become blocked. It's very interesting that the one who misses it once, that's a disaster. The one who misses it twice, that's a disaster. The third time makes the heart blocked.

The idea is that it's meant to soften the heart, especially in this country. People say 'No, you don't understand. It's a non-Muslim country and we need to inform people'. Okay, let's play that game. Let's use this country as an example. Especially in this country, most Muslims don't step into the mosque except on Friday. They don't even know what a *masjid* is except on a Friday at lunch time. In fact, they don't even know that *masjid,* actually. It's not even their local masjid most times; it's what is convenient to them from their workplace. It's just for them to go and do their obligation.

At that moment, the *khaṭīb*'s responsibility is to remind the people of who their Lord is, to remind them what their Messenger ﷺ told them and about what Allāh has sent to them. The Prophet ﷺ said:

إِنَّ طُولَ صَلاَةِ الرَّجُلِ وَقِصَرَ خُطْبَتِهِ مَئِنَّةٌ مِنْ فِقْهِهِ فَأَطِيلُوا الصَّلاَةَ وَاقْصُرُوا الْخُطْبَةَ وَإِنَّ مِنَ الْبَيَانِ سِحْرًا

"The lengthening of prayer by a man and the shortness of the sermon is the sign of his understanding (of faith). So lengthen the prayer and shorten the sermon, for there is charm (in precise) expression."[1]

The one who elongates the *khuṭbah* spends one hour (doing the *khuṭbah*) and sends everyone to sleep, then he stands and recites a short *Sūrah* (like *Sūrat'l-ʿAṣr*) and he's out the door. That's a disaster.

It's meant to be the other way around - a five minute reminder, saying 'This is what Allāh says, this is Jannah, this is the Fire, this is what you need to protect yourselves from. Wake up!' Then get into the *qirāʾah*, recite *suwar* like *Sūrat'l–Munāfiqūn*, *Qāf*, *al-Ghāshiyah*, *al-ʿAlā* slowly, beautifully and nicely.

Soften the people's hearts. Remind them, and that's when people will feel like 'Wow, it's been a week and I haven't heard this kind of reminder. *Wallāhi*, I wish I read *ṣalāh* more and I wish I read *Qurʾān* more. I wish I was closer to the *masjid*.'

That is the function of the *khuṭbah* and it is not to be a political lesson. We understand the theory. We understand when they say, 'We want to give lessons like this now and we want to teach them the *dīn*, but they don't come. Look at how many people do not come to a gathering of knowledge, when we have such masses.' That's not sacrificed.

That's not a logical argument, to sacrifice the masses because we are not able to make our *daʿwah* entertaining enough or interesting enough. The *khuṭbah* is not a teaching lesson. And we do not know of the Prophet ﷺ teaching the people in this manner. When anything is narrated in this manner in a *ḥadīth*, it is a rare speech or occasion.

What I am trying to say is that they are trying to refine the *jumuʿah khuṭbah* so much - so much so that they want to apply speaker's tactics to it. Like the speaker should speak like *this* and he should use PowerPoint. He should consider this and he should have a very structured form of a *khuṭbah*. I am saying that anything which affirms the S*unnah* is great. Anything which is trying to be stylish or modern, then no thank you. So you will often see the *khaṭīb* say, 'There are six or ten points I want to go through in this *khuṭbah*.' He will go through them and then at the very end, he will repeat them

[1] *Ṣaḥīḥ Muslim*, Book of Friday (Prayer), Chapter on the Shortness of Prayer and Sermon, *ḥadīth* no. 869

in an abbreviated form, in a thirty second summary. This is a clever speaking tool to give the people something to take away; [it's one of many] standard principles that a speaker is told to use.

But some of these people take these three or ten points, and they turn to the people listening and they say, 'Don't you ever forget these points. These are the most important three points you will ever hear in your life. These are the four types of heart that you have learned about in this *khuṭbah,* and you have learned that they can go into four type of states. My brothers and sisters, this *khuṭbah* was about three levels of *taqwa* and don't forget that.' This is just a speaking tool and one man's three types of *taqwa* is another man's ten types of *taqwa*.

So what's important to understand for the student of knowledge is never to take human-defined parameters or values as anything other than that speaker's way of organizing them. If you have that kind of critical attitude to your *sharīʿah* and your *fiqh*, you'll go far. You will have a deep understanding of the system. You won't be so restricted by other people's statements. I hope that that's a useful primer to understanding the principles of categorisation and numbering, etc.

Shaykh al-ʿUthaymīn رحمه الله says that sometimes we use *farḍ*, sometimes we use *arkān*, and sometimes they are interchangeable. He says in this case, do you know why we know that the *furūḍ* are *arkān*?

والدَّليل على أن الفروض هنا الأركان: أن هذه الفروض هي التي تتكوَّن منها ماهيَّة الوُضُوء، وكلُّ أقوال أو أفعال تتكوَّن منها ماهيَّةُ العبادة فإنَّها أركانٌ.

Because when we look at these obligations that have been mentioned, you can see them talking about the essence of the *wuḍūʾ* (*māhiyatʾl-wuḍūʾ*). Every single statement and action which describes the essence of an act of worship, by its very nature, is a *rukn* (pillar).

That's what *arkān* normally are. If we see that the *farḍ* is describing the essence of the act, then we can say that the obligation (*farḍ*) here is the *rukn*.

Meaning of *Wuḍūʾ*

I mentioned that the word *wuḍūʾ* in its linguistic sense comes from the word *waḍāʾa,* which means brilliance and glowing and radiance. It also refers to cleanliness and beauty. These are the kind of words that you are combining to get to the understanding of what *wuḍūʾ* actually means - *waḍāʾa* (meaning this dazzling

brightness), *naẓāfah* (meaning cleanliness and purity), and *al-ḥusn* (meaning radiance and beauty). You are combining all of that.

As for *sharʿan* (meaning technically speaking), in the *sharīʿah,* what is *wuḍūʾ*? Shaykh al-ʿUthaymīn رحمه الله says,

التعبُّدُ لله عزّ وجل بغسل الأعضاء الأربعة على صفة مخصوصة

Basically, the translation is: It is the worship of Allāh the All-Mighty and Exalted by washing the four limbs in a specified manner.

Shaykh al-ʿUthaymīn رحمه الله says that these kinds of statements are not always 100% exactly going to detail each part. As long as we are able to describe most of it in some kind of manner, that's fine.

The head is not washed, but most of the limbs *are* washed. We apply the fact that because we are washing most of the limbs, we use the word 'washing' in the definition. This is something which is permissible.

And that's another example; Shaykh al-ʿUthaymīn's رحمه الله definition is very different to other scholars' definition. But that's fine because everyone is defining something in a very specific way. Some people don't care about getting it out as a twitter update (reducing it for stylish reasons to 140 characters). Some people want to write what it is, and it doesn't matter if it's a page - they'll define it as a page. There are different ways to describe it.

Obligations of *Wuḍūʾ*

Our author رحمه الله starts off by saying,

فُروضُهُ سِتَّةٌ

The obligations are six.

When we say 'six', how do we know? This is based upon *tatabbuʿ.* This word is very important. It means deep analysing and deriving, while following the evidences and looking at them, counting them, analysing them, and coming to that conclusion that there are six. There's no *waḥī;* when he says by *tatabbuʿ*, it wasn't that Allāh revealed and said that there are six. This is the reason why he mentions this point.

I really liked what Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ said. He says that this is something which is common (meaning, giving the key info at the beginning i.e. 'six' and then explaining it later). And it goes back to the way teachers teach. And this is a common technique which we just mentioned about how the speaker summarises what he's speaking about, then describes it. First, he gives a very broad picture right at the beginning and then goes into the details. The scholars often call this *al-ijmāl qabl bayān wa tafṣīl.* It's giving the full story in a nutshell, and then going into a detailed explanation.

What's interesting is that Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ says that this is the way of the Qurʾān. When you look at the way some of the scholars do this, they are following what Allāh has done in the Qurʾān.

For example, Allāh ﷻ says,

﴿الْحَاقَّةُ ۝١ مَا الْحَاقَّةُ ۝٢ وَمَا أَدْرَاكَ مَا الْحَاقَّةُ ۝٣﴾

"The Inevitable Hour. What is the Inevitable Hour? What will explain to you what the Inevitable Hour is?"[2]

Then Allāh ﷻ will explain it (the 'inevitable hour') in detail.

﴿الْقَارِعَةُ ۝١ مَا الْقَارِعَةُ ۝٢ وَمَا أَدْرَاكَ مَا الْقَارِعَةُ ۝٣﴾[3]

Then Allāh ﷻ will say 'This will happen, and then that will happen', and so on and so forth. So this is a style where the subject is presented in its entirety and then the detail is explained afterward.

He says this is one of the ways of language. This is something which also brings the attention of the listener as well.

GHASL

The first one is the washing of the face. *Ghasala* means 'to wash', *ghasl* means 'wash' and *ghusl* with a *ḍammah* means 'bath'. It is the complete wash, whereas *ghasl* actually means just the process of washing.

[2] Surah 69:1-3
[3] Surah 101:1-3

Shaykh al-ʻUthaymīn رحمه الله says that it is very important straight away that by the author specifying the word *ghasl*, we are not talking about wiping. Our focus is now very much on actual washing. Therefore if someone was to wet their hand, then shake the water off, and then wipe his face with it like this, then this would not be washing the face. Or if he was to wet his hand and then wipe his arm, then this would not fulfill the obligation, because to fulfill the obligation is to pour water on something and let the water run along it.

So there has to be actual running water along that surface. Water has to actually move. It doesn't matter if that water moves itself, or whether it moves via your hand's action, but there has to be running water moving across it. It is not your skin which is the thing making the contact, it is the water itself. The water has to actually physically wash it. It is fine, after the water has poured, then to use your hand as a wiping surface, but that is part and parcel of the washing. For example, when you get water in one hand and you put it over your face, it pours, and then you wash, then that is washing.

However, if you were to just wipe, then that would be unacceptable. It is not just wet hands and then go like that [wipe]; it is hands and water, even if it is a small amount. You release it and allow it to run, and then you do your washing process.

They say linguistically it has always meant water which is moving and running. Shaykh al-ʻUthaymīn رحمه الله says that *ghasl* is not achieved unless the water actually touches the skin. The water touches the skin and actually runs along it.
The water that touches the skin and actually runs along it is basically the difference between wetting by a wipe and washing. If you were to do this, then what you will do is just wet the skin, so it is not running along the actual skin.

That is the import of the word *al-ghasl* (the washing). So the water has to actually physically have some kind of movement on the skin.

Wajh

The second point is to focus on the word *wajh*. We have spoken about this word in detail before - the word *wajh* means 'face'. Everything that is facing is *wajh*.
The actual definition of the parameters of the face is the top of the forehead until the bottom of the beard, if you have a beard. Actually, it means the jawbone and not the beard. So from the top of the head to the jaw bone. That is the bottom border of the mandible. The *liḥah* is the jaw bone.

Al-liḥah is the jaw bone, and the word *liḥyah* is called 'beard' in Arabic because it is what grows on the jaw bone.

I think you get the point. From the top of the forehead, until the jaw bone - that means including the jawbone, and then from ear to ear would all be included. For the beard, you have to also comb it through, hair needs to be wetted and the bottoms of the beard because that is what's facing.

Shaykh al-'Uthaymīn ﷺ says some people said that the top of the forehead is otherwise called the hairline. The hairline, he says that is according to the normal vernacular it is called the hairline.

Shaykh al-'Uthaymīn ﷺ says:

شعر رأس المعتاد

Basically, the hair from a normal hair - head with hair, non-balding (referring to the top part).

Realistically speaking, the original definition is more accurate - meaning the top of the forehead, because there is obviously a part somewhere where it now does not become facing but it becomes more facing up. And anything which is up, does not have *al-muwājahah* (whatever is facing).

In a normative scenario, that is referring to the hairline. This is of course based on the *āyah* in Sūrat'l-Mā'idah;

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ﴾

"O you who have believed, before you stand for prayer, wash your faces.."[4]

Obligation vs. Recommendation

It is considered an obligation because of this verse and because it is said in an obligatory fashion. It is important again to remind ourselves from our *uṣūl'l-fiqh* – *faghsilū* is a *fi'l amr*; it is a command (verb). The *fā'idah* in *uṣūl* and the principle in the principles of *uṣūl'l-fiqh* is that the command indicates obligation unless something comes along and takes it away, or takes it down from being an obligation.

So for example, what would something like that be? What would be something that could knock something down from obligation? Give me a practical example. Keep it

[4] Surah 5:6

easy, keep it simple. Remember, when you have a question, always answer the simple one.

If the *āyah* says wash your faces, we say that is an obligation because a command indicates an obligation until something suggests otherwise. The Prophet ﷺ might come and make *wuḍūʾ* and he might not wash his face – that's it, that would be an example. I am not saying this is a real example. I'm just meaning this is one way.

If the Prophet ﷺ did *wuḍūʾ* and he didn't wash his face and that happens in the presence of the fact that there is a verse that clearly says you 'must' wash your face, we immediately know that the 'must' can only be a command to *recommendation* and *cannot* be a command to obligation. This is *uṣūl'l-fiqh*.

Every single time we see a command, it indicates obligation until we find a *qarīnah* (supplementary or secondary evidence), which knocks it down. This suggests to us that, "Wait, hold on. Why did the Prophet ﷺ do that?" or "Why are the same actions of *wuḍūʾ* mentioned in that *āyah* and then the face is not mentioned?" for example. This is how it would work in principle.

Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله says that there are a number of *aḥādīth* which emphasize this obligation, because the Prophet ﷺ used to wash his face when he used to make *wuḍūʾ* and there is not a single authentic *ḥadīth* that shows he ever left washing the face in *wuḍūʾ*. Not a single authentic *ḥadīth* in existence shows the Prophet ﷺ leaving the face in washing the *wuḍūʾ*.

And we can take from them the most authentic of *ḥadīth* - the *ḥadīth* in *Ṣaḥīḥ al-Bukhāri* and *Ṣaḥīḥ Muslim*, in the *Ṣaḥiḥayn* on the authority of Ḥimrān, the freed slave of *Amīr al-Muʾminīn*, ʿUthmān ibn ʿAffān رضي الله عنه said that the Prophet ﷺ asked for his *waḍūʾ*.

Have we covered *ṭahūr* and *ṭuhūr*? Who remembers from the first year? What is *ṭuhūr* and what is *ṭahūr*? I am sure we did that. We did absolutely. When you have *ḍammah* on the first letter of the word and you have a *fatḥah* on the first letter of the word.

Student: *Ṭuhūr* means purifying.

Ustādh: *Ṭuhūr* means to purify. What does *wuḍūʾ* mean?

Student: The action.

Ustādh: The action. Good. It means the action of the ritual ablution. What do you think *waḍūʾ* means?

Student: The water you do *wuḍūʾ* with.

Ustādh: Correct. It is the water which with you use to do the act. I am sure we covered this in Year One that *ṭahūr* refers to the water.

In fact, *subḥānAllah*, we covered it two weeks ago when we were talking about the manner of washing the face with respect to the beard. I said there are three types.

There is getting the water to the skin. When is that an obligation? When you have a short beard. When you have a short beard, the way we wash the face is that the water not only has to be washing the face, but be washing all the way to the hair underneath the beard - that is an obligation.

We said that the second scenario with respect to the beard is when you have a thick beard. What did we say what happens when you have a thick beard? We said it's an obligation to only wet the skin which is not covered by the beard. The parts which have the beard, that skin underneath the beard does not need to be washed. But in that case, that is when you need to comb and have the water through. That was the second type of washing of the face with respect to a beard.

Then I said the third case. I used the third example of doing *wuḍū*' or purifying yourself with respect to the face with a beard when you are using the *ṭahūr.* I said the third example we used is when a person is making *tayammum.* Actually, if you go back to your notes, the exact wording was basically 'How do you wash your face in the three types of manner when you are using *ṭahūr?'* That is how the question was raised about *ṭahūr.*

Basically, we said two times its going to be with water. The first time, you are going to wash your face both times. In the first case, your beard is going to be thin, so you have to wash the skin underneath it. In the second case, your beard is going to be thick; therefore, you are not going to wash the skin underneath it - you are just going to run your fingers through.

For the third type, the *ṭahūr* is not even going to be water - it's going to be dust. In that case, you are just going to get the dust in your hands and you are just going to wipe your face. It's not about going through the beard, or going to the skin. It's not about washing; it's just the wipe of the face and that is it. I said that at the beginning, the Shaykh used the word *ṭahūr* to give a clue that the three things he is going to mention is not going to be water. *Ṭahūr* means that which produces or does the *ṭuhūr* and the *waḍū*' is that with which we do the *wuḍū*'.

'Uthmān said that the Prophet ﷺ asked for the *waḍū'* to be brought to him (meaning his water for his *wuḍū')* and then the water was poured into his hands and he washed them three times. Then he did *maḍmaḍah* (he gargled) and then spit it out, then put water into his nose and out of it three times, and then he washed his face.

This is the most authentic *ḥadīth*[5]. This is known as the *ḥadīth* of ʻUthmān, just like the *ḥadīth* of ʻUmar about *niyyah*. In *wuḍū'*, it is called the *ḥadīth* of ʻUthmān which establishes the details of *wuḍū'* in perfect description.

We also have the *ḥadīth* of ʻAbdullāh ibn Zayd[6] which was also narrated in the *Ṣaḥiḥayn.* Also, there's the *ḥadīth* of ʻAli ibn Ṭālib[7] which has been narrated in the four *Sunan* - all of them described the *wuḍū'* (the ritual ablution) of the Prophet ﷺ that he washed his face therein. Therefore, the scholars (may Allah have mercy upon all of them) have agreed that to wash the face is from the key obligations of the obligations of the *wuḍū'*. So if a person was to make *wuḍū'* and did not wash his face, then by the consensus of the *ʻulamā'*, he has not done *wuḍū'* and it is invalid. The next statement then is:

والفم والأنف منه

The mouth and the nose are from and part of the face.

The Mouth & Nose as Part of the Face

This is the official position of the Ḥanbali *madh-hab*. Shaykh al-ʻUthaymīn رحمه الله said, 'Yes, it is because the mouth and the nose are on the face, thus they are to be counted as (part of) the face.' Based upon this, the *maḍmaḍah* (the rinsing of the mouth) and *istinshāq* (the cleaning of the nose) are from the obligations of *wuḍū'*.

Then he says they are not separate from the face itself. When you think of the nose, you do not think of the face, but it is pretty much the same thing. It is like if you were to hit someone on the nose, you would say 'I hit him on the face.' He says it's like the statement of the Prophet ﷺ when he said:

أُمِرْتُ أَنْ أَسْجُدَ عَلَى سَبْعَةِ أَعْظُمٍ عَلَى الْجَبْهَةِ . وَأَشَارَ بِيَدِهِ عَلَى أَنْفِهِ . وَالْيَدَيْنِ، وَالرُّكْبَتَيْنِ وَأَطْرَافِ الْقَدَمَيْنِ، وَلاَ نَكْفِتَ الثِّيَابَ وَالشَّعَرَ

"I was commanded to prostrate on the seven bones: The forehead," - and he pointed to his nose - "the hands, the feet and the ends of the feet (toes) and not to tuck up my garment or gather the hair." [8]

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[5] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍū'*, Chapter on Rinsing in *Wuḍū'*, *ḥadīth* no. 164. This is a narration of Ḥumrān seeing ʻUthmān رضي الله عنه asking for water to be brought to him for wuḍū'.
[6] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍū'*, Chapter: The Washing of Feet Until the Ankles, *ḥadīth* no. 186
[7] *Sunan al-Nasā'i*, Book of Purification, Chapter on Washing the Hands, *ḥadīth* no. 94.
[8] Ṣaḥīḥ al-Bukhāri, Book of *Adhān*, Chapter of Prostrating on the Nose, *ḥadīth* no. 812

He ﷺ pointed to his nose saying 'my forehead'. He ﷺ was talking about the forehead, and referring to prostration, but 'pointed to his nose' means that it's like the same thing, even if it is not the same. We're going to come back to this later.

Shaykh al-'Uthaymīn رحمه الله himself has his own specific position but I want to go into this issue in detail.

Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله is now going to go into this. He says the reason that the people say that this (the mouth and the nose) are from the face is because this is included in the boundaries of the face. Of course if you say that the nose and the mouth are part of the face, then you say that therefore to wash the nose and the mouth becomes an absolute obligation.

This position that the washing of the nose and the mouth is an obligation is just one of the statements of the scholars. Let us look at these statements of the scholars. He رحمه الله says:

القولُ الأولُ : أنهُ ليسَ منَ الوجهِ , فغسلهُ سُنةٌ , وليسَ بواجب

The first position is that: it (the mouth and the nose) are not from the face and therefore to wash the nose and the mouth is a *Sunnah*.

This is the position of the Ḥanafi School, the Māliki School, the Shāfi'i School and one narration from Imām Aḥmad, so it is the position of the Ḥanafis, the Mālikis, the Shāfi'is and one narration from Imām Aḥmad. That is a lot of people, so the mass majority considered the washing of the mouth and the nose to be a *Sunnah*. He رحمه الله says:

القولُ الثَّاني : أنّ داخلَهما منَ الوجهِ , فيُعتَبَرُ غسلُهُ فرضًا منْ فرائضِ الوُضُوءِ وهذا هوَ مذهبُ الظاهريّة

The second opinion: they are part of the face but only the insides are considered from the face. This is the position of the literalists (the *Ẓāhiriyyah*).

When you wash the face, you're going to wash the lips, aren't you? You can't wash the face without washing the lips because they're outside. When you wash the face, you're going to wash your nose because it's there.

When you wash the face you're not going to wash inside your mouth, unless someone is opening his mouth when he is washing his face, which is something different. I'm saying that it's quite possible to wash the face without washing the inside of the nose. It's a whole different action, isn't it? To wash inside the mouth is a whole separate action. That's the point.

In the position of Imam al-Ḥajjāwi ﷺ and the position of the Ḥanbali *madh-hab*, because it's on the face, then the inside is also included. When I go into more detail, for example, part of washing the face means you clean the dirt from the inside of the eyes as well. This is also considered to be part of the face. This is what needs to be defined. Do you need to do a full eye bath, or is that whatever water hits it in a natural way? This is definitely a physical action, and that's included.

But what about internally inside the nose? According to the mass majority of the scholars, they considered that this is a *Sunnah*, and it is not part of washing the face. It's not included in the face. The *Ẓāhiriyyah* said that the internal part of the nose and the mouth are part of the face. This is basically what the *madh-hab* here is saying. It's the basic position here. It is a narration from Imām Aḥmad. That's the second opinion.

The third opinion is that only the inside of the nose is from the face, and the inside of the mouth is a whole separate part. The inside of the mouth is not included. You can word it in a different way. The only obligation is to clean the nose, not to gargle. That's another way of looking at it, and this is another *riwāyah* (narration) from Imām Aḥmad ﷺ, and it is also the position of some of the people of the *Ahl'l-Ḥadīth*.

Shaykh Muḥammad Mukhtār al-Shanqīṭi's ﷺ, position is that the statement that they are **not** part of the face is the more accurate statement, and therefore, (he says) 'I do not consider it an obligation to wash the mouth and the nose in *wuḍū'*. This is the position of Shaykh Muḥammad Mukhtār al-Shanqīṭi, and this is also my personal position - that it is not an obligation.

As far as I remember - and we did *wuḍū'* many years ago - this is also the position of Shaykh Kehlan as well. Therefore, the washing of the inside of the nose, meaning *istinshāq* and the *maḍmaḍah* (the washing and the circulating and gargling of the water inside the mouth) is from the *sunan'l-wuḍū'* and not from its obligations.

Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ says 'My evidences are: 1) Because of the indication from the Qur'ān (*dilālat'l-kitāb*)'. What does the Qur'ān indicate?

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ﴾

So our indication from the *āyāt* is that Allah ﷻ has obligated the washing of the face. The face linguistically means 'that which faces' or 'that which is outside of the face and not the internal aspects of the face'. The internal aspects of the face would be the inside of the nose and the mouth and that doesn't face anything, that's basically inside.

You can see in quite honest fairness that that's a good argument. It's a linguistic argument, isn't it? But you can also see the other side of the argument that it may not be facing outwards, but it's part of the part which is facing outwards and therefore it should be included. This is of course what the *Ẓāhiriyyah* say and what this other *riwāyah* from Imām Aḥmad says.

He says that when a person is speaking in Arabic, the nature of the Arab is that when is talking about the reality of the faces, he is not talking about the inside of the nose and the inside of the mouth. He's talking about the outside aspects of the face.

The Qurʾān has been revealed in this Arabic language and the Arabic language only explains that which is in the Qurʾān. So the reality of the Arabic language is that when you say 'the face', you are not talking about the inside aspects.

He says the *Sunnah* also emphasises this point such as the *ḥadīth* of Rifāʿah ibn Rāfiʿ. We are talking about the famous *ḥadīth* when the Prophet ﷺ was sitting in a *masjid,* and the man came into the *masjid* and did two *rakʿāt* before going to the Prophet ﷺ and saying '*Al-salāmu ʿalaykum'*. The Prophet ﷺ said '*Wa ʿalaykum al-salām*, go back and pray because you have not prayed'. He kept on making this mistake (he was basically rushing the prayer; he wasn't praying properly). In the same *ḥadīth*, the Prophet ﷺ said to this person:

أَجَلْ إِذَا قُمْتَ إِلَى الصَّلاَةِ فَتَوَضَّأْ كَمَا أَمَرَكَ اللَّهُ

"When you stand for *ṣalāh,* then perform *wuḍūʾ* as Allāh ordered you."[9]

This has been narrated by Imām al-Nasāʾi in *Tirmidhi* and it's an acceptable *ḥadīth*, meaning that it's a *ḥasan ḥadīth inshāʾAllāh*.

This is an indication that whatever Allāh said in that *āyah,* that's what it's about, and therefore we are going back now to issue of the face (*wujūhakum*). It's not indicating detailed internal aspects like the nostrils and so on.

Basically, Shaykh al-ʿUthaymīn رحمه الله is saying 'In other words, he said to him to read the book of Allāh and whatever it says in *Sūratʾl-Māʾidah,* then just do that and *khalāṣ*.' So

[9] *Jāmiʿ al-Tirmidhi*, Book of *Ṣalāh*, Chapter on the Description of *Ṣalāh*, *ḥadīth* no. 302

basically what this person did is that he returned him back to the obvious aspect of the *āyah,* and the obvious aspects of the *āyah* refer to the apparent portions of the face.

The second point, is that the actions and narrations that all mention the continual act of gargling and cleaning of the nose of the Prophet ﷺ are not indicating an obligation. We will say that all of the commands when the Rasūl ﷺ said clean your nose, wash your mouth, etc. - every single one of those commands are not indicating an obligation, they are indicating a recommendation, and the proof of that is the *āyah)*.

Now we will reverse it. Remember I told you that when you command something, it is an obligation until something turns it away. So the commands to wash the nose and mouth were obligations until we read the *āyah*, and it said, 'Wash your faces'.

Therefore, 'Wash your faces' is a proof that the commands to wash your nose and mouth were only as a recommendation. They've been brought down, and the original issue is to wash the obvious parts of the face. Therefore, as far as I am concerned, that is the evidence of why it is not an obligation and why the majority of the scholars followed it.

He just finishes off with 'What if somebody asks, 'Why does the Prophet ﷺ never stop doing the *maḍmaḍah* and *istinshāq?'* Shaykh Muḥammad Mukhtār al-Shanqīṭi says that the Prophet ﷺ and his continual doing of this *Sunan* is from *bāb'l-taʿlīm*, meaning it was his way of educating the people. It was not from the manner of obligating upon people (*bāb'l-ilzām).*

There were two [reasons why] the Prophet ﷺ did [certain actions] all the time:

1. to obligate something upon the people, and to indicate this obligation.
2. to teach people that this should be done all the time.

There is a difference between the two. For example, as far as we know, the Prophet ﷺ never left the two *rakʿāt* of *Fajr,* but no-one has said that it is an obligation. The majority of the scholars do not say that.

Shaykh Muḥammad Mukhtār al-Shanqīṭi said, 'When you take all of the narrations into account, do you not see that he would never make *wuḍū*' without washing his hands first?' Every single narration indicates that he did this. As for those people who say that it is obligatory to wash the nose and the mouth, those same people accept the fact that the washing of the hands is a *Sunnah.*

For the person who wakes up and he doesn't know where his hand was, it's a *wājib.* Remember, we talked about that. It's an obligation for the one who wakes up, but for the one who doesn't wake up from such a sleep, it's a *Sunnah*.

So for the one who doesn't wake up from a sleep (where he doesn't know what's going on and it's such a deep sleep, it's night-time, etc.), the scholars said it is not an

obligation for that person to wash the hands. Despite the fact that Prophet ﷺ did it every single time, none of them said it is an obligation upon that person, so instead they said it is a recommendation and not an obligation.

Therefore, they themselves are a proof that continuity does not always indicate obligation. Sometimes it means obligation, and sometimes it's *ghayr wājib*. So it's not possible to basically say that just because something is continuous, it becomes obligatory. This is an example in the *wuḍūʾ.*

Q & A

Q: Shaykh al-*'Uthaymī*n's opinion is…?

A: We're going to come to that.

Q: On that last point there, isn't it not the case that one way of the Prophet ﷺ was to leave the acts to differentiate obligation and *Sunnah?*

A: Yes, good. That is the most easiest and most common way of us indicating the difference between obligation and *Sunnah* - his leaving of an obligatory act. This basically makes it clear, like the *tarāwīḥ*, like fasting during rest of the year, etc.

You're right, that's the basic principle. The Prophet ﷺ leaving an action indicates that it's a *Sunnah,* but not exclusively. This is the point - he says that no scholar differs over this. He gave the example that even the people who are saying that you have to wash the nose because the Prophet ﷺ did it all the time… if you ask them 'What about washing the hands? Is it obligatory as well?' They themselves will say to you 'No, it's not, even though he used to always do it.' They will only say that it is obligatory if he wakes up in the night-time.

Okay, what if he doesn't wake up in the night-time? What if he just comes in from work? Does he have to wash his hands before he makes *wuḍū'*, even though the Prophet ﷺ used to always wash his hands? No, it's only a *Sunnah*. That's why it is clear that sometimes continuity does not indicate obligation.

Q: A sister who has makeup on during *wuḍū'* and the makeup is still on - the question sup……pen marks and paint, the washing of the face and of anything,

A: We will be covering this in more detail later, but *ghasl* (washing) means that water has to touch and flow on the skin. The skin means the skin itself. If there is anything on the skin which is preventing that water touching the skin, then the *wuḍū'* is incomplete. So if there is makeup which is preventing that because it's waterproof, then that is unacceptable. The water has to go to the skin.

There are two types of things on the skin. There is that which is completely hydrophobic, and it doesn't allow water to touch it, and there is that which is hydrophilic. Makeup, dyes, and paint aren't all hydrophobic. For example, henna/mehndi. It dyes the skin but doesn't actually go on top of the skin. Therefore, the skin itself has taken that color, and when you put water on it, it's actually upon the skin.

Q: It says that in one statement, Imām Aḥmad ﷺ said that the entire mouth is *Sunnah* and in another it says that the nose is *Sunnah* and not the mouth.

A: In earlier lessons, we explained the methodology of the Ḥanbali *madh-hab*. One of its difficulties is that there are often two or three narrations that come from Imām Aḥmad ﷺ. The students of Imām Aḥmad and the people who formulated the *madh-hab* often differed amongst themselves about what the official position of Imām Aḥmad was, and consequently, the official position of the Ḥanbali *madh-hab*.

Normally we look to people like Ibn Qudāmah to actually say that this is the position of the *madh-hab*. In any case, this *matn* of *Zād'l-Mustaqni*ʿ is considered to be quite an authoritative representation of the *madh-hab*, even though there are many *Ḥanbalis* who don't accept that.

But according to Imām al-Ḥajjāwi and a number of Ḥanbali scholars, this is the strongest position from the three *riwāyāt* - that the inside of the nose and inside of the mouth is part of the face and you do need to wash them, like the *Ẓāhiri* position.

As it was said, there are a number of different versions of that (the inside of the nose, not the mouth, neither inside of the nose or the mouth, or both, inside the nose and the mouth). So these are the variations.

Q: (inaudible)

A: She needs to go back to the early lessons. Give her references to Shaykh Kehlan's early lesson (ḥafiẓahullāh) which he dedicated to the *manhaj* of *Ahl'l-Ḥadīth.* Remember, we divided the scholars into *fuqahā'* (people of *fiqh*) and the *Ahl'l-Ḥadīth*. They generally differed in their methodology, that is all. They are very much dependent on *ḥadīth* as a primary source of legislation and understanding, whereas the other scholars are using more principles. They are happy to put their *ḥadīth* second best if it doesn't agree with the established principle.

Q: When washing the hands for *wuḍū',* is one supposed to say '*bismillāh'* before washing the hands?

A: That is coming later.

Q: Shaykh you mentioned at the beginning that students of knowledge should bear in mind that different scholars have different criteria, different methodologies, different systems, etc. So I assume that the scholars themselves… (inaudible)

A: The irony is that I gave that exact example in *Fiqh* of *Ṣalāh*. It is not about *fiqh*. If it is about anything, it is about education.

Let me explain what is going on. First of all, my statement was that dividing numbers, parameters, etc. is not about *fiqh* but about education. Meaning that the scholars who did that and classified anything in to different categories and named it anything in any subject only did that for what reason? Teaching. For the ease of the students to understand.

Actually for Shaykh Ṣāliḥ al-Fawzān (ḥafiẓahullāh), if we were going to be rude, what is actually ignorant is to divide *tawḥīd* in to anything straight off. The reason that we divide it in to three (*ulūhiyyah, rubūbiyyah, al-asmāʾ waʾl-ṣifāt*) makes it easy for the people to understand.

Do you think the Companions were told about *Rubūbiyyah,* etc.? So actually the point is that when they are saying that the person is an ignoramus is that we have been teaching these three types in our schools and systems to make it easier. Now we have a group of troublemakers who are trying to create a fourth category to try and confuse people.

In actual fact, that is what he is criticizing. They will be saying 'Actually, if you really study *rubūbiyyah* or *ulūhiyyah* properly, it comes under anyway. No-one is denying the *ḥukm* of Allāh and its exclusivity when it comes to some rule. There's no need for a separate category, rather there are ulterior motives. And often there are when it comes to the issues of politics and *ʿaqīdah.* But I want to bring it back. It is a non-argument. It is no problem at all if you believe in three, four or five categories. It is about how you are dividing them.

For example, Ibn Taymiyyah رحمه الله said that there are two categories of *tawḥīd*. It depends on the context that you are dividing them, so this is important for the student of knowledge. The student of knowledge will look at that and know what it is, whereas the one who doesn't know will start losing his mind about a fourth category.

11. Obligations of *Wuḍū'* III

There are couple of things actually. We are at the section of entering into the washing of the two hands:

غَسلُ اليدين

Difference Between *Rukn*, *Wājib*, *Sunnah*

But before we do that and maybe not even get to that, I don't know, *Allāhu aʿlam*. There are two things I thought I would go back due to the amount of questions concerning it and also, I think it is beneficial. I think it's really useful. And I will explain why it is beneficial.

The first one was with respect to the definition of *farḍ*. And I think I discussed that last week. There is still some confusion of the idea of *farḍ* and *wājib* and *rukn* and this and that. I actually spent a portion of last week's session explaining that we should not be confused about that.

The word *farḍ* means obligatory. In the Ḥanafi school, they have differentiated between the two: between the word *farḍ* and *wājib*, both which linguistically mean obligatory. Even in the Ḥanafi school, they would not say the word *wājib* is not translated into obligatory, but what they will say is that technically its consequence is something different to the consequence of *farḍ.* I went into immense detail explaining that and the evidences for Imām Abu Ḥanīfah and the *madh-hab* on that.

It is important from just the technical point of view, that those who are Ḥanafi and are studying this text and know and are aware that when the word *farḍ* is being used and the word *wājib* is being used, they are synonymous and are synonymous with the three Imāms of the three *madhāhib* and with the mass majority of the scholars. The mass majority of *ʿulamāʾ* consider the word *wājib* and *farḍ* to mean obligatory. That is point one. But I think that I want to spend more time on this from a *ḥadīth* point of view and I think that will be beneficial and we will come to that is a second.

(00:10:00) The second point I want to clarify is the idea of *arkān*. Now remember, we haven't covered the word *arkān*, because frankly as we haven't come across an act of worship, yet which necessitates the use of the word *arkān*. The word *arkān* is the plural of the word *rukn*. The word *rukn* means a corner or a pillar, the connotation being a key aspect of the structure. A corner is of course a key part of a structure because without

it, it would collapse. Whether it's only being used in the corner sense or whether it's being used in the pillar sense. The idea would be to think of a stool, a three-legged stool. If you have a three-legged stool and it has three legs, if you take away one leg, the entire stool collapses.

Let's look at this stool. This stool can only represent certain acts of worship. It cannot represent *wuḍūʾ* and I will explain why later but can represent *ṣalāh*. The reason the stool can represent the act of *ṣalāh* is because the act of *ṣalāh*, has so many various layers of action, levels of action that we can quite easily represent it as a stool.

Let's use this illustration in your mind. Imagine you have this nice-looking stool. It has a number of aspects: the niceness will come due to its general structures, solidity, varnish and the color of that varnish. The concept of a quality stool is that it is functional as a stool. You can actually sit upon it. And you can sit upon it in comfort. Let's imagine you have a stool which has three legs then it has a frame and then on the frame then is a flat piece of wood which is very smooth, and it's varnished, and you sit on that. So, it's solid as well and it's known to be a stool because when you see some key aspects you identify it as a stool. The varnish does not identify the stool. The color does not identify the stool. The legs identify the stool and the seating part identifies the stool. We can say that to be a stool the seated part is more important than the varnish because the varnish just has beautification, whereas it doesn't add functionality. Whereas if we didn't have the seating part it couldn't be possibly called a stool, it couldn't be used as a stool. Yet the seating part is not as essential to the concept of the stool as the leg is because if you were to take one of the legs away it can't even stand. Meaning that if I was to take the plank away (the seat) what you still have is a frame and uncomfortably admittedly, yet you could still sit on that stool. You could still sit on that stool. You'd position yourself at an angle and use the frame and obviously it would be painful, but you can still sit on it.

If you looked at it over there you would say, '*It's a broken stool. I can fix this easily by putting the plank back on*'. But it's still alive and it's still a stool it's not broken to pieces. Take away the leg though, and it collapses. It's completely useless. Yes, we can fix it. But if you have a legless stool it's on the floor, it's in pieces. You are not going to give it the same kind of level of 'this is repairable' as if you just saw the seat missing.

Now imagine that is an act of worship or the act of worship that is being used like a prayer.

The prayer consist of at least three different levels of actions: (1) those which are essential which are the legs of the stool, (2) those which are obligatory which are the essential aspects of the stool, like the seat, and (3) those which are the *sunnah*, the beautification and the excellence and those little acts which perfect the stool, that is the shaving down, the smoothing, the coloring, and the varnish, etc. That is the exact similitude of a stool compared to an act of worship. And so therefore we call the essential aspects, the legs, we call them the *rukn* (singular) or *arkān* (plural). We call the seat, because it's so important, *wājib* or the *wājibāt*, the obligatory aspects. You can

call them *farḍ* as well, but this is according to the majority of the scholars. We are using majority terminology here. And you call the beautification aspects the *sunan*.

As I mentioned last week if we were to go with some of the scholars, they would even for example, let's say this stool had a little bit of leather kind going down few kind of flexes here we could then say *hayʾāt* or *adāb*, which is the fourth level of *taḥsīnāt* or *iḥsān*, which some of the Shāfiʿi scholars like to introduce some of the kind of above and beyond necessary luxuries the beautifications, taking to another level. And this obviously is human example. It's a poor example of trying to illustrate something, but at least it gives you an idea. So, the prayer it needs to be able to be divided into essentials, obligations, and recommended acts.

The essentials are absolutely essential to the prayer. That is what the essentials are, those are the *arkān*.

The obligations are absolutely obligatory. But you know what? The prayer could survive without it if we can make it proper in the end. In the prayer example, that would be for example when you say *Allāhu akbar* when you go to *sajdah*, or the first *tashahhud*. These are examples of obligations in the prayer. If you were to miss them out, you would continue praying. The prayer is not fatally wounded by that. At the end, we will do *sajdatʾl-sahw* and will make up for it.

But if we go back to the *arkān*, the essentials, well what is an essential according to the three Imāms would be for example reciting *al-Fātiḥah*. Or actually, let's be more fundamental. According to all the Imāms, to stand whilst praying [is a *rukn*], as long as you are able to. As long as you are young, fit, and able to then you have to stand. If you didn't stand in your prayer, or if you never did the first *sajdah*, or if you never did the *rukūʿ*, or if you never did the *assalamu ʿalaykum wa raḥmat Allah* once, or you never said the *tashahhud* at all at the end, these are essentials of the prayer. If you did not do it, you have to actually stop what you are doing, go back and do it there and then because a prayer cannot move ahead until you've gone back and sorted it. And you'd have to compensate for it in the end with a compensatory *sajdah*, the *sajdatʾl-sahw*.

So, you can see there is the difference between essentials, *arkān*, and then obligations.

The *sunnah* are those things that if you do it then it is great, it increases the reward of the prayer like reciting a *sūrah* after *al-Fātiḥah*, like reciting *tasbīḥ*, *subḥāna Rabbiyyʾl-ʿAẓīm* fifteen times as oppose to just once or three. These are additional aspects, more *duʿāʾ* that you add when you say: *samiʿ Allāhu liman ḥamidah ḥamdan kathīran ṭayyiban mubārakan fīh*... etc., extra *duʿāʾ*. If you do it, great. If you don't do it, no problem. You just didn't make the stool look great as it could.

That is the understanding of the word and the concepts of *arkān*, obligations, and *sunan* when the act of worship can be divided so. But sometimes the act of worship that you have in front of you cannot be divided into that many context or layers, such as *wuḍūʾ*. *Wuḍūʾ* is not possible to have three or four layers of legal category, we can really have

two: (1) those that are obligatory and (2) recommended. It is for that reason that because it is only an obligatory and recommended, then the scholars were lackadaisical here. They didn't really kind of bother. They were ambivalent whether you want to call them obligations or whether you want to call them essentials or *arkān*, it doesn't really matter here because you know what, we don't need to create two different categories. There is no compensatory *sajdah* to be made at the end if you make mistake. There is no difference between an essential and obligation. They're the same thing in the act of *wuḍū'* and this will apply in other acts of worship as well. That should answer hopefully the reason why people were confused, why *arkān* is being used in the way of *wājib* etc.,

Throughout this class and throughout this book and it is a Ḥanbali book, when we say *farḍ* or *wājib*, we will always be using it in the sense of obligation, all the time. What I want to do as a reminder and a benefit is if you go back to *Logical Progression* live session which was two weeks today, I introduced this subject and I explained the reason why Imām Abu Ḥanīfah actually decided there was a difference between *farḍ* and *wājib*. Why he differentiated between an obligatory action and a *wājib* action—an action which is slightly lower down.

Technical Consequence of Their Differences

Who can remind me what the actual difference was in technical consequence or definition?

(00:20:00) Student: The *ḥadīth* of *wājib* is slightly weaker, it says about the chain of narration at each generation depending on the numbers.

Ustādh: So, you are explaining the reason why Abu Ḥanīfah created two separate categories based upon the evidences themselves. And you mentioned the word 'weaker' and that is what we are going to explain today via diagram to show that it is not necessarily the word 'weaker' but it is that they are of different levels of certainty. The issue is certainty. But anyway, we will come to that.

If we said that all of the imāms and the scholars say that *wājib* means obligation and *farḍ* means obligation, that you are rewarded for doing it with the intention of an act of worship and you are a sinner if you don't do it, a punishment which is in the *ākhirah* not in this *dunya*. That is the definition of what kind of act? An obligation.

What did Abu Ḥanīfah then decide what the definition for *wājib* was? If that is the definition for *wājib*, what is Abu Ḥanīfah's definition for *wājib* then?

Student: *Wājib* is something that is a bit more speculative in its nature.

Ustādh: That is the reason why it is a *wājib* according to Abu Ḥanīfah. The reason that he differentiated between an obligation and a *wājib*. But what is the actual definition of a *wājib*?

Student: We define *wājib* as those narrations that came via an *aḥad ḥadīth*.

Ustādh: Again same. This is the same answer I received from all three of you. You are giving me the reason why Abu Ḥanīfah created a *wājib* category. We are going to come to that in a second. I want the definition which differs from the normal obligatory definition.

Student: If you do it, you have a reward. If you don't do it, you have no punishment.

Ustādh: No.

Student: It is about denying the action itself whether you have to do it or not. I think you said that if you deny it, (I'm not sure which way around it is) I think if you deny it you are still a Muslim while the majority will say if you deny a *wājib* action, you are non-Muslim.

Ustādh: So, you tell me. Work it out here now using just common sense, which one do you think that would apply to?

Student: If you deny it, the majority will say, if you deny a *farḍ* or *wājib* action you are a non-Muslim. Abu Ḥanīfah said that if you deny a *wājib* action you're still a Muslim but if you deny a *farḍ* action, you will be a non-Muslim.

Ustādh: Correct.

Ultimately to differentiate between the two: no Ḥanafi scholar or no one from Islam actually is ever going to say to you don't do a *wājib*. That is not going to happen. In fact, the irony of course is that in the Ḥanafi School, they will make even the acts of *Sunnah* like a *wājib*. So, don't think that just because they are producing a more flexible definition, that they are trying to be easy, necessarily they don't want people to do obligations. It is the exact opposite in fact. Actually, they want to be more accurate. That is what they want to do. And I told you that we are helping the people that way. We are helping the people because if we can put more actions under the category of *wājib* then that means if you get some plum who comes along and says, '*I don't like this action*,' or '*I don't want to do this action*,' or '*I don't believe in this action*,' etc. If he says that about an obligation like *ṣalāt al-Fajr*, which I gave the example of, he's out of the *dīn*. If he knows what he's saying and says, '*I don't want to pray Fajr it's not obligatory on me*,' well then that's it. It's all over for the guy. It's literally all over. Whereas what Imām Abu Ḥanīfah is saying that if we say something is *wājib*, and you were to deny it for one reason or another, whatever the reason, then you're a fool and you will be punished but we wouldn't consider that person outside the fold of Islam because we hasn't denied something that has been established in the *dīn* with absolute certainty. And that

is what we come back down to, the issue of certainty. And I wanted to really illustrate why it is that scholars differ over the concept of certainty.

Basis of These Differences From a *Ḥadīth* Point of View

I want you to remember that we said that this entire discussion is about *ḥadīth*. The whole reason there is a difference between *wājib* according to the Ḥanafis and *wājib* according to the rest of the scholars, it all comes down to an issue of *ḥadīth*. And what did we say? Who can remember what we said? What is it that Imām Abu Ḥanīfah wants to be a *farḍ*? To define an action to be *farḍ*, he wants two conditions.

Definitive absolute authentic evidence which is *qaṭʿi al-thubūt*, meaning that is absolutely established, authentically narrated from the Prophet ﷺ. And second?

Student: Chain of narration.

Ustādh: Nope

Qaṭʿi al-thubūt and *qaṭʿi al-dalālah*, absolute, no doubt about its indicated meaning. Remember I said *dalālah* comes from *dalla*, concept of *dalīl*, something that indicates the presence of something. *Dalīl* we know means evidence. And I said that if you look at some footsteps, then they are evidence that someone was there. We don't really care about the footsteps themselves. We follow the footsteps to get to where we are getting to. That's an evidence of something else. So, *qaṭʿi al-dalālah* means these footsteps are absolutely clear 100% ascertaining that there is something going on.

The opposite when we would say *ẓanni al-thabūt* meaning something which is speculative in its authenticity and speculative in its indicated meaning, then that is not going to, according to Imām Abu Ḥanīfah, give him the confidence to establish the ruling of obligatory, *farḍ*, upon this. For example, if you are to come to a path and you have three, you know how these criminals do when they are on the run? They will walk one direction then they will walk back in the same footsteps and then they will go start again in another direction. You've never seen that? Or am I just criminal mind extraordinaire? That's what you do. You walk in and then you in the same footsteps you walk out and then you walk back away in the other direction. So, when you come here, you've got like and you walk back, and you walk back there and you have three options starting from the beginning you've at least slowed the guy down. You've confused him. He is going to have to make a choice now: Is it this one, is it this one, or is it this one?

(00:30:00)

I gave the example and explained this actually two weeks ago when Allāh ﷻ says:

﴿قُلْ هُوَ اللَّهُ أَحَدٌ ۝١﴾

"Say, 'He is God the One.'" [*Sūrat al-Ikhlāṣ*: 1]

Allāh is One, there is no debating *aḥad* something else. It means Allāh ﷻ is One. This is absolutely *qaṭʿi al-dalālah*. It is absolutely expressly indicating that Allāh ﷻ is one. No other possibilities. But another *ayah* might indicate there is some possible variance in meaning.

So, whenever Imām Abu Ḥanīfah senses there is a possibility of doubt, he will not then entertain making the act that will be based upon that evidence, which has given him doubt, he will not call that absolutely obligatory. He will basically say if I have doubt in the basis for this ruling, then I'm not going to convey such certainty to the people and say that if you deny this you are a *kāfir*. So actually, his approach is a very reasonable one.

I need to tell you of course, that it was rejected by the majority of scholars. Absolutely rejected. He is alone, when it comes to the *fuqahāʾ*, a few one or two here or there. But the mass majority of the scholars said that the concept is correct, if there is speculation in a ruling, then we will not then give a certain ruling based upon that. But they refused to accept the key controversial part of the statement, which is *qaṭʿi al-thubūt* meaning whether it has been authentically established from a *ḥadīth* point of view.

Here is what Abu Ḥanīfah said. He said that when you have a *ḥadīth* you have different generations. Look at this *ḥadīth*. This *ḥadīth* has been narrated by Usama ibn Zayd ؓ. This *ḥadīth* has been narrated by a Companion, and a single Companion, a Companion alone. If we look at his statement, he would have narrated it to a *tābiʿi,* who is ʿAmr ibn ʿUthmān, a *tābiʿi*, a next generation. he then narrates it to another *tābiʿi* who is ʿAli ibn Ḥusayn, who narrates it to Muḥammad ibn Shihād. Do you know who that is?

Imām al-Zuhri, the Imām of Madinah. The teacher of Rabīʿah, the teacher of Imām Mālik. So, we now have *atbāʿ al-tābiʿīn.*

The key thing here, is you see each generation narrating to a singular generation. So, each level is only one [at the level of the Companion], one [at the level of the *tābiʿi*] and then one [at the level of the *atbāʿ al-tābiʿi*]. Then at the level of Muḥammad ibn Shihād meaning Imām al-Zuhri, right here [after the level of the *atbāʿ al-tābiʿi*], what does he decide to do? He then narrates this to, in this *ḥadīth*, in this narration (starting from left hand side) seven of the next generation. Then, at the next generation after that, it all goes crazy, you have six.

And I just want to stop there just indicate that this is what we are talking about when we get to six. This is Imām Mālik by the way, and Imām Mālik has now just written it down. You see, Imām Mālik has two options, he can tell his students so when he tells

his students, for example he told ʿAbdullāh ibn Mubārak, who then is now going to tell his students. Or he can just write it down, and he did. He wrote it down in the Muwaṭṭaʾ of Imām Mālik. So, he wrote it down in his own book. It is now sealed, complete, and we've now got that as a physical copy. And he carried on telling other people, who then carried on telling other people, who then carried on telling other people. And you see if you go further down another four generations you have Imām al-Nisāʾi and he then collects it in his book *Sunan al-Kubra* which is the *Sunnan of Nisāʾi* as you understand it.

You can see that this is how the *ḥadīth* comes down. This is a *sanad* the different chain. So, just continuing onwards… at the next generation there are fifteen people who have now heard this *ḥadīth.*

If we start again from the top, in this generation [at the generation of the Companion] there is only one [narrator]. In this generation [at the level of the *tābiʿī*] (when I say generation, I mean level of people), there is only one narrator. And then another at this level [at the level of *atbāʿ al-tābiʿī*] only one narrator. And then at this level, only one narrator [the level of Imām Zuhri]. But then at this level here [those who Imām al-Zuhri narrates to] you have 6 or whatever. Then at this level here, which is the one underneath, you have 15 or whatever.

Now we said that *ḥadīth* are of two categories, when it comes to looking at numbers of people. We said either you have *ḥadīth aḥād* or *ḥadīth* which are called *ḥadīth mutawātir*. The *ḥadīth aḥād* are those in which the numbers of narrators are very few. Very, very few. We later then divided *ḥadīth aḥād* into three categories. Who can remind me of the three categories that we divided the *ḥadīth* into? The *ḥadīth aḥād*, what were the names and how did we define them?

Student: *Mashkhūr*.

Ustādh: *Mashkhūr* is the second, let's start from the beginning.

The *ḥadīth* which are *gharīb*. What did we say *ḥadīth gharīb* means? It's a type of *ḥadīth aḥād*. But what does it mean?

Student: Strange.

Ustādh: It means strange in its linguistics meaning. And technically?

Student: In one of the levels there is only one narrator.

Ustādh: In any level you choose there is only a single narrator.

Like here, look at this *ḥadīth*, despite the fact that at the fourth level or fifth level you have 6 or 7 or you have 15 at the next level, because we only have one at the top and at

the second and at the third, because we only have one narrator, and remember what I said to you last week, a *ḥadīth* is always based upon its…?

When we define and determine the authenticity of a *ḥadīth* from a numbers point of view, we look at the…?

Student: Weakest link.

Ustādh: Weakest link. We look at the weakest link.

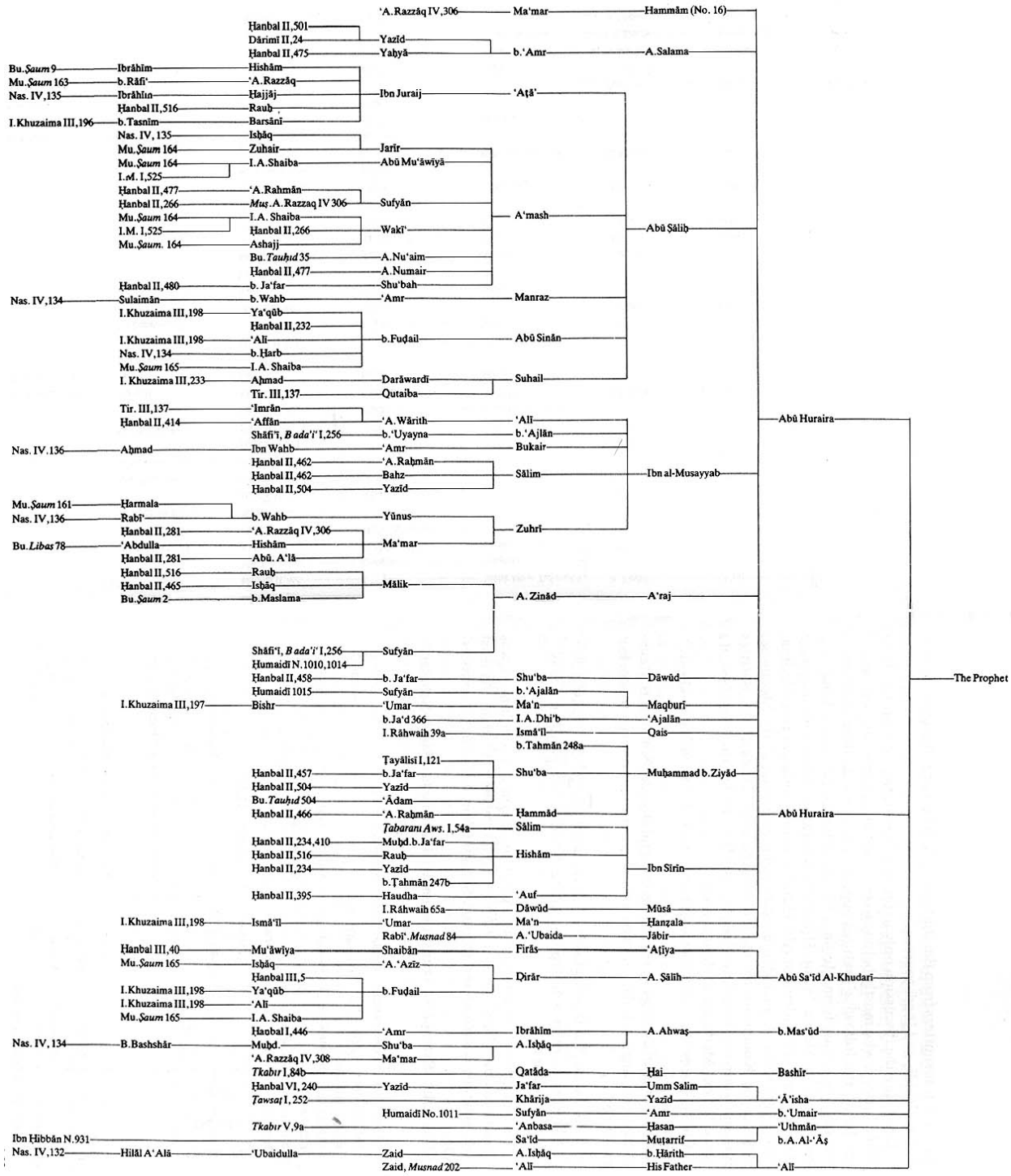
So, the weakest link meaning the smallest width. If you want to look at it from a geographical point of view, if we imagine that width here is determined by telling loads of people. Just like I have lots of people here and I tell all of you, then that's width. Whereas if I tell only one person, then that's restricted. Just one person. So, *gharīb ḥadīth* is only one narrator.

The next level is *ʿazīz*. the next level of *ḥadīth aḥād* is *ʿazīz*. What did we define *ḥadīth ʿazīz* as? Two to three people. This *ḥadīth* is not *ḥadīth ʿazīz* because there is no 2-3 width in terms of people at the any of the levels of this *ḥadīth*.

The third category: *mash-hūr*, well known, that's what it means linguistically. Technically though, it means four narrators. Some said 4-6 but keep to mind four. Again, this *ḥadīth* doesn't hit *mash-hūr* at any level.

This now completes the idea of *ḥadīth aḥād*. And then you have the other category, the second type *ḥadīth mutawātir*. *Ḥadīth mutawātir* basically means that at every stage of the *ḥadīth*, there are so many people narrating it (this is if we are talking about it technically) there are so many people narrating that *ḥadīth* at each level, that it gives you super certainty.

Now that doesn't mean that this *ḥadīth* is weak. It doesn't mean that all *aḥād ḥadīth* are weak because actually, (1) the mass majority of all *ḥadīth* are *ḥadīth aḥād*, and (2) the mass majority of authentic *ḥadīth* are also *ḥadīth aḥād*. You have to remember these two points. Don't think that just because a *ḥadīth* is not *ḥadīth mutawātir*, *ḥadīth*
(00:40:00) *mutawātir* are very few. I'll give an example of a chain to show you what a *ḥadīth mutawātir* looks like.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Hammām (No. 16)
Ḥanbal II,501
Dārimī II,24
Yazīd
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Yaḥyā
b.'Amr
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'A.Raḥmān
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'A.Razzāq IV,306
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'Abdulla
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Ḥanbal I,446
'Amr
Ibrāhīm
A.Ahwaṣ
b.Mas'ūd
Nas. IV, 134
B.Bashshār
Muḥd.
Shu'ba
A.Isḥāq
'A.Razzāq IV,308
Ma'mar
Tkabir I,84b
Qatāda
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Bashīr
Ḥanbal VI, 240
Yazīd
Ja'far
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Khārija
Yazīd
'Ā'isha
Ḥumaidī No.1011
Sufyān
'Amr
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Tkabir V,9a
'Anbasa
Ḥasan
'Uthmān
Ibn Ḥibbān N.931
Sa'īd
Muṭarrif
b.A.Al-'Āṣ
Nas. IV,132
Hilāl A'Alā
'Ubaidulla
Zaid
A.Isḥāq
b.Ḥārith
Zaid, Musnad 202
'Alī
His Father
'Alī

You see Bu., that means Bukhāri.

Mu. refers to Muslim in *Kitāb al-Sawm*, the *Book* of *Fasting*.

Nas. refers to Nisā'i.

I. Kuzaima is referring to Imām Ibn Khuzaymah.

Down at the bottom is Imām al-Nisā'i again.

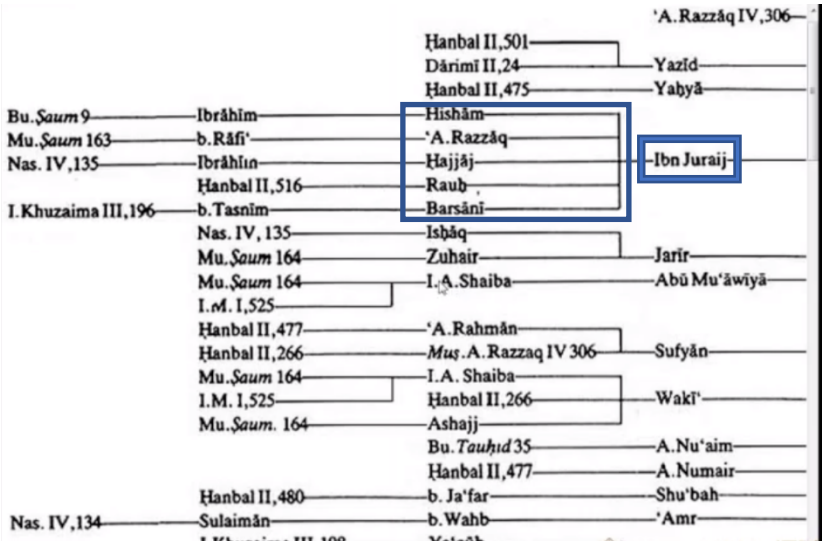
Ḥanbal refers to Imām Aḥmad ibn Ḥanbal.

If you look in the middle there you have Imām Muslim in the *Book* of *Ṣawm*, 164.

Above that you have I.M. Ibn Mājah and then so on.

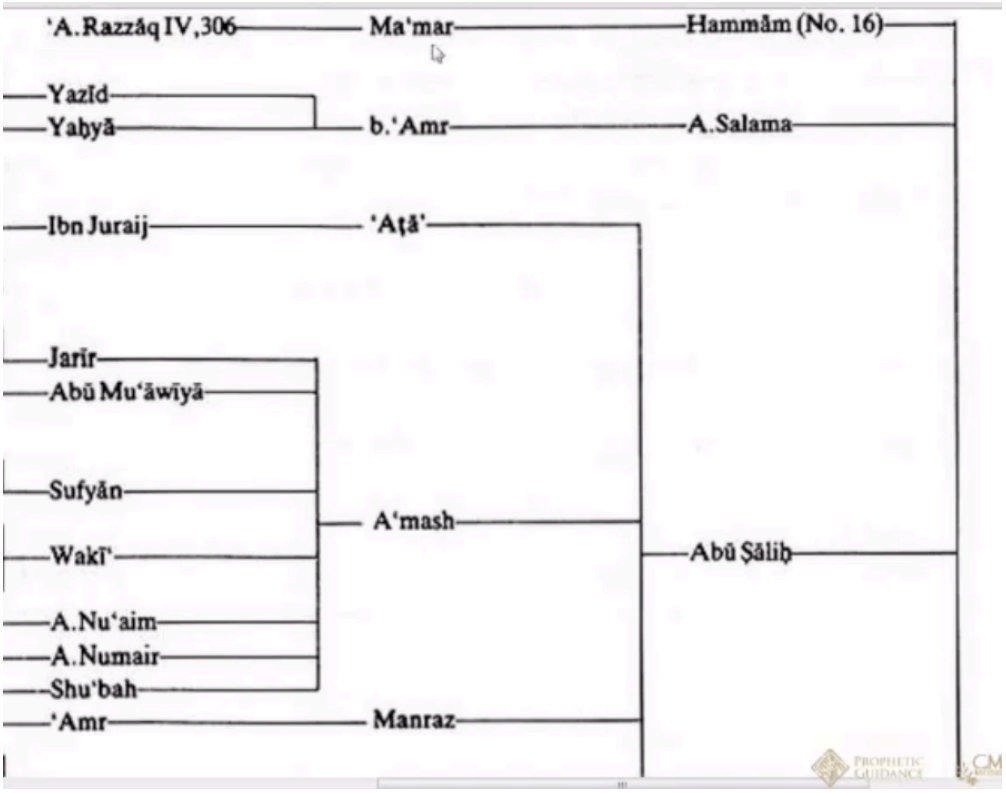
These are just academic references. If you look to the top Imām Aḥmad ibn Hanbali, then you got Imām al-Dārimi who has *Sunan al-Dārimi*. And if you come down, you have ʿAbd'l-Razzāq who himself has his own collection who has been collecting that. Then you have Ibn abi Shaybah who has his own *Muṣannaf*, his own collection. Some of these *ḥadīth* narrators actually collect the *ḥadīth* and they actually write it down in their own collection and that's the end of it. Others, all of them, will continue narrating onwards as well.

If you look at Ibn Jurayj:



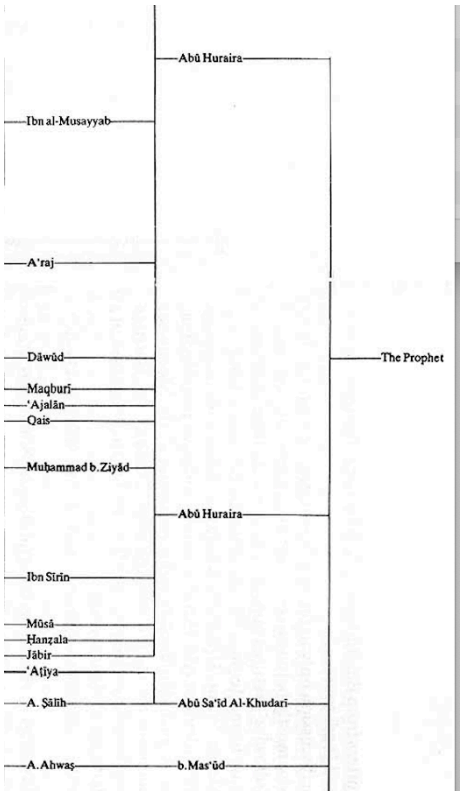
Look how he's narrated to five different people. He heard this statement and he narrated to five different people and likewise you've got so many people.

If you just look at that level, you have 20-30 people and you look at this level you've got 20-30 people and if you keep going to the right, you're seeing some of the major *tābiʿīn* like ʿAṭāʾ ibn abi Rabāḥ, Aʿmash, etc.

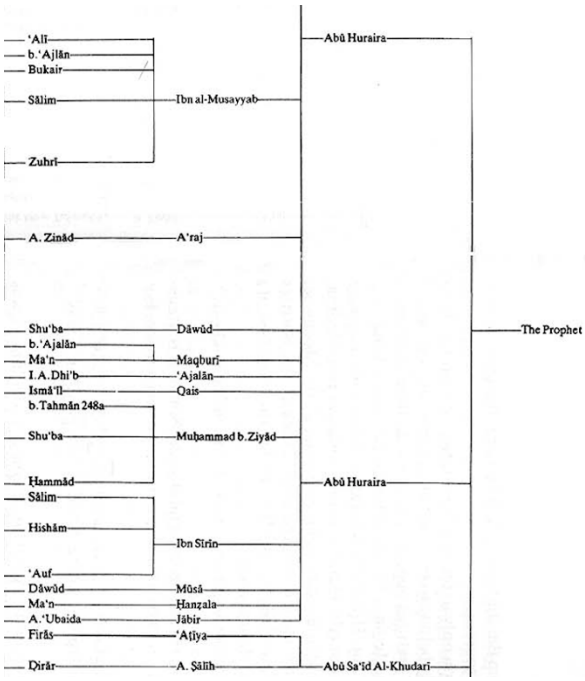


You're seeing there is a large number of people way above *ḥadīth aḥād* requirements, at that second generation and then even at the first generation meaning at the Companions, there are a number of Companions.

Abu Hurayrah, one of the main narrators from Abu Hurayrah is Saʿīd ibn al-Musayyab of course, one of the major imāms of *tābiʿīn*.



As you can see at the level of *tābiʿīn* and *atbāʿ al-tābiʿīn* you have plenty, 20-30 people. So, you have no problem here.



But if you look at the Companions, we also have loads. We have ʿĀʾishah, we have ibn ʿUmar, we have Abu Saʿīd al-Kudri, ʿAbdullāh ibn Masʿūd, Nuʿmān ibn Bashīr, ʿAbdullāh ibn ʿUmayr, ʿUthmān, ʿAli ibn abi Ṭālib, and so one so forth. So, you have so many Companions. Now, what's the difference between this narration and the previous one?

Well, here is key. If the chain of narrators is authentic and every part of the *ḥadīth* fulfills the conditions of authenticity, then there is no difference with respect to ruling according to majority of the scholars. There is no difference because as long as we are able to say that the *ḥadīth* is authentic because the *ḥadīth* fulfils the conditions for authenticity, then we do not mind if there is just one person narrating from one person all the way. But what we can definitely say is that we feel a lot more confident about *ḥadīth* like that.

Look at that *ḥadīth*. Look at that as a chain. If you just step back and you look at that, that is one single narration coming from so many sources. One *ḥadīth*. You see it collected by that many people in that many various geographical locations. Remember that I introduced that concept as well in London. I said that it is not just about numbers, it is about where these people are as well. If these people are all spread out all over the world, it wasn't a time when we had mobile phones you can quickly call the other guy and say, '*Write this down*.' You can't blag it.

In actual fact, if you look at the definition of *mutawātir* according to some scholars, they say the ḥadīth *tuwātur*, (they use numbers) some said they need seven. Imām al-Ghazāli said you need seven at each generation. Others said that it needs ten, others said it needs twenty, others say seventy. Actually, one of the best definitions for *mutawātir ḥadīth* is that there are enough people there in as many varied places that make it impossible to lie, that make it impossible to makeup. And that is the whole point of *tawātur*, that there is a lot of confidence coming through.

And basically, what are we saying? We are not saying that it is not possible not to have a *ḥadīth* which is not authentic if it is *aḥād*. No. The exact opposite. *Ḥadīth aḥād* can and will always be authentic as long as they fulfil the conditions of authenticity. What are these conditions?

1. The narrator must be trustworthy.
2. The narrator must have a solid memory.

There is a difference between having sound memory and being trustworthy. You can't be a liar basically. You can't be a blagger. You can't be someone who is someone that we doubt his *dīn* and so on and so forth.

He has to be someone who memorises because this is an issue of memorisation, so he has to have good memory. Also, it is important this second condition of memory because you might have someone who has a fabulous memory but then he starts narrating *ḥadīth* when he was eighty years old and he starts to forget things. So, then the scholars will look at that *ḥadīth* and look at the time that he narrated the *ḥadīth*. And if they see him narrate something early in his life, they will make it authentic. And if they see a person who is well known in the community that he became senile and started to forget things and they will say that you know what, this person is authentic, he is *thiqah*, he is narrated from, he is to be respected but only when he narrates *ḥadīth*

while he was young. When he narrates *ḥadīth* when he was old, I'm afraid we have to leave him, he has to be taken out of the equation.

The narration that is coming via this way:

1. It must have people who are trustworthy.
2. It must have people who have good memory.
3. The narration itself must not be *shādhdh*.

Condition number three: The narration itself must not be *shādhdh*, meaning it must not be odd, meaning it must not contradict something which is more authentic like the Qurʾān or a well-known *mutawātir ḥadīth* that is super authentic that is explaining something very well-known,

Fourth condition is that it must be *muṣalṣal,* meaning it must be continuous. There cannot be a break in the chain.

We cannot have for example, someone who is narrating 200 years after the Prophet ﷺ completely miss out the *tābiʿi* or *atbāʿ al-tābiʿi* and suddenly quote from the Companion Abu Hurayrah and miss out two generations. There are two breaks in that or one break in some circumstances. And that break gives us doubt. What happened? Where did he hear that from? How did he collect that? So, this is not continuous, a chain which is continuous means there are no breaks, you can track each person to the next. And that's a very detailed process. And that's the fourth condition so far.

And the fifth condition, the most difficult of all the conditions of all the conditions of an authentic *ḥadīth*. The fifth condition is that it can't have any *ʿilal,* or it cannot have any *ʿillah.*

The word *ʿillah* is singular and the plural is *ʿilal*. I think this is the third meaning of the word *ʿillah* that we are using in the class

Normally you know what the word *ʿillah* is used for, what's that? A *sharʿi* reason, Allāh's ﷻ intention almost behind an action.

I am sure we gave the second reason for it, and I explained it last time someone who is *ʿalīl* means it is diseased, it is sick. And also, the word *ʿillah* mean something which is a fault but it's not obvious. It's a hidden fault. The fifth condition is that it must not have hidden fault. What's a hidden fault?

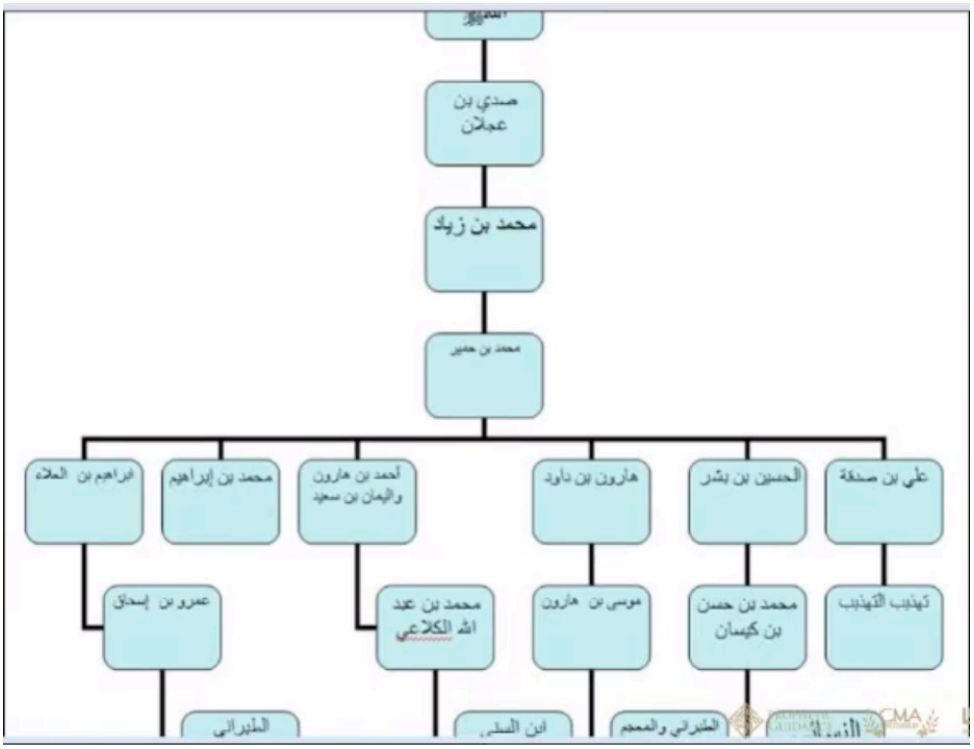
(00:50:00) It's a very difficult area. This is the area of the specialists of *ḥadīth,* not just a *muḥaddithīn*. It's an area of *naqd* this is the area where we have *ḥadīth* critics. These are the specialist like Imām Bukhāri, Imām al-Dāraquṭni, Imām Muslim. And that's about it. It's hard work to be of that level. You can say Imām Aḥmad for example.

Muḥaddith is actually such not a difficult thing in terms of level. Sure, he needs to know 200,000-300,000 *ḥadīth*, 500,000 or a million *ḥadīth*. But that's a side issue. You can get some Pak and he sits and like laa laa laa laaa and he can probably memorise everything. Memory is easy. *Naqd* is something completely different. It is that the ability to see through what is obvious and see the differences, see things that are hidden

I have given of that example of that. I'm sure I did, I gave the prescription example. We were talking just generally that the *'ulamā'* they have the special ability and vision to see things, that even if it looks right, they just don't feel that it's right. A doctor is a classic example, you come and you present and you're ill one guy will look at you a *miskīn* trainee, GP, he will say to you, '*You look wonderful. You look great and I can't find anything*.' And then you have this Gregory House guy who will probably give you a little slap on your head or something and your little toe will twitch or something, I don't know! And he'll say, '*Oh! You have Ben Wilkinson's xyz disease.*' He can see things. It's a whole other level. He looks for something crazy that no one else is thinking about. He sees something crazy that no one else is thinking about.

I gave the example of a pharmacist, straight forward that in a prescription all the things would be fulfilled legally—the name of the drug, the signature, and so on and so forth. But a person will look at that they will see that everything makes sense, but he will think, '*Why is that this has been written in that manner?*' He wouldn't write the brand name for example, or he might use three different pens. It's hidden stuff that only experts can see.

This is a really interesting example.



This is a classic chain. This *ḥadīth* has been collected by Imām al-Nisāʾi. In this *ḥadīth* the Prophet ﷺ said that the one who recites *Ayatʾl-Kursi* after every obligatory prayer, nothing will prevent him from getting to Paradise except death.

What this *ḥadīth* basically means is that as long as whilst you are alive, you keep reciting *Ayatʾl-Kursi* after the obligatory prayer then you will go to Paradise. It's a guaranteed Jannah. That's why it's very important as a reminder to me and you all. It is very important that you never ever forget that. Even if you don't make any other *dhikr*, *Ayatʾl-Kursi* has to be a bare minimum after every prayer. Once you finish the *assalāmu ʿalaykum wa raḥmat Allāh*, if you are busy or in a rush, don't forget *Ayatʾl-Kursi*. It's a guaranteed easy way to Paradise.

The interesting thing of course is that this *ḥadīth* is a very famous narration because a number of scholars (a minority I must say) consider this *ḥadīth* to be weak. The reason they consider this *ḥadīth* to be weak is considering the narrator here. His name is Muḥammad ibn Ḥimyar.

They consider this person to not be *thiqah*, trustworthy, which is the first condition. They did not consider him to have the ability to be trusted in narrations like other imāms were. The correct opinion is that he is trustworthy. Imām al-Bukhari narrates two of his *ḥadīth* in the *Ṣaḥīḥ*, in *Ṣaḥīḥ al-Bukhāri* itself. Hence, we know that this person is trusted. But I just want to show you that if you look at this *ḥadīth* from the Prophet ﷺ, you have one Companion and then a *tābiʿi*, then an *atbāʿ al-tābiʿīn*, Muḥammad ibn Ḥimyar, himself narrating. So, everything is authentic [throughout the chain from the Prophet ﷺ until we get to Muḥammad ibn Ḥimyar]. Then he narrates this *ḥadīth* to six of the *Salaf*, who then narrate it to five others. Then that eventually comes down to people like Imām al-Nisāʾi and Ibn al-Sunni who collects this *ḥadīth* in his book *Aʿmālʾl-l-Yawm waʾl-Laylah*, which is a nice book, a book which shows all the actions of the Prophet ﷺ in a day and a night.

Imām Tabarani also collected it. All these *aʾimmah* collected this *ḥadīth*. This *ḥadīth* is authentic. I want to now show you what the issues of a chain would be. If we look at the this, if we say we pick on Muḥammad ibn Ḥimyar, he is what we consider:

1. *Thiqah*, he is trustworthy.
2. He has a good memory.
3. Our condition for this *ḥadīth* to be authentic was that the *ḥadīth* cannot be contradictory to something which is known by necessity or authentic evidence.

Does it contradict anything?

No. This *ḥadīth* is not *shādhdh*. It doesn't contradict any other a*ḥadīth* or *ayah*. That's very good.

4. The *ḥadīth* is continuous.

The fourth condition is that the *ḥadīth* is continuous. Let's look at the version collected by Imām al-Nisāʾi. He collects it from Muḥammad ibn Ḥasan who collects it from Ḥusayn who collects it from Muḥammad ibn Ḥimyar who collected it from Muḥammad ibn Ziyād all the way to the Messenger of Allāh ﷺ, a continuous chain. Continuity has been established. There's no *inqiṭāʿ*, there is no break.

If there's a break in the *ḥadīth*, then we have a problem. Let's say for example, the *ḥadīth* stops at a Companion and the Prophet ﷺ is not mentioned or it's not been narrated from the Prophet ﷺ, what would it be called?

It's called a *ḥadīth mawqūf* because *waqafa*, it stopped early basically. So, it's called ḥadīth *mawqūf*, meaning it stopped at the level of the Companion.

What happens if Muḥammad ibn Ziyād [who is a *tābiʿi*] narrates directly, saying that "The Prophet ﷺ said…"?

There is a break in the chain. The Companion has been taken out of the chain. What did we say is a condition for an authentic *ḥadīth*?

(01:00:00) Continuity. Any break in the chain makes the *ḥadīth* weak automatically. So, this automatically becomes weak.

Here's the interesting part. Muḥammad ibn Ziyād, he is really confident about this narration, but he just quotes the Prophet ﷺ. He has missed out a Companion. What is this type of *ḥadīth* called?

This is called a *ḥadīth mursal*. Whenever the Companion is taken out of the equation when narrating a *ḥadīth*, it's called a *ḥadīth mursal*.

Ḥadīth mursal are very famous because some of the Imāms used to consider and use *ḥadīth mursal* in their *fiqh* rulings. In principle, all *ḥadīth mursal* are they authentic or weak?

Student: Weak.

Ustādh: Why are they weak?

Student: There is a break in the chain.

Ustādh: There is a break in the chain. Good.

There is only one famous person, that his break in the chain, when he would cause the break in the chain, a few scholars, Imām al-Shāfiʿi was one of them, he would overlook

it. He would say, '*You know what? He's not like the rest of the people.*' Anyone know who that is?

I am talking about a *tābiʿi*. We've seen his name already by the way in this lesson, a *tābiʿi* when he would quote the Prophet ﷺ, directly and he would leave out the Companion, people like Imām al-Shāfiʿi would say, '*You know what? It's him, so it's okay*.' Exception to the rule.

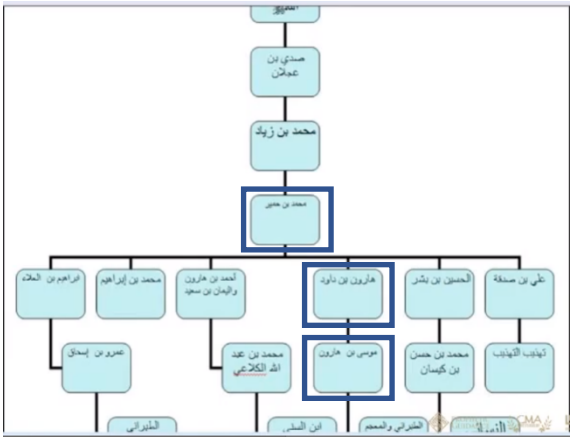
Saʿīd ibn Musayyib. He was an imām of the *tābiʿīn*. When he would narrate *ḥadīth mursal*, he would miss out [the Companion], a number of scholars would make excuses for him. Imām al-Shāfiʿi would say, '*You know what it is? If he misses out Abu Hurayrah ﷺ, he misses out a Companion, I can guarantee that he heard it from him, but he just didn't mention him*,' just being quick. You know, like when I say, '*You know, the Prophet ﷺ said this*,' because I don't want to say to you that so and so told me, that Abu Hurayrah ﷺ said to him, that the Prophet ﷺ saw him and said to him… So, Imām al-Shāfiʿi made that excuse that if Ḥasan al-Basri jumps in with a statement like that, then you know that he heard it. Don't worry.

But this is controversial and the *muḥaddithīn* are not happy with this kind of statement. Because they know that people of *ḥadīth* are very, very careful when they narrate statements. They are very, very careful because they know that afterwards there is going to be a problem. People are going to say: Where's the other narrator? Where's this? Where's that? So, in principle, the rule still exists. When you have a *ḥadīth* it must have continuity and it must have continuity all the way.

A break in the chain can happen anywhere and not just at the top of the chain. For example, Muḥammad ibn Ibrāhīm could be missing or Ibrāhīm ibn al-ʿAlāʾ could be missing. If he was missing and ʿAmr ibn Isḥāq, he narrates this *ḥadīth*, ʿAmr ibn Isḥāq says: I heard that Muḥammad ibn Himyar told me… What did he do? He just cut out a man in the chain. This is called *intiqaʿ*. This is a break in the chain. That, there is going to be no excuse. No one is going to accept that. They are going to say, '*Hold on! Why did you go and do that?*' Then when this happens, we enter into a whole different category This leads to the fifth category. You see, because maybe what will happen is there might be a secret reason. And we covered that in the concept of *tadlīs*. (That's what we were doing. We were talking about *tadlīs* when I talked about that example.)

Let's choose Mūsa ibn Hārūn.

Mūsā ibn Hārūn heard this *ḥadīth* from his father, Hārūn ibn Dāwūd, who then heard it from Muḥammad ibn Ḥimyar.



Now it has happened, and it does happen that some of the narrators of *ḥadīth* like Mūsa know that their father becomes weak in *ḥadīth*. because either he always was weak, meaning that he wasn't of the required quality or maybe he hears this *ḥadīth* when his dad is 80 or 90 years old. He's really old and senile and so starts to make mistakes. So what he does is that he—and I'm not saying that this is an example, I'm just thinking off the top of my head—he says his father's name knowing that he heard the *ḥadīth* when his father would not be normally trusted, makes it out that he heard the *ḥadīth* from his father when he was younger so that people wouldn't doubt his father. So, he would say, *'I heard this when I was young*,' when actually he only heard it yesterday, when his father is 85 years old and making mistakes. But he decides to, when he's telling his students to write this *ḥadīth* down, he decides to say, *'I heard from my father and I heard that about thirty years ago*,' for example, *'that he heard from Muḥammad ibn Ḥimyar who heard from Muḥammad ibn Ziyād...'* and it goes on like that.

He does that for one reason and one reason alone. He knows that the *ḥadīth* is authentic, because these are good people, they're not criminals. If he's doing it, he's doing it for a reason. He's doing it because he knows that the *ḥadīth* is authentic, he knows that he doesn't need to create unnecessary drama about this *ḥadīth* and he knows that if he tells the people that my dad was 85 years old then they are going to ignore the fact that the *ḥadīth* is authentic and start talking about his dad. The whole discussion will be about his dad and the *ḥadīth* has to be rejected and so a perfectly good *ḥadīth* has now gone and been wasted. This is called *tadlīs*. He's hiding a fact for a reason. There are different types of *tadlīs* and I'm not saying that's an authentic version of *tadlīs*, I'm just giving an example.

Now this is what you would call a hidden fault.

Look at the five conditions. It doesn't fit into category one, or two, or three, or four, but number five [it does]. From the outside, if you look at this *ḥadīth* you say it's connected, all the people are in the books of men (*kutub'l-rijāl*), I can go back and see them. They are all authentic, they all have good memory, the *ḥadīth* is connected, the *ḥadīth* is not *shādhdh*, and I can't see any obvious faults. But when someone comes along who is a *ḥadīth* scholar (*nāqiḍ*), he will look at that and he will be really suspicious. He'll say you know what it is, a number of people used to narrate from Hārūn ibn Dāwūd, and a number of them made mistakes and we caught that and so they will make a note of that (a mental note) and when another narration comes with Hārūn involved, it's like a flag, you know like when you are in a computer system and you type a name and a flag comes up. So, when they hear him in his narration, they will want to ask the next question: You heard that. I get it. But did you hear it when he was at this age or that age? Then depending on the answer, they want to make a decision.

Now, everyone is not going to be able to do that. You are only going to be able to make that judgment if you have that flagging system and that is the person who understands the *ʿillal*. And this is the most difficult of skills in *ḥadīth*. The most difficult. Imām al-Dāraquṭni has a book called *Kitāb al-ʿIlal*. He has just a book dedicated to all the hidden

faults that he could collect. And Shaykh Abdullah al-Judai started a project (which I still don't think is finished) where he was doing the *taḥqīq* (his own commentary and authentication), and *takhrīj* of all the narrations and all of the *ʿilal* of *Kitāb al-ʿIlal* of Imām al-Dāraquṭni.

The whole point of this dars was that if we can ascertain the five conditions of authenticity in a *ḥadīth*, then that *ḥadīth* is authentic. It doesn't matter that there is only one person there [at the level of the Companion], one person there [at the level of the tābiʿi], one person there [at the level of *atbāʿ al-tābiʿī*], six people there, five people there. It doesn't matter that Abu Ḥanīfah ﷺ will say that this *ḥadīth* is a *ḥadīth aḥād*, because there are weak points. No. The three Imāms and in fact all of the *muḥaddithīn* and the majority of the scholars of *Sunnah* will say that as long as this *ḥadīth* is authentic, then we will act upon it in every aspect of our *dīn*—in *akhlāq*, in *fiqh*, in *ʿaqīdah*. Everything. And anyone who denies an authentic *ḥadīth*, even if it comes via this way of an *aḥād* manner, it will be a serious matter. If one denies an authentic *ḥadīth*, even if it comes by *aḥād*, and then we will be very harsh upon that person.

Abu Ḥanīfah will say no. If the *ḥadīth* is *aḥād*, then the consequence of that means that whatever ruling we give based upon that *ḥadīth*, I am going to call it *wājib* to bring it down from *farḍ*, because I am saving the word *farḍ* for the *mutawātir* and I'm going to use *wājib* for the *aḥād*. And if you deny a *wājib*, then I am not going to come down upon
(01:10:00) you like a ton of bricks. There is going to be a bit more ease, we'll choose another option about what we are going to decide to do with you, etc. That's why today we have the difference in these two definitions.

And for this class, whenever we use the word *wājib* from now, you think of nothing other than obligatory. That's the definition of the majority, that's linguistically, technically, and majority of the scholars of *fiqh*, *ḥadīth*, of *ʿaqīdah*. But you need to know that there is a difference out there.

Q & A

Q: About the chain issue, when the missing link is in the top four, say [inaudible] only one. And then if it is further down say, and there are other chains. What weight is given? Is there any weighting taken into account that there are all these other narrations that go all the way…

Ustādh: Absolutely. First of all, let's make it very, very clear that just maybe if there is a break in this *ḥadīth*, doesn't necessarily mean that there isn't another way that this *ḥadīth* has been narrated with another whole set of chains that would then strengthen this one. For example, if we were to say that for the sake of argument that this is a Bukhāri narration, what he does in *Ṣaḥīḥ al Bukhāri* is that he deletes the whole chain

[between himself and the Prophet ﷺ] and quotes straight from the Prophet ﷺ. In *Ṣaḥīḥ al-Bukhāri*. He will just quote the Prophet ﷺ direct. What type of *ḥadīth* is this called?

Ḥadīth Muʿallaq. This is *taʿlīq*. This is when Imām Bukhāri narrates *taʿlīqan*. He just skanks the entire chain out and quotes the Prophet ﷺ and he often has a reason for that. The reason differs and the experts of Bukhāri have given a number of reasons:

(1) He knows that the *ḥadīth* is authentic and he has given the chain to that *ḥadīth* elsewhere, in another book. He doesn't really want to use it in another primary fashion. He just wants to use it as a secondary evidence. So, he just wants to quote it. But he knows the chain. He doesn't want to make it a part of study.

(2) He doesn't know the chain. He is not confident about it. He doesn't think it deserves to be one of the actual *ḥadīth* in my *Ṣaḥīḥ al-Bukhāri*. But you know what? There is a good value in the text to support the meaning of his point. Maybe he is making an argument. Maybe he is trying to persuade the reader in one of his chapter titles, that, my position is that you must raise your hands when you say *Allāhu akbar*. And you know what it is? I am going to quote a few *ḥadīth* that are not actual full chained, but they are going to support my argument. I'm not going to use it as primary evidence either.

You can go and research *muʿallaq* itself.

I'm saying that that is a massive *qaṭiʿ* [if Bukhari quotes directly from the Prophet ﷺ]. Look how huge that is. That's taken it all out. However, what I'm saying is that every *ḥadīth* needs to be taken upon its merits. Every break is different. If it misses out the entire chain, then that is virtually fatal. It cannot be recovered unless he is going to bring another chain altogether, completely on the side. If you miss out a Companion most of the time it is not as fatal as having it missing out people at the bottom, because the level of trustworthiness at these level people, is not like the trustworthiness at that level. The ones who are closer to the Prophet ﷺ are also closer to the knowledge. They also have heard narrations from other Companions. Sometimes if I do not mention a Companion it is because I heard it from another six Companions. So, there is a little bit more leeway given in the books of *fiqh*.

It is a huge science. *Muṣṭalaḥʾl-ḥadīth*? You could study it for ten years and you would just have a degree in *mustalaḥ*. That's it. You wouldn't be a *muḥaddith* after ten years. You would have to work with the books of *ḥadīth* every day. I tell you, when we talk about *muḥaddith*, we know Shaykh Abdullah al-Judai, in this country, is a *muḥaddith*. And he is in Leeds. I can tell you, and I've known him for about 15-20 years and I can tell you that, that guy does nothing all day except read *ḥadīth*. I mean I can tell you that for certain. He is absolutely doing nothing but reading *ḥadīth* all day. This guy, you ask him about any one of these narrators, if I was to go to him and ask him who Ibrāhīm ibn al-ʿAlāʾ is… I don't have any idea who Ibrāhīm ibn al-ʿAlāʾ is by the way. I've got no idea. He will say, he is this person, the son of so and so, and is considered to be authentic by x, weak by y, etc. He will give you 15-20 different references to that person and the

books etc., memorised everything. He will know exactly everything that there is to know about that person. He will tell you that if so and so narrates from him, that is a good sign, if so and so narrates from him, that is a sign that it is weak. He will give you a hundred of those people. That requires such a deep knowledge it is insane.

This science is massive. To answer your question, definitely, it matters where the break is and the level of the break. How many. For example, the breaks are of different types, if one person is missing *munqaṭiʿ*. *Ḥadīth muʿḍal* if there is more than one person missing. *Ḥadīth muʿallaq* when the entire chain is gone. So, all different types.

Q: You know this concept of *aḥād ḥadīth* and we see that normally when it gets higher up in the chain. Isn't it the case that we see that *aḥād* because that chain has basically remained and it's possible at that point the Companion or *tābiʿi*, other people were narrating him but then it stopped and it they didn't narrate further? Like for example the *ḥadīth* of Jibrīl ﷺ or as we are sitting it here you say something we all hear it and I narrate it to my son who narrates it to his son but x, y, and z don't narrate it to their family …

Ustādh: Because they consider it to be so well known…

Student: Exactly, so at that point in time it's well known, but then 100 years later somebody says, '*Oh that ḥadīth is only aḥād*.'

Ustādh: *Wallāhi* it's an excellent point. *Subḥān Allāh* it's a very good point. What he's saying is that even having a single narrator at certain generations, especially higher up, is not an indication of the weakness of the *ḥadīth*. It's quite clear if everyone sees everyone know it, just from a commonsense point of view, everyone doesn't feel the need to tell someone else. But someone is going to make that effort. Sometimes a *ḥadīth* becomes so well known. The *ḥadīth* of:

إِنَّمَا الأَعْمَالُ بِالنِّيَّاتِ

"Actions are judged only by intention."

This is the most famous one of this example. This is a classic *gharīb ḥadīth* where if you look at the chain, it's all singular people yet this is a *ḥadīth* which can arguably be called *ḥadīth mutawātir biʾl-maʿna* or *ḥadīth mutawātir* in terms of its meaning and understood by how many other people and Companions who understood it and knew it and referred to it in one way or another in their teachings. But actually, narrated from the Prophet ﷺ word for word exactly, it's actually just a singular *ḥadīth*. Yet, is there a *ḥadīth* more famous? Is there a *ḥadīth* more authentic? Is there a *ḥadīth* more well accepted by the people of the nation? No. So not always is just the fact that there is a

few number of people at a certain generation in a chain an indication of weakness or problem. That of course is the position of the mass majority of scholars.

Q: As you rightly mentioned that the *muṣṭalaḥāt* and the science of verification of *ḥadīth* developed over a number of years and hundreds of years. My own observation is that as you rightly mentioned these categories of *mursal*, *mawqūf*, *munqaṭiʿ*, and these things that were developed in the course of history. Now, when we say something is weak after fourteen generations or fifteen generations and somebody who is in the third generation or fourth generation says something is weak, sometimes I get the impression that we are not fair and it's not the same. Because their concept of weak and our concept of weak or their concept of *ḥasan* and our concept of *ḥasan* are completely different, mainly because these categories didn't even exist at that time, and therefore sometimes when we write something off as weak, other people like Imām Abu Ḥanīfah or [inaudible] accept *ḥasan* only.

A: Yeah so this is also a very good. Basically, I would summarise my response to that as it is essential that people understand that the authentication of *ḥadīth* and grading of *ḥadīth*, remember actually today we weren't really talking about the authentication of *ḥadīth*, we were talking about the classification of *ḥadīth*. We brought the authenticity part into it afterwards.

(01:20:00) Authentication of *ḥadīth* is only one aspect of the sciences of *ḥadīth*. But this science in itself is a mighty science and there are a number of parameters. Like he mentions that at the time that we might today now for example say that *ḥadīth* is *ṣaḥīḥ*, meaning authentic, and then the *ḥadīth* is *ḥasan*, which is a level down which is acceptable, and a *ḥadīth* is *ḍaʿīf* for example, which is weak, if you remember last week, we talked about terminologies and numbers. Remember what we said? That these phrases that when a person says that there are four types of *tawḥīd* and three types of hearts and this is the terminology that I give, etc., the Prophet ﷺ never ever created these 'three types of hearts' or 'four types of *tawḥīd'* or *ḥadīth ṣaḥīḥ*, *ḥasan*, *ḍaʿīf*, *mawḍūʿ*, *ḍaʿīf jiddan*, *ḥasan li-ghayrihi*, *ṣaḥīḥ li-ghayrihi*—all these various categories. But these are the statements of men who are trying to make things easier for other men who are less endowed with knowledge, trying to make situation easier for students and for future generations.

Once man introduces his own opinion into a science then it can be correct, and it can be incorrect. That is very important. And some scholars they agree on terminologies and others do not. When we for example see (and this is a controversial point) that Imām Aḥmad for example says this *ḥadīth* is *ḥasan* or this *ḥadīth* is *ḍaʿīf*, we need to ask ourselves: Is his *ḥasan* and his *ḍaʿīf*, the same as when we consider a *ḥadīth* to be *ḥasan* and *ḍaʿīf*? Is there a possibility that when Imām Aḥmad said that this is *ḥadīth ḍaʿīf*, actually in our time it would be equivalent to (because of current terminology in our culture) that this *ḥadīth* is actually *ḥasan* and acceptable and that the word *ḍaʿīf* was a way to trying to bring it down from super authentic.

Another scholar might say, '*You know what? I don't even know if there is a second category. Ḥadīth is either authentic, ṣaḥīḥ or it is ḍaʿīf*.'

Whereas another scholar will come and say, '*Hold on! There are about four or five categories in between authentic and weak. If you are not going to make it super authentic, well at least put it into a level three or level three point five or something*.' Give it some kind of respect because it doesn't have a liar in the chain. So, the guy started to forget things here and there. But he never was a liar. He was never someone who used to fabricate, etc., which is one of the signs of a fabricated *ḥadīth*. A fabricated *ḥadīth* is when you have a liar in a chain that intentionally lies. But if someone for example makes a mistake because of memory issues, then we don't go around and say the *ḥadīth* is fabricated. We will say that the *ḥadīth* is very weak.

These are terminologies of men and that is why it is important that we always keep in mind when we are studying *ḥadīth*, and we hear scholars, especially modern-day scholars who go around stamping *ḥadīth* weak, *ṣaḥīḥ* day and night, you need to understand that there are other scholars, scholars do differ in their interpretations of whether *ḥadīth* is weak or not. It is a human call. If I look at this Mūsa ibn Harūn and I say, '*I don't think he is good*,' another guy comes and says, '*I spent time with him. I have checked all his narrations out, I think he is good*,' we already have two differing opinions. I write in my book of *rijāl*: Mūsa ibn Harūn, weak, do not use him, he is not considered anything when he narrates *ḥadīth*. And I come across this and I say, '*You have got to be kidding me. Mūsa ibn Harūn, imām*, *thiqah*, *ṣudūq*, *everything, he is trustworthy, take his ḥadīth*.' Now the students are coming along and seeing these two reference points. Those are the two reference points they are going to use because they were not alive at that time. The shaykh comes today; he is developing his own opinions we need to make sure that people do that by the way. I am a big supporter of *ḥadīth* revival that people should come and be confident enough to say in my opinion the *ḥadīth* is weak. But be confident by going back and studying the reasons why x person, y person, z person, made this statement on that narrator. Look at the reasons given and then come up with your own decision. Then always when you give your opinion say that, '*I think it is weak, but so and so used to think it's authentic because of this reason and that reason*.'

Meaning, all most of these sciences like *fiqh,* there is a lot of human opinion in them and human opinion always has the possibility of being incorrect. It is very important that we have that humility in the science.

Q: Which *ḥadīth* are narrated by Imām Bukhāri in the books like *al-Adab al-Mufrad* and why is a *ḥādīth* termed weak by majority of scholars and how is the correct opinion established when there is such a contradiction?

A: I'm not sure what the question means but I am going to guess that question is referring to *al-Adab al-Mufrad* exclusively. What this person is getting confused with, is thinking that Imām al-Bukhāri only collected authentic *ḥadīth* in *al-Adab al-Mufrad*. He didn't. He never guaranteed *al-Adab al-Mufrad.* In actual fact he expresses his own

personal opinion that in the books of *adab* (this is my opinion) that Imām al-Bukhāri in the issue of *adab* believes that weak *ḥadīth* are acceptable to consider as a source of information and useful evidence. It is not a book of authentic *ḥadīth.* So yes, there are weak *ḥadīth* in *al-Adab al-Mufrad*. That is not a problem.

Q: How would the expert in *ḥadīth* know that the narrator actually did *tadlīs*. Like when the narrator didn't mention that he heard his father narrated the *ḥadīth* when he was 85 years old?

A: The question is: How will the *nāqiḍ*, the specialist, how will he actually know?

He will know by comparing biographical reports from other narrators collecting *ḥadīth* from the same narrator. They will see, when a person travels for example. If he travels to another country, starts narrating *ḥadīth* they will say he must have heard that *ḥadīth* from someone… For example, if he goes to Damascus and this Hārūn ibn Dāwūd for example, is in Ḥijāz in Madīnah for example, he knows it is only possible that this *ḥadīth* could be collected when he was in Ḥijāz. If he knew that he is only collecting *ḥadīth* 20-30 years ago when he was in Ḥijāz because he has not travelled anywhere for the last 30 years, then he will know that this *ḥadīth* was collected at a certain time in his [lifetime].

Short answer, they will compute every possible outcome and let it all go around like a computer and work out all of the possible solutions. In a computer today, you would do it very easily. All the possible computations, you press a button and work it out. Back then the human mind would work out all the permutations, every permutation possible, then they would work out whether there is some kind of error.

Student: [inaudible]

Ustādh: *Jazāk Allāhu Khayr*. Also, a good point. Some of the narrators themselves would say, '*Now don't ask me for ḥadīth, my memory is not what it used to be*.' It is not something shameful.

Q: The student is asking whether you mixed up Saʿīd ibn al-Musayyib and Ḥasan al-Baṣri. Just to confirm do the Imāms also accept *mursal ḥadīth* from Ḥasan al-Basri?

A: Ḥasan al-Basri is also another *tābiʿī*' whose *mursalāt* were considered to be authentic, well I would not say authentic, Shāfiʿi used to respect and other scholars. What I mean is that in general, all *mursal ḥadīth* are to be rejected but Ḥasan al-Basri, Saʿīd ibn al-Musayyib, Imām al-Zuhri (also some people used to say), these are the people that have some kind of leeway. But very, very few. And even like I said, the majority of the scholars refused to even take it from Ḥasan and from Saʿīd, and from all of them. But we can say that their closeness to *ḥadīth* and *Sunnah* means we won't

throw it immediately out. We will go back and look at what they are saying and give it some kind of weight.

Most of the time when you look at one of the *mursalāt* of al-Ḥasan, and this is what someone did a study on, if you look at all of the *marāsīl* of Ḥasan al-Basri and Saʿīd ibn al-Musayyib, often there is a *mutaṣil* chain, meaning a continuous chain, which is *marfūʿ*. When we say *ḥadīth marfūʿ*, it means that it is raised to the Prophet ﷺ meaning that the chain is there.

Q. As a general statement, regarding Imām Abu Ḥanīfah's *wājib* vs. *farḍ* ruling is it correct to say that when he used authentic *aḥād ḥadīth,* he said *wājib*, a step down from *farḍ* rulings?

A. When he used authentic *aḥād ḥadīth* to establish a ruling, he would consider that to be *wājib.* It can be one way of putting it, yes. That is one way of putting it.

Q. What was the *mutawātir ḥadīth* that we used?

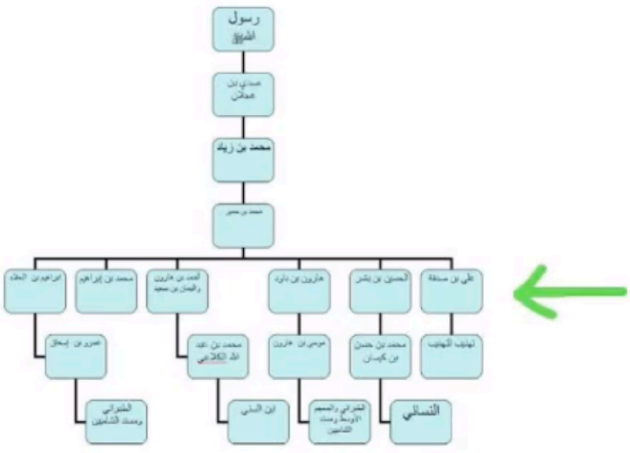
A. I don't know. Actually, it doesn't show the *ḥadīth*. I just saw the chain.

Q. Just a quick point, the categorisation of the *ḥadīth aḥād* and *ḥadīth mutawātir,* are they just limited to the three generations and that's it?

A. No, all generations. Any generation up to wherever it is collected.

Student: For example, we see here now after the three, four generations, you've got more people. So, is it still considered *ḥadīth aḥād*?

Ustādh: So, this is the point. If you look at this *ḥadīth*. Now we could say the *ḥadīth* is *mutawātir* at this level. Would that be correct? At that level there are plenty of people who narrated it. This whole *ḥadīth* though, is it *mutawātir*?



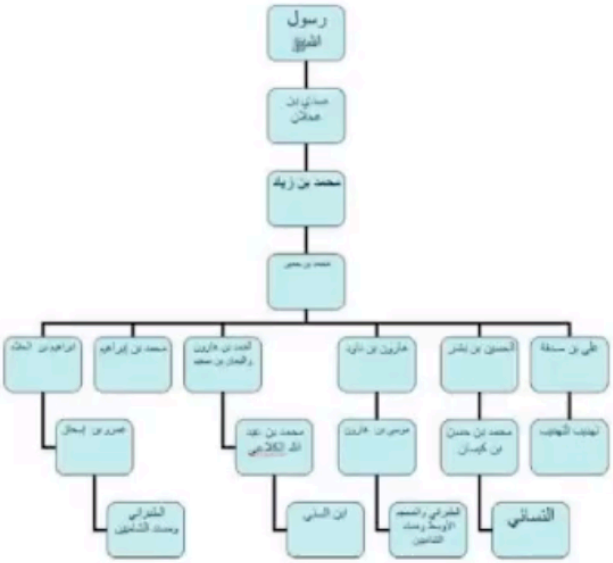
Student: No.

Ustādh: Why?

Student: It's only *mutawātir* at them levels

Ustādh: Correct. And what do we do when we look at a *ḥadīth*? We look at the weakest link, at the thinnest part, the one with the minimum width.

So, we look at for example here. Well, straight away that is a *ḥadīth mash-hūr*, four narrators/collectors. If we look at this level here you can see individuals, so it is *gharīb* at that level. It is *ḥadīth aḥād*.



So, a *ḥadīth* is always looked at, at its thinnest part, to give the final ruling, even if there is a thousand people at this level [in the later generations]. A thousand. We would have to look at this level [the early generations]. We have to look at that level, to make the decision on what it is.

12. Obligations of *Wuḍū'* IV

Let's jump into the text. We are on page 184 of *al-Sharḥ al-Mumtiʿ* of Shaykh al-ʿUthaymīn's ﷺ text which explains page 1 of the class text.

The obligations (of *wuḍū'*) are six:
- washing the face, with the mouth and nose included;
- washing the hands up to and including the elbows;
- wiping the head, with the ears included;

That's sufficient for us today *inshā'Allāh*. We have already covered the washing of the face in detail. I want to go through the technical details first, then once we have completed this section about the obligations, we'll do a practical demonstration with water.

Washing the Hands

What I wanted to do in detail today is the washing of the hands. The word '*yadd'* means 'hands' and the author uses the word '*yadd'* because in its absolute sense, the hand represents basically the entire limb. A well-known principle in *sharīʿah* is that when we want to represent something big, we might focus on a portion of it. That portion basically represents the whole. That's fine in language, but in legalities that's not good enough. Legally speaking, we have to be much more exact. If we just said 'hands are hands', then you would just wash the hand and that would be the end of it. When you say the word hand, we know that legally speaking all we are talking about is the palm and the back of the palm, and so on. The Qur'ān indicates that as well.

Allāh ﷻ says in *Sūrat'l-Mā'idah*, verse 38:

﴿وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا﴾

"Cut off the hands of thieves, whether they are man or woman,"

We know that by the consensus of the scholars of *fiqh,* this is just referring to the hand right at the wrist joint. The wrist becomes the end. That's something known.

Also, likewise Allāh ﷻ says in *Sūrat'l-Mā'idah*, verse 6:

﴿فَامْسَحُوا بِوُجُوهِكُمْ وَأَيْدِيكُمْ مِنْهُ﴾

"Wipe your faces and your hands from it."

What is that referring to? It is referring to *tayammum*.

When you strike the dirt or dust, once you have that dust on your hands, you now wipe your faces and your hands. We know that the correct position on wiping your hands is just wiping your hands and not wiping up to the elbows, even though you have seen some Paks do that. I am sure you have. You know, in the *tayammum* they do the entire wiping over their forearms as well.

Anyway, the important thing is that the Prophet ﷺ never ever wiped anything other than his hands in *tayammum,* as narrated by Imām al-Bukhāri رحمه الله and Imām Muslim رحمه الله. There is no evidence that he did anything other than that. So the real issue is: why are we saying that it is up to the elbows? We are saying that because Allāh ﷻ says in *Sūrat'l-Mā'idah*, verse 6:

﴿فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ﴾

"Wash your faces and hands up to the elbows (al-marāfiq)"

The word *marāfiq* is the plural of the word *mirfaq*, and the word *mirfaq* means 'elbow'. The reason why it is called *mirfaq* is because when someone *yartafiq*, or is *murtafiqan*, it means that he is lying down or leaning. When you lie down or lean, you tend to lean on your elbow - you know that kind of position? That is the normal position. As it is what you lean on, that is where the linguistic idea of the word comes from. It is called the *mirfaq* because it is what is leaned on in the *irtifāq* position, which is the leaning position. This was the favourite position of not just the Arabs generally, but of the Prophet ﷺ as well. Often you would see that he has been in this kind of position.

What I wanted to discuss (and Shaykh al-'Uthaymīn رحمه الله actually doesn't discuss this at all, which is why I want to go into a lot of detail here) is the actual discussions concerning how we came to the conclusion that the elbow itself is part of the washing or not.

Let's ask the question - when you hear *ila'l-marāfiq* (wash your hands until the elbows) what does that say to you, straight away? I just want to gauge how you respond. If I say wash your hands until the elbows, what does that mean to you?

I just want to know what do you think. What do you understand when you hear 'wash your hands until the elbows'?

Student: Just behind it.

Ustādh: Why?

Student: Because the whole elbow joint includes the word ‘elbow’ to mean the whole elbow joint.

Ustādh: Right, so when you hear ‘to the elbow’, you say it needs to include it. Are there any other responses? Does anyone think 'to' just means to get ‘to’ the line?

Student: That’s what it sounds like.

Ustādh: That is what it sounds like, right? Meaning that it does not necessitate the inclusion of the elbow.

Positions About Inclusion of the Elbow

There were actually two opinions that established themselves. When I say two opinions, I am doing more than justice to the first opinion. This is because it was only ever held as a *fiqhi* opinion by Dāwūd al-Ẓāhiri رحمه الله.

We have talked about Dāwūd al-Ẓāhiri رحمه الله before. We have the four main *madhāhib* of *fiqh* – Imām Abu Ḥanīfah’s رحمه الله, Imām Mālik’s رحمه الله, al-Shāfiʿi’s رحمه الله, and Imām Aḥmad’s رحمه الله, and these are the well-established schools of *fiqh*. Then you have this imām, *faqīh…* people will get very insulted if I call him a *faqīh,* but let’s just be generous. He is Dāwūd al-Ẓāhiri رحمه الله. He is called al-Ẓāhiri because he is the founder of the literalist school of thought, and his most prominent student is Imām Ibn Ḥazm al-Andalūsi رحمه الله (he is a giant in *fiqh*).

It *is* right to call him a *faqīh* because he *was* a jurist. His methodology was just different from everyone else’s; he was just a literalist. He did not go for so much non-scriptural kinds of proof. If there was nothing there in texts, then he would be wary to go to the analogy and weak narrations and so on and so forth. It was more straight down the line, no flaffing about.

It’s a school that needs to be studied when you are studying *fiqh* and it needs to be respected. It has many positions that are correct as well. But often you will find that when they come with a *fiqh* position, it is against the four imāms and it is against the majority of the scholars, and that is quite common for the Ẓāhiri school of thought.

I do not want you for even one second to think that they do not have positions that the Companions themselves used to follow – no, they do. So this is a difference of opinion issue.

Ẓāhiri Position

So what did they say? Dāwūd al-Ẓāhiri ﷺ said that the elbows are not included when we talk about the hands in the *āyah*.

When Allāh says to wash the hands up to the elbows, this means 'to' [the elbows]; it does not mean 'including' [the elbows]. He says that 'to' means 'to the end'. He says whatever is after the end is always different than what is before it.

For example, when Allāh ﷻ says in *Sūrat'l-Baqarah*, verse 187:

﴿ثُمَّ أَتِمُّوا الصِّيَامَ إِلَى اللَّيْلِ﴾

"Then complete the fast until the night (ilāʿl-layl)"

So the same word has been used – *'ilā'*. The word *'ilā'* means 'to'. Does it mean 'including the night'? No, it means 'complete the fast (in the day) until the night'.

He says that just as no one says you have to fast the night, we also say here that 'to' means 'up to' and that is it.

He says "My second proof is that there is a principle or maxim (*qāʿidah*) in *uṣūl'l-fiqh*…"

أنما بعد الغاية مخالف لما قبلها في الحكم

"Whatever is after the end is different to what was before it in its ruling."

Again he uses the example of the ruling concerning the daytime, and how it is different to what is after it (i.e. the ruling concerning the night-time).

Response to the *Ẓāhiri* Position

Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ wants to respond to these two claims. This is the response of all four imāms, the mass majority of *Ahl'l-Sunnah,* and everyone,

actually. He said that the elbows <u>are</u> included. When we say the word 'to' this always means 'to and including.' It means whatever is with it; it means 'to include.' He says for example, the word '*ilā'* can be read as '*maʿa*' (which means 'with'), therefore you would read that verse as…

﴿فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ﴾

"Wash your faces and hands up to [<u>and including</u>] the elbows"

That is what the translation would change to if we change the word '*ilā'* in meaning to '*maʿa*'. He says that one of the places in the Qurʾān where we see it quite clearly is when ʿĪsa ﷺ says by way of Allāh ﷻ:

﴿قَالَ عِيسَى ابْنُ مَرْيَمَ لِلْحَوَارِيِّينَ مَنْ أَنصَارِي إِلَى اللَّهِ﴾

"Jesus, the son of Mary, said to the disciples, "Who are my supporters for Allah?"[1]

If you want to translate it to the ghetto [version], it means 'who is with me?' That is it.

The technical translation is, 'who are my helpers that are going to come and help me help Allāh?' Helping Allāh ﷻ here obviously means helping the religion, establishing the law, etc. The word '*ilā'*, does not mean 'to' here, it means 'who is going to join me?' or 'who is going to be with me?' This is one linguistic example of the word '*ilā'* meaning '*maʿa*' ('with').

Also, as for the maxim that they have quoted ("Whatever is after the end is different to what was before it in ruling"), he says even this principle *fīhi naẓar*. This [phrase] *fīhi naẓar* means it can be debated. In academia, this is a polite way of saying 'I don't know about that, son.' He says, "I think we have to have a look at that again." He says we need to be very, very specific, and that this maxim will only work if whatever is before and whatever is after is from the same *jinss* (meaning the same genus or the same thing, in principle).

If it is different in *jinss*, then it is agreed that it works. This means that the theory they are giving works. So for example, the arm - what is before the elbow? The forearm. What is after the elbow? The upper arm. All of this is from the same genus. It's all part of the arm. So he says that here, it does not apply. But when the genus is different such as 'day' and then we change the genus to 'night-time', then it does [apply]. [In that case,] Imām al-Ẓāhiri رحمه الله is right. Therefore, there is a difference and so it only means 'up to' and not 'including', because the two genera are different.

[1] Qurʾān 61:14

Now that is a very good academic response and a very accurate one. You will see that if you follow this (idea) through with all the examples of '*ilā'* used in the Qurʾān, it will fit this principle. He also mentioned an interesting point at the end and said "I don't want to cause any trouble, but if I really wanted to, I would say to you that there are a number of scholars that say that when you fast, you do actually include some of the night when you are breaking your fast."

Once the *adhān* has gone, what has started? And what do you eat? You are actually into the night-time, right? There are some scholars who say you actually have to wait for some part of the night to start. It's not just the very last second of the day, but you have to let the night-time start.

This destroys the argument from the beginning. But he says "I'm not going to go there because that is only the statement of some scholars". We also believe you should only do it after the day, but if you were to follow this opinion that you've got to fast some portion of the night anyway, then he couldn't use that in his example. So it's a nice point.

He wants to completely obliterate the point, so he then says there is a third response as well. The third response is what is narrated from the *athar* of Abu Hurayrah ﵁ in the *Ṣaḥīḥ* of Imām Muslim ﵀.

رَأَيْتُ أَبَا هُرَيْرَةَ يَتَوَضَّأُ فَغَسَلَ وَجْهَهُ فَأَسْبَغَ الْوُضُوءَ ثُمَّ غَسَلَ يَدَهُ الْيُمْنَى حَتَّى أَشْرَعَ فِي الْعَضُدِ

Nuʿaym ibn ʿAbdillāh al-Mujmir reported: "I saw Abu Hurayrah ﵁ perform ablution. He washed his face and washed it well. He then washed his right hand including a portion of his upper arm."[2]

So he has actually started into washing his upper arm. He has not gone into it [as a whole], but he's gone into the beginning parts which means he has blatantly just washed the entire elbow. He completely washed the entire elbow and now we are going into the upper parts.

We can add to this as well (through what the Prophet ﷺ said in the *ḥadīth* that we mentioned in the first lesson when I was in London) that whenever the Companions would wash and make *wuḍūʾ*, they would exaggerate and go way past the elbow, as a sign of going above and beyond the minimum. [They would do this] to make sure it is properly cleaned and that these will be the shining parts of *ghurran muḥajjalīn* – as the Prophet ﷺ said - on the Day of Judgement.

[2] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter on Increasing the Brightness of the Forehead and Hands and Legs in *Wuḍūʾ*, *ḥadīth* no. 246.

He mentions another argument as well. He says that when we come to a discussion about something in principle - whether it is part of the arm or not - we should always remain on the status quo unless really clear evidence comes to say we shouldn't. For example, if it says 'wash to the elbows', then you would include the elbows. If someone were to say that you wouldn't include the elbows, you would tell them to bring the evidence to take it out.

This is another kind of linguistic argument. When we mention the words 'to the elbows' it's safer and it makes more sense to include the elbows from a linguistic point of view, considering we are talking about the arm. Now if you want to take it out, bring us a clear proof of equivalent strength like an *āyah* or a *ḥadīth* that should take the elbow out. Therefore, the mass majority of the scholars consider that you must wash the hand from the fingertips all the way to the elbow.

Again, brothers and sisters, I really want to emphasise here that it is a massive mistake that I see so many people do. Everyone says that after you have washed your face, you have to wash your arm from the fingertips to past your elbow. In the Ḥanafi *madh-hab*, they have a position that if you forgot and did what most Paks do, which is to wash from the wrist to the elbow…wait, why [would you wash from the wrist to the elbow, leaving out the hands]? Because your hands are already wet, so you think 'my hands are wet and so that is done. I just picked up the water in them,' so you do that behaviour and that is the end of the job.

The Ḥanafi [school] say that whatever was done if you did wash your hands at the beginning as a *Sunnah* wash (remember all of them said that you wash your hands at the beginning as per the *Sunnah*), then that is sufficient. The other three imāms say it is absolutely not sufficient and in fact the mass majority of scholars say that as well.

They say the obligation from the Qur'ān is very clear. The final one (obligation) is maintaining order - the actions have to be in order. Therefore, it does not matter what you did beforehand. After the face, you have to wash the hands and if you are going to wash the hands, that means [you have to wash] from the fingertips all the way to the elbow. That is a really important point and I hope people understand that.

If you don't know, then that is something else. That is ignorance (of the correct position) and there is an excuse for ignorance. But now that you *do* know, you should tell people as well that they have to wash their entire hand, despite the fact that it's wet. They need to wash their entire hand again with the elbow as well. That is something which is an absolute obligation.

Of course, here 'hand' means a normal hand. If it was a bit crazy and had three thumbs and six fingers as well, then it is still an obligation to wash all of those fingers. Wash everything. Likewise, if the hand is amputated or cut or whatever, it means from the edge until the edge – regardless of the nature of the hand, that is also to be included. This is washing.

Wiping vs. Washing

Now remember what I mentioned last week or the week before about the face? [Make sure not to] make the mistake. There is a difference between wiping and a difference between washing.

Wiping is when you have wet hands and then you either put them into water and shake them, so your hands are just wet, or you put your hands in water, you don't shake them, and they are significantly wet. There will be a lot of water and if you don't shake the hands, your hands are that wet. If you went to wipe your face, water will run but this is still called wiping.

Washing is where the water runs freely upon the skin and then on top of that, you rub and whatnot. So when we wash the face, that is why the *Sunnah* is to get the water and start from the top, and the water then runs down the face and you help it run down the face by going through all the areas. Remember we [said that that would mean] from the very top of the hairline all the way to the sides of the ears (when the hair doesn't grow right at the edge of the face), right until the chin.

This is what I want to discuss - there is a reason why I'm going back to face and the hands; it's to really just emphasize this point that not only are we talking about the fact that it's not good enough to wipe an area, but the water has to flow on all aspects of the face. Then you wipe through the beard, but then on the skin as well, and there are a number of ways of doing this.

For example, if a person were to take water and then let it flow down and use that water to then wash, this would be washing because the water is flowing. This is when you will use a minimal amount of water; otherwise, if you are using the maximum amount of water, you might put the hand under, get it all wet, then you would make sure everything else is wet.

Water Permeating the skin

You have seen in the books of *fiqh* that we talk about things that prevent water from going on the skin. Let's take all the different professions - if we are talking about a painter, then our concern is paint, paraffin, and oils. [If we are to talk about a] mechanic, we are talking grease. If we are talking about women, we are talking about cooking items such as dough, which dries and doesn't let any water in. On the face, there is makeup, lipstick which is waxy, which means that the skin is not being exposed. Because it's a hydrophobic substance, the water just basically gathers on it and it doesn't run along the skin - it stops and it aggregates, or it might just fall off.

For example, in the books of *fiqh,* you will see that the water should run down along the skin. You need to see that the water is running, and it is not being impeded by anything on the skin because the skin is very dry and it's actually soaking up what it can. The water should not be repelled, it should just stay exactly where I put it, and maintain contact with the skin. The skin itself is clearly becoming wet. The more that I try to spread it, it's very easy that you can see that the skin itself is becoming wet.

We know that even though there might not be something there in certain chemicals, what will happen is that the water will not touch the skin [because of] something which is impermeable. The reason I'm trying to explain so thoroughly is because people keep asking questions about this. I don't know about L'Oréal and Rimmel; you can make your own ruling. What you need to know is the principle.

We know that there are different things; for example, let's talk about nail polish. You cannot make *wuḍūʾ* with nail polish at all. Nail polish is absolutely impermeable. Henna is not nail polish. I'm talking about proper nail polish - it is completely impermeable. I heard some kind of *kalām* that there was this new Muslim-friendly permeable nail polish which was out but I don't accept that at all. It is not correct until it's proven. Some scholars say it's okay. It can't be nail polish, because the nature of nail polish is that it's impermeable. If it's something else which is not a nail polish and not a paint, then it's fine. Henna in its ugly stage is unacceptable because it's all mud.

So henna paste is no good; you can't go around make *wuḍūʾ* with henna paste. Henna *stain* is a really good example though. It is actually the skin which is stained and the skin takes water, so it is absolutely fine.

The ruling might be asked about lipstick. Lipstick itself is unacceptable because most lipsticks are hydrophobic and repel water. If you were to have lipstick on, the ruling is that the wuḍūʾ will be unacceptable because it is preventing water from going in, and the lips are part of the face.

Now, the question is: if you were to rub it off and you still have some colour left on the lips, but water has now become permeable to the lips, that's okay. Here we learn a lesson that there is a common sense limit to all things which are on the hands and face. What are those limits? It is not the colour that we are trying to remove but basically the impermeability. We want to make sure the skin gets washed and cleaned. That's the first thing.

The second common sense point is [that there should be some] effort. When a painter's hands are caked with paint, he would have to wash off most of it, then he would have to use some soap, then he would use some white spirit and then he'd use some soap again for it to be all gone. But he is not going to get rid of all of it. If you were to examine his hands properly you would see a dot of white paint from a mile off.

There is a difference of opinion amongst the scholars, and the position of Shaykh'l-Islām Ibn Taymiyyah ﷺ is that these small parts are insignificant and they are pardoned.

This would apply to the woman in a kitchen - when she has oil on her hands from cooking, or dough, and she is trying to get rid of most of it and there is a little bit left. That is okay. Or if she has tried to get rid of her makeup and she has got rid of most of it, then that is okay. It is about getting rid of most of it; a tiny amount here and there is acceptable.

When I say tiny, I literally mean drops. We know that Prophet ﷺ made someone go back to wash his feet again because he left [out a spot] the size of a toenail. That is a significant error, really. Anything smaller than that here and there is okay.

Student: What about ink?

Ustādh: Ink, I think, is all permeable. Yes, I think ink is just stain. Ink is something which just colours your skin; it does not stop the skin getting wet. Anything which stops the skin getting wet [has to be removed prior to *wuḍū'*]. Anything which is a barrier, an impermeable barrier.

If you are wondering what the basis for this is, the Prophet ﷺ said in the *Sunan* of Imām Abu Dāwūd, in a *ḥadīth* which is *ṣaḥīḥ*:

فَإِذَا وَجَدْتَ الْمَاءَ فَأَمِسَّهُ جِلْدَكَ

"...but when you find water, you should make it touch your skin,"[3]

Fa'amissahu means that it touches the skin properly, so therefore anything which is a barrier then prevents that from happening. Of course, that is *ghasl* (washing). Now, what is important here is that the reason we are so strict in this is because the obligation is to do the *ghasl* of the face and the hands.

As for wiping, the issue is a lot simpler because when it comes to wiping, it is not about the entire limb and every single hair, therefore there is a lot more ease.

Wiping the Head

Let us come to that which is the next point - the wiping of the head *(wa mas-ḥu'l-ra's).*

[3] *Sunan Abi Dāwūd*, Book of Purification, Chapter on the *Junub* Person doing *Tayammum*, *ḥadīth* no. 332

Shaykh al-ʻUthaymīn ﷺ says this is the third of the obligations of *wuḍūʾ*. He says the technical difference between wiping and washing is that wiping does not require water to run along the limb *(juryān al-māʾ)*.

For example, in the first example if we are washing the face, we would get the water and allow it to come down. Then we would distribute that water everywhere by using our hands, whereas in the wiping of the face, we would just [wet our hands and wipe them over the face]. So those are the two differences there.

Allāh ﷻ has only commanded for the head to be wiped and not to be washed, and that is because otherwise it would make it very difficult upon the people. They would have to wash the hair every day and that would cause illness in the cold and so on. If we have lots of hair then it becomes a huge kind of mission.

If you had lots of hair, it would become a huge mission. He says that even when women are having a bath, they have those shower caps. The point is that basically Shaykh al-ʻUthaymīn ﷺ is standing up for the sisters, and saying that it's a big mission. He says that it gets all wet and the water will then start dripping on the body, and it will become a big mission.

Anyway, he says that Allāh ﷻ has allowed wiping. The wiping is from the top of the forehead or from the hairline of a normal person, to the end of the hairline and the neck on the way back, and from the ear to the ear. There are so many different parts to this, but let's just follow Shaykh al-ʻUthaymīn ﷺ in order to not lose track. We're going to learn in a minute that the ears are a part of the head.

Anyway, let's just quickly ask a question. He says what if someone washes their hair instead of wiping it? It's *wuḍūʾ* we're talking about, and not *ghusl*. He says 'What if someone were to wash their hair?'

He says that there are three statements or positions of the scholars.

The first position is that this is sufficient. This is sufficient because actually Allāh ﷻ gave them wiping as a concession when the origin is to wash. So it is a concession. It's like you didn't take the concession. It's like you know what, I appreciate that it is only wiping, but at this point, I did the washing. So what I've done is I've done what you wanted which is actually better than wiping, because I believe that You would have wanted me to wash the hair anyway. You have done more. For this person, it is better. There is no problem. Basically he is saying that I understand now that you've given me the concession because of the cold, the mission, whatever. But I've done it anyway. That's the logic.

The second position is that it is sufficient, but it is *makrūh*, meaning that he doesn't have to do it again, but it is *makrūh.* Remember, washing here would mean literally dunking a whole bucket of water over your head.

It's important to remember that. Shaykh al-ʿUthaymīn says that the second opinion is (that) to make it acceptable after it's being washed, you still have to wipe it with the hands. That wiping would cover for the washing. What's happening in the second opinion? If you did wash it, that's not a problem but you still need to wipe the hand and it (washing) was a *makrūh* action. This is the position of the Ḥanbali *madh-hab* and it's also the position of Shaykh al-ʿUthaymīn.

Basically (the position) is if you did that (washing the head by say pouring a bucket of water over your head without touching it with your hand), as long as you wipe it with your hand afterwards, then it's sufficient but it (i.e. the washing) was a *makrūh* action.

The third position is that it's unacceptable. If you have washed it, then it's completely unacceptable because Allāh ﷻ said:

﴿وَامْسَحُوا بِرُءُوسِكُم﴾

"Wipe over your heads"[4]

And the Prophet ﷺ said in the *ḥadīth* of ʿĀʾishah:

مَنْ عَمِلَ عَمَلاً لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ

"He who did any act for which there is no sanction from our behalf, that is to be rejected."[5]

Therefore, this is a rejected action. This *ḥadīth* is very authentic - the *ḥadīth* of *bidʿah*. Anyone who does an action which is not from our actions, it is *radd* - it is rejected. This action of washing the head means nothing at all. It wasn't better and it's *ḥarām* (not permissible). It would be sinning washing the head in *wuḍūʾ* and you would have to do the *wuḍūʾ* again. This is the third position.

Shaykh al-ʿUthaymīn continues that there's no doubt that wiping is better than washing because Allāh ﷻ told us to wipe and didn't mention the washing at all. He continues that if he has to choose between these three positions, he would choose that of the *madh-hab* because that's the safest.

The next part which we need to discuss is how much of the head [needs to be wiped], and what the manner of wiping the head is. The first thing to remember is that we

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[4] Qurʾān 5:6

[5] *Ṣaḥīḥ Muslim*, Book of Judicial Decisions, Chapter: Rejection of Wrong Rulings and of Newly-Invented Matters, *ḥadīth* no. 1718

have this at the beginning [the front hairline] and that at the end [the back hairline]. The most authentic *aḥādīth* (which are all in the *ṣaḥīḥ*) all specified [that one should wipe] from the front to the back and then back [to the front] again.

It is the position of the majority of the scholars that what is obligatory is just a single wipe in one direction - that's the obligation. To [bring the hands back to the front] is *Sunnah*. By the way, there's a scholarly opinion which accepts that and Shaykh Muḥammad al-Shanqīṭi goes into lots of details on this. There's a *ḥadīth* where the Prophet ﷺ stated - and it's *ṣaḥīḥ*:

فَأَقْبَلَ بِهِمَا وَأَدْبَرَ

"...by bringing them to the front and then to the rear of the head,"[6]

So you start [at the back of the head] and come to the front, then go back again. A number of the *ʻulamāʾ* consider it to be absolutely fine - they say this is permissible. You can wipe like this [from front to back, then return to the front] and like that [from the back to the front, then return to the back] because of this *ḥadīth*.

Shaykh Muḥammad al-Shanqīṭi says that this *ḥadīth* which says that he started from the front and when to the back is the linguistic style of Arabs, and he quotes a number of lines of poetry (and that's why you don't mess with the Shanqīṭis).

He quotes a number of *jāhili* Arab lines of poetry to show that when the Arabs use verbs like that, it actually means the exact opposite. When he ﷺ says that he wiped to the front and then went to the back, if there's a potential support from somewhere else that it should be the other way around, then it's probably the other way around and it was a linguistic way of expressing the language. I can't think of an English example. I don't think that works in the English language.

The point is that what he (Shaykh al-Shanqīṭi رحمه الله) says is that this is not the *Sunnah*. I want to say to you that my position on this - and this is position of a number of *ʻulamāʾ*, certainly the position of Shaykh Kehlan, and in fairness Shaykh al-ʻUthaymīn - is that the wiping of the head is an obligation. However it is wiped is up to you. There's a *Sunnah* and if you don't do the *Sunnah* but you are able to wipe your hair and head, and then the job is done.

Here's the point: to wipe the head (all of it) is an obligation according to Imām Mālik and Imām Aḥmad رحمه الله. According to Imām Abu Ḥanīfah and Imām al-Shāfiʻi, they said that [wiping] any part of the head - so long as it's considered as part of the head - then that's acceptable. The reason they said that is because we have the *ḥadīth* that the

[6] *Ṣaḥīḥ al-Bukhāri*, Book of *Wuḍūʾ*, Chapter: The Washing of the Feet Until the Ankles, *ḥadīth* no. 186.

Prophet ﷺ wiped on his forelock when he was wearing a turban. The turban has a kind of triangular opening where the hair can be seen. He wiped over the hair and then wiped over the turban. According to this, using the letter *ba* linguistically here in *bi ruʾūsikum* means 'part of'.

The majority said 'Absolutely not, the letter *ba* never ever means 'a portion' in the Arabic language'. He رحمه الله says that our response to this idea of wiping over a portion is that it's because he wiped over the turban. If the turban wasn't there, he would have wiped the entire head. Therefore, to wipe over part of the head is unacceptable. I want you to know that our position is definitely that you have to wipe over the (entire) head, but how do you wipe over the head?

The *Sunnah* is to start from the beginning, wipe over [to the back], then bring the hands back [to the front]. That's the *Sunnah,* This [wiping to the back and return to the front] surely works on short or no hair, no problem. But if you have long hair or permed hair, and there's a chance that your hair might get messed up, then that is obviously going to be a mission.

So if your hair is kind of in a coming down style and then you then spend ten minutes doing your hair, then make your *wuḍūʾ* then bring it down, and try to push it down again, according to us, it is permissible to start from the back and bring it all down.

Or even better - there is a narration in Abu Dāwūd (and *inshāʾAllāh* it is authentic) that the Prophet ﷺ picked up the water with his left hand. I want you to imagine that now it's quite wet. He didn't shake it; the Prophet ﷺ isn't much of a shaker, he doesn't like shaking water. So he dipped his hand into the water. He is holding it like this, and now he's gone to the middle of his head. The Companion said "I saw the water starting to drip down", which makes sense. So the water has gone to the middle of the head, the water starts to drip down now and he did this in the direction of the hair growth. This is the kind of opinion we give to people who have long hair.

That's the **taught position of the class** - that it is permissible for a person to not have to repeat or go back, because the *ḥadīth* in *Ṣaḥīḥ al-Bukhāri* actually says he started from the hairline, went to the neck, and then he returned his hands to where they came from. This *radd* (returning of the wiping of the hair) is the *Sunnah* aspect of the wiping of the hair. The *farḍ* is the single wiping. There is no three wipings of the head. We have not seen that from the Prophet ﷺ. Even the return is a *Sunnah,* according to the mass majority of the scholars.

This was given as a concession to some of the Companions because they didn't want their hair to get messy. Therefore, we understand that however you wipe you hair - as long as it's done, then that's okay.

As for wiping, the issue is easier with respect to hair products. If you've got hair products which are getting in the way, the ruling is not so strict because in wiping, the

aim is not to wipe every single hair. As long as some of the hair does get wet, then it's acceptable. *Allāhu aʿlam*.

Q & A

Q: Also the issue that was discussed earlier about including the elbow or not - is that a general principle that can be applied to other areas of *fiqh*, such as the covering of the *ʿawrah* to the knee? Does that mean including the knee joint?

A: Correct. This principle that is being established is to be understood in its complete way, because it is a principle and it applies to all uses of the word 'to', unless there is a specific evidence that suggests otherwise. That would be a case-by-case basis, but the general rule is that the bellybutton has to be included. And the entire knee should be covered.

The reason why the scholars differed over the *ʿawrah* of the knee is because there is an evidence to show that maybe it doesn't mean the entire knee [has to be covered]. That is the *ḥadīth* of *Sayyidina ʿUthmān* ﷺ (with a number of other evidences) because they saw his thigh. What I'm saying is that the basic rule is that 'to' is to be applied in every aspect of *fiqh,* because of the rule we learned earlier. But, if that area of *fiqh* that you are going into has other supporting evidences, or contradictory evidence, or a *qarīnah* (a supporting evidence), that will take it away from what's obvious, then that's fine case by case.

Q: When you're wiping the actual head, you see a lot of people wiping their necks, is that also included?

A: No, the wiping of the necks has no basis (from the Prophet, even though some of the Salaf have been narrated doing it). The reason people do it is because it's based upon a *ḥadīth* which is very weak. Sometimes a weak *ḥadīth* is okay, meaning it's not that weak and you can justify your action. But we've got two problems here:

1) We're talking about an act of worship now, and not about good *adab* or wanting people to not do bad things, which we are much easier on. We are talking about *ʿibādah* and *ḥukm,* and we know we aren't allowed to use weak *ḥadīth* in that.
2) When a *ḥadīth* is very weak, it certainly shouldn't be included. The *ḥadīth* of wiping the neck is very weak; some say it's fabricated. So it is not permissible to wipe the neck like we do in our various cultures.

Q: If you forget to wash your hands or arms, how do you make that up in the end?

A: If a person forgets to wash his hands properly, and when he gets to the end he realizes he didn't actually wash his hands, he has to go back to that part if he's still within the time frame (meaning if it has only been a minute or two). He goes back to the hands and continues from there. So what would happen is that he would go back, wash his hands, and then wipe the hair, etc. He can't just go wash his hands. We are

going to come to one of the conditions, which is [to do the steps of *wuḍūʾ* in] order. So you can't just go randomly and do that and finish it; you have to go all the way back to the start and finish everything off.

Q: This is a question about Vaseline - when it's on the body, it's something difficult to remove...

A: Vaseline is a good example. Vaseline, in my opinion, has states. In its original state when it's going on fresh, water is not getting in. But after a while, even though it maintains a little bit of oiliness or greasiness (especially when it has kind of permeated in), I think the skin does take water. That's why it's important you understand the principle of what I'm talking about. What it's about is pure permeability. Every kind of makeup, grease, etc. has levels, and once you get the majority off, then there's even some small traces which don't actually [prevent water from] getting into the skin. When it gets to that moment, then you're okay.

Q: What if there is a scar on your hand and there's plaster on top of it. If it's not bleeding, should you take off the plaster, or wet it a little bit?

A: This will come in the rulings that we will discuss later in wiping, but for now, if that water is going to harm the arm or the area and you're able to wash around it, then that's what you do. You wash all over the limb (other than that exact area), and then you wipe over that area; you wouldn't have to open it and so on and so forth. You are not obliged to open up wounds or dressings, because they are there for you to get better even if it's for precaution, there is no obligation to uncover that. The obligation is to wash everything around it and to wipe over it. We are going to cover that in detail.

Q: What if you are at work and you have clothing on which is difficult to get all the way up your elbow so you can wash your elbow? What is the procedure? Do you go underneath the clothing? How do you get around that?

A: Right, that is messed up. They will have to take that shirt off, plainly. It is not even that it doesn't get up, but there is no space for it to go, so how will you get your fingers up it to wash? If he is able to get in underneath the sleeve, with water that has run to the edge, and the water now is still there and he is able to push that water further and cover the entire elbow than that is sufficient. But for example, if he had a scenario where the water only got to [a certain spot on his arm] and he only wipes it the rest of the way, then that is a blag (unacceptable).

So if he is able to get the water right there, get his fingers in and make sure it is washed, he doesn't have to uncover anything. Even then, this behaviour is a modern thing. If you go in to the Muslim countries, people do not wash like us - they get it all wet, because they know that in like four seconds it is going to be dry. They know that

from there to the *muṣallah*, it will dry. They actually want that wetness, because it acts as an air conditioning effect.

Q: I just wanted to ask about wiping over the *ḥijāb*…

A: We're going to come to that. The issue of *ḥijāb* and turban, and whether one can wipe over it in place of the hair is a detailed, separate section. Just for now, in my opinion, it is permissible. One does not have to uncover their head, and they can wipe over it, but there are details with respect to this. One should minimize the practice and only use it when outside, etc. But we will come to this in its own section. It is a detailed issue.

Q: We mentioned that the Prophet ﷺ wiped over his turban. How is that different than the case with clothes?

A: Yeah, [the head] is wiped, and [the arms] are washed. In washing, it is not permissible to substitute wiping unless there is an injury.

Q: [inaudible]

A: Good question. The question is about the fact that some people wipe but without using the fingers because that's going to be reserved for the ears. There is no basis for that.

First of all, you don't need to use every single finger. Sometimes some fingers won't be wet, or sometimes one finger might have a cut on it and you might be avoiding it, etc.

The point is that you wipe your entire head using your hand - as many fingers as possible. You should not avoid using certain fingers unless you can't. There is no basis for not using the finger because it's going to go in the ear. That's ridiculous. There is no basis for that. But you're right - people do that.

Q: Just to clarify - it is the *Sunnah* to just wipe the head and make sure some hairs are wet?

A: Correct. This is not about wetting and it's not about washing; it's about wiping the head. When we wipe, we all know that some hairs get wet, others don't, underneath nothing happens, etc. So it's not about making sure that the entire hair is damp. That's not the exercise, but the exercise is to wipe the head, and that's it.

Q: Is wiping of the ears included in the head?

A:Yes it is, and it's in the next section.

Q: Does taking bath suffice the *wuḍū'*?

A: The bath is another section.

Q: Is the ankle included in the *ḥadīth* which says to not let your garment below your ankles?

A: From using the word *ilā*? Yes, it is included and it is permissible for a garment to be on the ankle, or including the ankle.

There are three levels of wearing the garment on the ankle or above the ankle.

1) Halfway up the shin
2) Above the ankle
3) On the ankle

What's not allowed is for it to be dragging underneath the ankle. This *ḥadīth* has a number of discussions surrounding it, but it is applicable to the *thawb* only.

Q: How can women wipe their heads from back to front to fulfil the *Sunnah*, since with long hair you couldn't do it, as the hair would stick to the wet hands?

A: This is exactly what some of Companions said and it was given to them as a concession that if you do have long hair, this is what is given to them as concession.

13. Obligations of *Wuḍū'* V

Shaykh Kehlan al-Jubury

بسم الله الرحمن الرحيم الحمد لله رب العالمين

و صلى ألله وسلم وبارك على نبينا محمد وعلى اله و صحبه أجمعين

It just came to mind, an *āyah* of Allāh ﷻ - we know the book of Allāh is an ocean of knowledge - *āyah* 43 from *Sūrat'l-Aḥzāb*. Allāh ﷻ said just before that *āyah* [from *āyah* 41-42]:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اذْكُرُوا اللَّهَ ذِكْرًا كَثِيرًا ﴿٤١﴾ وَسَبِّحُوهُ بُكْرَةً وَأَصِيلًا ﴿٤٢﴾ هُوَ الَّذِي يُصَلِّي عَلَيْكُمْ وَمَلَائِكَتُهُ
لِيُخْرِجَكُم مِّنَ الظُّلُمَاتِ إِلَى النُّورِ وَكَانَ بِالْمُؤْمِنِينَ رَحِيمًا ﴿٤٣﴾﴾

"O you who have believed, remember Allah with much remembrance, and exalt Him morning and afternoon. It is He who confers blessing upon you, and His angels [ask Him to do so] that He may bring you out from darknesses into the light. And ever is He, to the believers, Merciful."

SubḥānAllāh, we need this *āyah* all the time and just a few weeks ago, I thought about it for a while and I found that it's full of lessons. I want to share some of them with you.

Allāh ﷻ commanded the believers to remember and mention His name a lot.

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا﴾

This command is directed to the believers.

﴿اذْكُرُوا اللَّهَ ذِكْرًا كَثِيرًا وَسَبِّحُوهُ بُكْرَةً وَأَصِيلً هُوَ الَّذِي يُصَلِّي عَلَيْكُمْ﴾

The word *yuṣallī* in the Arabic language is mentioned as a present verb. We call it in Arabic, *fi'l muḍāri'* which indicates continuity. Allāh ﷻ continuously. *Yuṣallī 'alaykum* and the word *ṣalāh* has different meanings in Arabic. Sometimes, it's the opposite of *la'ana* because Allāh ﷻ mentions at the end of this *Sūrah*:

﴿إِنَّ اللَّهَ لَعَنَ الْكَافِرِينَ﴾

[Meaning] That He has cursed the disbelievers.

So it (*ṣalāh*) is opposite to *laʿana.* What I understand from [the use of] *ṣalāh* here is that Allāh ﷻ praises the believers and He brings them closer to Him. Allah ﷻ also maintains and gives them. That's the meaning of *ṣalāh* - it has all these meanings: praise, bringing them closer and maintaining them continuously.

Wa malāʾikatuh also pray for you. Now everybody will think the prayer of Allāh ﷻ is sufficient, so why does Allāh ﷻ mention His angels? We know that the angels are obedient. Allāh ﷻ created them to obey Him and they are sinless. They are completely obedient to Allāh ﷻ. So the question [remains], why does Allāh ﷻ mention His angels? Why the [mention of] angels who are perfect, who are completely obedient, to pray for people like us who are sinful with a lot of mistakes and problems?

I think we can take from that that no matter how pious you are, how good you are, how close to Allāh ﷻ [you might be], don't be proud. Always remember those people who need your help. Don't look down on other believers who may have less knowledge or less status than you. Instead of looking down on them, pray for them. Help them get out from their misguidance.

It's like the statement of Abū al-ʿĀliyah رحمه الله When he passed by some people criticising a man who was sinful, he said, "Why are you criticizing him?" They said, "He is sinful". He said, "Well if your friend or brother falls in a well what should you do? Should you help him get out or should you just stand there and criticize him?"

So the angels pray for the human being and this is also to remind us that there is no comparison between the Creator and the creation. He mentions His angels and He said "Me and My angels pray for the believers". This is to show that the intercession of other believers is acceptable. We believe that the prophets interceded, the pious people interceded and the believers [can too] - that is why we make *duʿāʾ* for each other. We pray *janāzah* for the Muslims when they pass away, this is a kind of intercession and Muḥammad ﷺ has so many intercessions for his *ummah*.

One of them is the major *shafāʿah* on the Day of Judgment.

﴿هُوَ الَّذِي يُصَلِّي عَلَيْكُمْ وَمَلَائِكَتُهُ لِيُخْرِجَكُم مِّنَ الظُّلُمَاتِ إِلَى النُّورِ ۚ وَكَانَ بِالْمُؤْمِنِينَ رَحِيمًا ﴿٤٣﴾﴾

That is an amazing thing because Allāh ﷻ said *liyukhrijukum* (He will take you from) 'darknesses' to the *nūr,* which means that He and His Angels pray for us while we are still in our darkness, simply because a person is a believer. He just makes this step and

has gotten the circle of *īmān*. Allāh ﷻ and His Angels will come to those who pray for him and so he will eventually get out from many 'darknesses' to the light. But let's look at what Allāh ﷻ has said before - He said to us:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اذْكُرُوا اللَّهَ ذِكْرًا كَثِيرًا﴾

So we need two things: we need *īmān* and to remember Allāh ﷻ all the time and mention His name. How can I say it? I don't know how but it's like a very beautiful reminder from Allāh ﷻ. 'I don't want you to remember Me or mention My name. I created you, I gave you everything. I don't need your praises even if you don't lead your *ṣalāh,* but remember I already pray for you. He said,

﴿هُوَ الَّذِي يُصَلِّي عَلَيْكُمْ﴾

He is the One who prays for you. So why don't you pray to Allāh ﷻ? Why don't you remember and thank Him? He and His Angels are already continuously praying for you.

﴿هُوَ الَّذِي يُصَلِّي عَلَيْكُمْ وَمَلَائِكَتُهُ لِيُخْرِجَكُم مِّنَ الظُّلُمَاتِ إِلَى النُّورِ﴾

While you are still in your 'darknesses'. Then in the end of the āyah, Allāh ﷻ mentioned the reason of all this. He said:

﴿وَكَانَ بِالْمُؤْمِنِينَ رَحِيمًا﴾

All these things because He is All-Merciful with the believers. So once a person is a believer, then he will enter into this great honour and fortune. Something which nobody can describe or imagine that Allāh ﷻ and His Angels pray for you. May Allāh ﷻ make us amongst those people who are believers who remember Allāh ﷻ and glorify Him in the morning and in the evening.

<u>Ustādh Abu Eesa</u>

Before we start the actual lesson formally, some folks asked me to clarify a few points which are topical, relevant and important, so I thought I would do that. It is the issue concerning insulting the Prophet ﷺ. To insult Allāh ﷻ *wa āyātihi* (and His verses), *wa rasūlihi* (and His prophets), as Allāh says in *Sūrat'l-Tawbah*:

﴿قُلْ أَبِاللَّهِ وَآيَاتِهِ وَرَسُولِهِ كُنتُمْ تَسْتَهْزِئُونَ ۝ لَا تَعْتَذِرُوا قَدْ كَفَرْتُم بَعْدَ إِيمَانِكُمْ ۚ﴾

"Say (O Muhammad, to those around you): "Is it Allāh and His signs (His verses, the Qur'ān, His Dīn) and His Messenger that you were making fun of?" Make no excuse; you have indeed disbelieved after your belief." **(9:65-66)**

Allāh ﷻ makes it a very clear statement. Don't make excuses, don't try to justify yourself. You have indeed disbelieved after your belief. After your faith that you claim to have; your claim that "I am a Muslim" - just chuck it in the bin, you have disbelieved. There is a lot of discussion about this *āyah* and the levels and so on and so forth but the specific nature of the Prophet ﷺ is a very sensitive one. It is a very sensitive one for every reason. I don't need to really emphasize that. I just wanted to bring it down to what actually can be seen as *istihzā'*.

Istihzā' (to make fun of) can be of a number of aspects. Of course, when you draw cartoons of the Prophet ﷺ... Well, let us take it back when you look at this from an Islamic point of view, you would look at it in its best light and then you would make *qiyās* upon it.

Let's just say that you have a professional artist that is serious, proper, and paid - a guy that we want to do a job for us, and the best that there is, with no malice or bad intention whatsoever. We ask him to draw a picture of the Prophet ﷺ (to draw) the exact opposite of a cartoon; a lifelike figure.

First of all, you need to know that there is a consensus of the scholars based upon the general texts of Islam, not specific evidences, what we call *al-istiqra' wa tatabbu'*, meaning the general *mafhūm* (the understanding of the principles). We said that *ijmā'* is something which in itself is a source of evidence. Don't forget that. There is Qur'ān, then the Sunnah, then the *ijmā'* of the companions. It doesn't necessarily need to have a specific *āyah* or a *ḥadīth*. It's the general understanding of the spirit, the general precepts of the *dīn* that it is forbidden to draw the Prophet ﷺ.

That's because we will never be able to recreate him, despite all of the details. Despite that we know that al-Ḥasan used to be so much like him - and that is narrated in an authentic *ḥadīth* - despite the fact that we know that from his family, Ja'far used to resemble him in an incredible way, and despite the fact that we know that a number of other Companions and *tābi'īn* were described as being very similar to the image of the Prophet ﷺ.

Despite the fact that the *shamā'il* of Imām al-Tirmidhi gives such immense detail. If you look at al-Manāwi and all of the other *'ulamā'* who made the *sharḥ* or the *shurūḥ* of the *shamā'il*, you will see even further details going in, from the earlobes to body markings, and so on and so forth. Yet, despite that, no one ever tried, and no one ever attempted to draw the Prophet ﷺ because you will never be able to achieve it.

The second point is that actually drawing, in principle, is something which is impermissible. To produce a lifelike image, and then draw it in principle - when we allow it for the uses that we have, we allow it for exceptions. We allow for the use of a benefit.

The third point would be that whenever you draw the Prophet ﷺ you risk belittling him. The first one might be an attempt, (and) you are not going to get right. That's not necessarily belittling it.

But then going ahead and drawing him (while) knowing you are not going to get it right, is a belittling of the Prophet ﷺ and an insult to him. This of course would have levels. Am now referring to something which is being done in a professional way like E-FIT (Electronic Facial Identification Technique) - that whole process where they get the professionals in and describe him in a specific way (to be drawn out). I'm talking about something like that.

What, then, of someone who does it in a cartoon fashion, with no intention to try to make it accurate in a caricature, in a manner which they know has nothing to do with the Prophet ﷺ? This is beyond the pale just right there, once they go into cartoon land. This might cancel out the prohibition of (number 2) drawing, because the scholars are much more lenient when it comes to the drawing/illustration of things which are not real.

I don't want to get into the *fiqh* of pictures, that's a massive area but there's a basic principle that when it comes to the drawing, painting, or designing of those things which are fantasy and are well known, then the majority position is that it's something permissible. (This is) certainly the position that I hold, (since it's) not a real-life person, animal, or thing.

Yes, you might be able to escape that if you go for cartoon, but then what's the intention behind the cartoon when you are attempting to portray the Prophet ﷺ? To take it to the third level, put that cartoon in a manner which is joking about th*e Rasūl* ﷺ, then again it's beyond the pale. There's actually a further level. The picture which was tweeted and Facebooked all over the place - this picture actually was theoretically just the Prophet ﷺ and ʿĪsa ؑ just standing there, indulging in some kind of conversation. All three levels have been achieved of going beyond the pale.

The reality which we know is that apparently - I haven't seen this - this picture is part of a series of other pictures that are beyond insulting.

They are fabrications, lies and *ḥarām* things being done with the characters. The reason that scholars prohibit things - you can add this as a reason to encompass all three reasons that I have mentioned - is because once you open that door to these kind of things, this is what you invite. You allow people then to put forward their ideas and opinions, and you would have everyone having a free reign on what happens to the Prophet and his *ʿizzah,* ﷺ.

We can see it's a free/open season where everyone is doing what they want - drawing any picture and putting the name of Prophet ﷺ there and then making it out to be insulting in some kind of way and so on and so forth.

I want to say to you that this is completely impermissible at the basic level and once the *istihzā'* (the insult and the joking) get involved, then this becomes *kufr* and the person has left the *dīn* like that. He is either of three states unless he is utterly ignorant: when people have been warned, advised and told, then you cannot claim ignorance - then the person is either an apostate, a *murtad*, or he is *munāfiq* (which is worse). He is a hypocrite, outwardly saying 'I am a Muslim', but internally not. Or he is worse than those two, which is a heretic (*zindīq*) - the one who actively works against the Muslims.

We know, of course, that this is the nature of the people who do these kind of things. I want you to know that what's important is that someone who would promote this kind of material and make statements to the like of "I don't find this offensive and I find Allah ﷻ bigger than that as to not finding it offensive"... Speaking about Allāh ﷻ like that and speaking about the *dīn* of Allāh ﷻ in that manner… this is the speech of *zandaqa* - the speech of heretics, not the speech of the Muslims, not the speech of those who know the limits of Islām.

As for specifically applying the ruling of calling a person *kāfir*, *murtad*, or whatever, this is not possible to do based upon materials and what someone tweets. So we shouldn't go up to individuals and say to them "you are *murtad"*, "you are *munāfiq",* etc. We say this is the statement, a state and the nature of someone who is like that.

It has to be individually judged upon a person in a clear setting where there is no doubt of any kind of misunderstanding, where all possible excuses of ignorance are dispelled, where a person is not following some crazy odd opinion in *fiqh*, etc. Every possible excuse needs to be extended, whether you like that person or not. That's an absolute condition. That's something for the scholars to do; they would sit down and then they would clarify that.

Wiping vs. Washing

I think there's been lots of confusion over *al-ghusl* and the concept of washing and wiping. We said last week that there's a clear difference between wiping and washing.

In washing, water needs to run along skin and we did a little demonstration. I think the problem with what I was doing was that I was rubbing my hands, so people were probably thinking that wiping was involved. Wiping is a definite wipe of the hand. The hand is wet and the surface underneath it is not all wetted because by nature, if you're wiping over something, some part would be dry and some would be wet.

Washing does not need [the use of] a hand. Theoretically, other than in the Māliki *madh-hab,* you get the shower nozzle and [let the pouring water fall over the body part]. In theory, you get the tap which is pouring and stick the hand under the tap - maybe a little touch here and there to make sure [the water touches the skin] but theoretically, that would be done. This is [the agreement of] the three *imāms*, and this is the position of many of the scholars. When I say the position of the majority, I mean as a minimum.

Mālikis say you need *al-dalk. Dalk* is basically rubbing, massaging, or squeezing everything. So the water is there as well and then there is rubbing as well, but they make it a condition of the washing.

So I am saying that we do not have any evidence to show that the Prophet ﷺ didn't ever do *dalk*. This means that the basic principle is that he would use his hands. The proof for that is that there was no such thing as taps.

These days, you are using a bath full of water because you've got your tap on and you wash your hands and your tap is still going. I am saying that obviously that is a lot of water going and whenever did the Prophet ﷺ have that much water? We see the exact opposite. The Prophet ﷺ made *wuḍū'* with a handful of water. What does that mean? There has to be rubbing involved. There has to be.

The scholars then said that it is *mustaḥabb*, it is the *Sunnah,* it is the perfection of the *wuḍū'.* We have to understand that there is a big difference between the bare *arkān* or pillars, and obligations and what comes as *Sunnah* aspects, and then perfections of the *wuḍū'*. *Wuḍū'* is one of those acts that have these three kinds of levels or three kinds of aspects.

Take the hand, for example - the obligation can be done by me sticking my hand and arm all the way underneath the tap, making sure that the water covers the elbow, forearms and my fingers and all the obligation's done.

The *Sunnah* would be to reduce the water, and then take that water and rub it in. The *Sunnah* is to wash it properly three times.

What would perfection be? There is one obvious perfection. The *ḥadīth* of *ghurru'l-maḥajjalīn* (to go further up the forearm). We mentioned this *ḥadīth* three or four weeks ago. The Companions would always rub much higher up the legs and arms so that higher parts are shining. That would be the level of perfecting the *wuḍū'*.

We don't have clear evidence that the Prophet ﷺ did that. Remember watching Shaykh Yasir's presentation at IlmSummit? He chose this *ḥadīth* of *isbāgh'l-wuḍū' fi'l-makrūhāt*. One of the best actions that one can do is to do the *wuḍū'* perfectly, especially in difficult conditions. *Isbāgh'l-wuḍū'* means to perfect *wuḍū'*. Perfection of *wuḍū'* is to do these little things (go extra, use a little bit of water, do it with a lot of *dhikr*, thought and presence, etc.)

Unless you follow the Māliki *madh-hab...* They obligate the need for rubbing. The *Sunnah* is to rub everything. But let's say you didn't have time - it's sufficient for you to just soak [the feet] without touching them. Theoretically, also to just put your feet in a tub of water and move it so water goes everywhere [is sufficient].

Student: How come the water is running if you are moving at the same time?

Ustādh: Because the water is what is in contact between the hand and the limb itself. Whereas when you wipe at one point, it will become dry so the water is not running at that point.

Water Permeable Nail Polish

I want to go back to a question on the forums about nail polish. As I said to you last week, I think all this nail polish business is nonsense that I don't accept. I know there are people out there who have gone and done some new permeable ones that allow water to go through. They've done studies where they get a tissue paper and paint the nail polish on top of it, and then they put the water on and put pressure on it. They look underneath the tissue to see if the tissue gets wet underneath and if the tissue does get wet, then it's a proof that it is permeable.

My comment on that is that in these kind of conditions when that is recreated, we have to understand that this has been created by the tissue being of a certain texture which sucks the water and it's not the same as our nail. Its structure and texture is not made to suck water, neither the texture nor the surface.

The pressure has to be applied to the water itself, which then pushes it through and then of course the time [it takes has to be taken into consideration]. The pressure needs to be applied consistently and constantly over a small period of time and then it [water] seeps through. It works on tissue paper. If that can be proved to work on a nail then it's okay. The reality is, who does that? Who has the confidence that it goes through and stays there for 10, 15, 20 seconds pushing down the water on the nail to put it through? I don't know. It's a risky thing.

Now just to add the dimension of this whole washing thing, if there was a woman who said 'I have seen this product and it works,' she will keep the nail polish on. Then she says, 'I will stick my hands in a bowl of water for 20 seconds. I will let the water permeate in my nails and then wash my arms. I am putting pressure on my nails with the water.' Since she trusts the company, this would theoretically be okay as *wuḍūʾ*. I am just saying that I do not consider it valid and I do not allow it. I do not give permission for someone to do this.

I know women see henna as a Pakistani thing and consider it off-the-boat behaviour. Still, I think they need to have more confidence in this product. I don't know where the

women develop their own henna but it's patronising to tell them that they should only wear nail polish during their menstrual cycle.

Wiping vs. Washing

The concept of washing and water and the idea that the difference between *mas-ḥ* and *ghasl* is that actual water by itself can get the job done. I won't really go into this now because this is going to be covered when we do *ghusl*. That's where all the *masāʾil* come. For example, I jump into the swimming pool with the intention of doing *ghusl* and then I jump out, is it done? Is *ghusl* done? Is my *wuḍūʾ* done? Am I ready for *jumuʿah*? In my opinion, that's absolutely no problem, but we'll come to that later.

Student: Does the definition of washing really matter? Some (like the *Ḥanafīs*) will say that it's to do with water dripping. At the end of the day we don't really care because the fact is, as you said, if wiping, the whole thing isn't soaked. Because people explain it in different ways that the hair is all dry...

Ustādh: Correct. The actual issue is?

Student: The fact that no parts are dry?

Ustādh: Correct. The different *madhāhib* describe the nature of how the actual limb must be and how the water must run, as some say. Others say it must drop off. Some of the *madhāhib* say it has to be in a manner where when you hold the hand, water drops off, and all this *kalām*. Ultimately, they have no evidence. This is just general understanding of the texts. The real issue is that the whole thing needs to be completely soaked (wet). The skin has to be wet and I gave the *ḥadīth* last week and the week before where the Prophet ﷺ saw the toenail (i.e. a small amount) dry and so he made him go back (and repeat his *wuḍūʾ*). So it's about the skin being covered.

The *Māliki madh-hab*, which on top of the wetness wants the rubbing done because they saw the Prophet's ﷺ rubbing as intrinsic to the washing process. Whereas the majority of the scholars, our position (the *Ḥanbali* position), and Shaykh al-ʿUthaymīn's position is that washing does not require the hand. Just like in the washing machine for example. When we soak something in a bucket, then we take it out and put it into cold water and then we take it out and give it a shake. That's called washing, isn't it?

وَمَسْحُ الرأسِ ومنه الأُذنانِ

"...wiping the head, with the ears included..."

The head is included, as Shaykh al-ʻUthaymīn ﷺ says. He says that the evidence for that is the continual action of wiping the ears by the Prophet ﷺ. That's the actual proof. The fact is that the Prophet ﷺ was never noticed not to have wiped his ears, and whenever he wiped his head, he wiped his ears. As far as Shaykh al-ʻUthaymīn is concerned, that's the evidence.
He says, as for what the other people (the majority) mention the *ḥadīth* of the Prophet,

الأذنان من الرَّأس

"The ears are from the head."

That has been narrated by Imām Aḥmad, Abū Dāwud in the Book of Purification in the Chapter of Description of the *Wuḍū'* of the Prophet ﷺ, no. 134, al-Tirmidhī, Ibn Mājah and all of them.

He says that many of the *muḥaddithīn* narrated this *ḥadīth* via a plethora of paths, but every single chain that has been narrated has some weakness in it. That's what the *muḥaqqiq* says.

Shaykh al-ʻUthaymīn says that this (above) *ḥadīth* is said to be weak by many of the *ʻulamā'*, such as Ibn al-Ṣalāḥ. He was one of the later Shāfiʻī scholars of *ḥadīth* and he wrote a seminal book in the principles and studies of *ḥadīth s*ciences called *al-Muqaddimah*. He's a respected author. He pre-dates Ibn Ḥajr.

Ibn al-Ṣalāḥ said this *ḥadīth* is weak. They said that all of its *turuq* (paths, narrations) are *wāhiyah* (weak). All of them have some kind of issue.

When we are to combine all of these narrations, because they are so weak, we cannot even raise the ruling to fair. There are three [rulings] - there *is ḍaʻīf, ḥasan, and ṣaḥīḥ* – weak, acceptable and authentic. We cannot even raise it to *ḥasan*. This is Shaykh al-ʻUthaymīn's ﷺ opinion.

The *muḥaqqiq* of the book said that Ibn Ḥajr ﷺ said if we look into all of these chains, it is difficult not to say that the *ḥadīth* has a basis. It does. *Al-ḥadīth aṣli*, i.e. the *ḥadīth* has an *aṣl*. It has a basis and it is not like they are saying [it is all so weak]. Many of the people authenticated the *ḥadīth* in this manner. This is in his book, and in his comments on the work of Ibn Ṣalāḥ ﷺ.

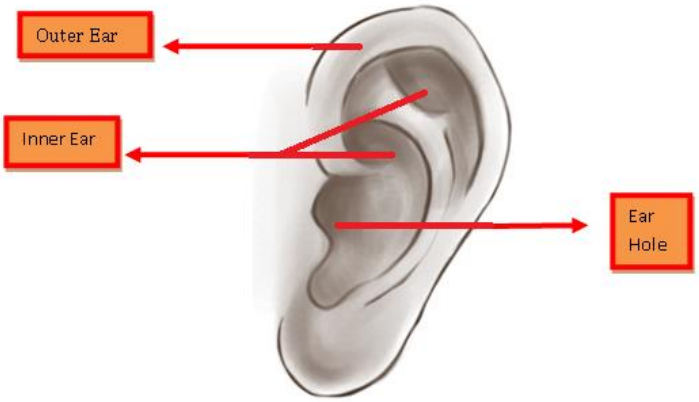
Not only does Ibn Ḥajr consider it to be acceptable, but Imām al-Tirmidhi ﷺ considered it to be acceptable as well. Regardless, we will consider this to be okay *inshā'Allāh*.

I want you to know that regardless of how you establish whether ears are from the head, in principle the majority of the *Salaf* did not consider it an obligation to wipe the

ears. The obligation came later on amongst the *imāms*, because they technically made it a part of the head and of course to wipe the head is a *rukn* (an obligation) and therefore because it is part of the head, then it needs to be done.

I just want to make a distinction in generations. The early *tābiʿīn, salaf* and so on were relaxed about the idea. They never obligated it. They used to see it as a *Sunnah*, whereas the later scholars of the *madh-hab* obligated it and made the ears part of the head. Thus, you have to follow the *āyah* where Allāh ﷻ says to wipe your heads. There is a distinction which needs to be made.

Also for those that did consider it to be an obligation, only one aspect is obligation. You have three aspects of the ear:



1. The ear hole
2. Inner ear
3. The outer ear

The outer ear is everything which is on the outside. The edge and on the outside that goes round. The inner ear will be everything which is inside. The ear hole will be where the finger goes in directly.

It is our position, the position of Shaykh al-ʿUthaymīn رحمه الله, certainly my position, and the position of the *madhāhib* that the obligatory aspect of wiping the ear is the earhole (what is known as the *thaqab*, the earhole itself). So theoretically, if a person was to wipe his head and stick his hand in his ears, the job is done if you were to take the opinion that it is obligatory to wipe the ears.

If you take the opinion that it is a *Sunnah*, then it doesn't really matter. But I want you to know that the Prophet ﷺ always used to do it, so we should do it. So, the obligatory aspect is the inside of the ear.

As for everything else that follows, this is *ijtihād* of the scholars and is considered to be a *Sunnah*. Then you see the most popular position of the *ʻulamāʾ* (there are some variations) but the most popular is that the *ibhām* (the thumb) is then wiping the outside, so we will put our fingers in our ears and then go around it using this. This is what is happening with the ear.

There is another version as well, which is that not only is the finger going in there, but then the finger now does the inside and then the outside is done by the thumbs as well. Like a three-pronged approach in, inside and then outside.

I do not want to say there is no basis for that, but I am saying what is understood from the *ʻulamāʾ* is that we have the obligatory and we have the external part of the ear covered by the *ibhām.*

And if one person is to go this way and come back, it is acceptable. If it is to be done in one manner, it is acceptable and to go all the way around is also acceptable. These are all extensions upon the *aṣl* which is that the wiping is done. And it's not washing.

Remember what we said about taking water for the ears. What did we say? It is only Ibn ʻUmar who took water for the ears; there is nothing authentic from the Prophet ﷺ [relating that he himself did that]. This means that once you've got the water and you've gone to the head and you've done the *mas-ḥ*… You've done *mas-ḥ* one or two or start from the middle and then go back (three) or four where you go down. Once that's done, it's straight on to the ears. There is no evidence to show that you go back to the water and get the hands wet again. This is because you're not washing the ears. You carry on wiping. Wetness is not a function to clean the ears in the way that you're thinking (proper clean).

14. Obligations of *Wuḍū'* VI

So straight into the lesson today, we are covering the last few points here.
The obligations of *wuḍū'* are six in the chapter of ***The Obligations of Wuḍū':***

- Washing the face, with the mouth and nose included;
- Washing the hands up to and including the elbows;
- Wiping the head, with the ears included;

Hopefully today we will be covering the final three:

- Washing the feet;
- Maintaining the above order;
- Maintaining continuity, meaning that one doesn't delay the washing of a limb until the one before it dries up.

These are the three things I hope that we will cover today *inshā'Allāh*. So this takes us to page 188 in *al-Sharḥ al-Mumti'.*

It is narrated in the *Muṣannaf* of Ibn Abi Shaybah that this is exactly how 'Abdullāh ibn 'Umar ﵁ was described to have done the wiping of the ears - he put his forefingers into his ears and then he used the thumb to go around the outer part of the ear.

I said it is also acceptable for you to do the inner part of the ear as well using the forefingers, but as I mentioned last week, that this inside wiping (by putting the forefinger in the ears) during any kind of wiping inside and then doing this [using the thumb to go around the outer part of the ear] is all a *Sunnah* aspect. Your obligatory aspect of the ears is achieved by just putting your fingers in the ears.

Also, I told you my own personal opinion that the wiping of the ears in its origin is something which is not an obligation *aṣlan*, but it is definitely safer to proceed on the side of caution.

A number of Companions were very strict when it comes to washing the ears. 'Abdullāh ibn Mas'ūd and Anas ibn Mālik ﵁ would become very strict when it came to telling the people to make sure they wash (wipe) their ears.

That doesn't necessarily mean that it was an obligation from the Prophet ﷺ because these were also the Companions who were very eager to do perfect *wuḍū'* every single time. For example, it is again mentioned in the *Muṣannaf* of Ibn Abi Shaybah with an authentic chain that Anas ibn Mālik ﵁ would wipe his head three times. So you can see that there is this concern.

ʿAbdullāh ibn ʿUmar ﷺ would take fresh water for the wiping of the head, as we mentioned last week. That's also what the Prophet ﷺ would do - take fresh water and then wipe and then go straight onto the ears.

It has been narrated again, authentically, that ʿAbdullāh ibn ʿUmar ﷺ would take fresh water for the head and then he would go and take fresh water for the ears. It is narrated that he would get water between his two fingers, almost like he would pick up water between his two fingers so he's got a significant amount of wetness now between the two fingers then they go in. It's a heavy kind of wiping with quite a bit of water.

For wiping over the head, we have different narrations. I have already stated my personal position. For those wearing a turban, ḥijāb, etc., it is permissible (best to do only if there is a reason/need) to wipe over the ḥijāb or turban in its place. I don't want to pre-condition that there *has* to be a need (like if there are men around or it has to be very cold before you wipe over it). I do want to say to you that it is permissible but generally the scholars would rather you actually wipe your actual head.

ʿĀ'ishah ﷺ has a number of narrations, but a famous one is that when her *ḥijāb* was on, she put her fingers underneath it to wipe her entire head. I'm just showing that even though one thing is permissible, something else can also be done. At the same time, ʿAbdullāh ibn ʿUmar ﷺ would wear a hat on the back slightly so that a little bit of hair showed, and he would wipe the portion of the head. There are a lot of narrations from the Companions wiping all of it (the head) a number of times or just a portion of it sometimes.

We learn that some kind of wiping occurs on the head for the obligation to be done. The *Sunnah* (correct way to wipe the head) is to give it a full, complete wipe, whether you start at the front and go to the back, or vice versa, or start from the middle and then go to the front and then back. It's important to recognize these parameters.

Washing the Feet

Now we move on to the washing of the feet. This is the fourth obligation from the obligations of *wuḍū'*. The author says 'washing the feet' (*rijlayn*). The *rijl* is one. *Rijlayn* or *rijlān* (according to the grammatical construct of the sentence) means two feet.

The author has summarized this point. Shaykh al-ʿUthaymīn رحمه الله says that actually, what he really should say is what Allāh ﷻ says. He should be specific and he should mention that Allāh ﷻ says -*arjulakum ila'l-kaʿbayn*. Allāh ﷻ says 'wash your feet up

until the ankles'. We've already discussed that *ilā* (the word 'to') means up to and including (the ankles).

Why did Allāh ﷻ mention the 'up to and including' the ankles? When you say *rijl*, you only think of the foot. You don't necessarily think of it all the way up until the ankle. That's why Allāh ﷻ clarifies, and likewise when the author makes this point, he should also clarify. Therefore, Shaykh al-ʿUthaymīn رحمه الله says that the author used the word that represents the entire washing, but he really should have said *ilaʾl-kaʿbayn* (up unto and including the ankle) like Allāh said.

He says we know that cutting off of the foot in certain crimes is a *sharīʿah* punishment in *ḥirābah* (meaning like highway robbery, a very violent theft and terrorism). This is one of the punishments that is mentioned - the cutting off of the foot and the hand from opposite sides. It can so happen that either hands or feet would be cut off.

When the word 'feet' is mentioned in the *āyah*, it does not mean 'up until the ankle'. In actual fact (as you probably can guess), you would need to leave the ankle to cut off the foot - meaning any limb which is cut off in a *ḥadd* (punishment) leaves a stump.

When the *ʿulamāʾ* talked about the wisdom of how the limb is cut, they did say that when the limb is cut, that's a punishment. There can't be a double punishment. A double punishment would be to cut off the wrong part of the foot. You would have unequal height and you wouldn't be able to walk. That's why it's important to have a set place where it is cut so that there's an equal amount, [such that you can] create a stump where he can walk equally.

Shaykh al-ʿUthaymīn says

يُقطعون من المفصل الذي بين العَقِبِ وظهر القدم

(Meaning) when we cut the foot of the highway robber, we cut it at the joint between the top part of the foot and the ankle - right in between there. The ankle is not cut - that's why it's important and we call that a foot.

If we define the word 'foot' for purification, we know that this definition is different than the *sharīʿah* punishment of removing the foot. Sometimes, in the Arabic language, the word *rijl* means the whole leg. Generally, if you say the guy has been kicked in the *rijl*, this could be anywhere on the whole leg. It is important to restrict the actual word by the context.

The main lesson is that every act of worship will have a specific limb defined in a specific way. Shaykh al-ʿUthaymīn رحمه الله says whether it's *kaʿbayn* or *kaʿbān*, it is important that we discuss what it is. This is the ankle in the Arabic language. He says

the ankles are the two bones that come out at the bottom of the shin next to the foot. This is the truth which *Ahl'l-Sunnah* are upon.

You might be thinking that we are getting a bit serious here for defining the ankle. There is a reason for that. The reason is that the *Rāfiḍah* (the extreme S*hīʿah*) say that the *kaʿbayn* is the cuneiform bone. It might even be the navicular bone.

The point is that it means 'that thing which protrudes', because the *kaʿb* also refers to something which protrudes. So the arch would be something which is protruding. That bone is what the *Shīʿah* (the *Rāfiḍah)* said is the *kaʿb*. That's why in their *wuḍūʾ*, they only wash up to there (i.e. the cuneiform bone). They don't wash the entire foot - they only wash literally the front of their foot. You see they have a reason for that.

They said this is because Allāh ﷻ said *ilaʾl-kaʿbayn* (to the two *kaʿabs*). *Kaʿbayn* means two *kaʿabs*. He didn't say *ilaʾl-kiʿāb*. *Kiʿāb* means many ankles. He said <u>two</u> ankles in the Qurʾān. The *Shīʿah* said that if you are saying *ilaʾl-kaʿbayn* then you have to find two bones, but you are currently washing to four bones because you have two ankles on each foot. Therefore, it should be *kiʿāb* if you are right and it's referring to the ankles. However, because it is saying *ilaʾl-kaʿbayn* (two bones), than the only two bones on the entire foot is that bone there and there (i.e. the cuneiform bone). The way you (the *Ahl'l-Sunnah*) are saying it would be four bones (of the ankles).

Shaykh al-ʿUthaymīn رحمه الله says that the response to them is simple – the *Sunnah* of the Prophet ﷺ. When he washed his feet – as witnessed by the Companions *mutawātiran* (without any doubt) – he washed his feet right up to the ankle, and in fact, right up to the shin. He is more knowledgeable about what Allāh intended by this *āyah* and he followed Him exactly. And every single Companion copied the Prophet ﷺ like that exactly. We have nothing narrated from any of the early *Imāms* of Muslims that they ever washed their feet only halfway up the front, rather [they washed] all of it.

Shaykh al-ʿUthaymīn رحمه الله says the *Rāfiḍah* always have issues. Specifically, they differ from *Ahl'l-Sunnah* in washing their feet in three distinct ways:

1) They do not actually wash the foot, they only wipe.
2) Their wipe ends at the cuneiform bone.
3) They do not wipe over leather socks, their wiping is over the skin itself.

They don't wash; they wipe over the skin. They only wipe up until that cuneiform bone which is half-way up the front of the foot. They don't wipe anything which is covering the foot - it has to be the skin itself.

Shaykh al-ʿUthaymīn says that of course the irony is that they do this with the knowledge that the one who actually narrated to us the wiping of the *khuff* is ʿAlī ibn Abī Ṭālib رضي الله عنه. According to them, he is the *imām* of the *ummah*. That's the response to that.

We talked about the toes in the *Sunnah* section. ʿAbdullāh ibn ʿUmar ﵄ used to be very strict when he saw someone washing their feet without going through the toes. He would tell them to go through the toes.

Student: Why does the wiping of the head then change to washing of the feet?

Ustādh: For those that understand Arabic and those who are interested in the *balāghah* of the Qurʾān and the different *qirāʾāt* of the Qurʾān, you'll know that Allāh ﷻ says (in the main way that is it narrated),

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ﴾

***"You who believe, when you are about to pray…"* [5:6]**

This word (*ilā*) is from a group of words (a preposition), which actually makes the following word what we call *majrūr. Majrūr* means that it makes the next word end with a *kasrah.* It makes it *ilaʾl-ṣalāt**i**.* That word can be recited *al-ṣalāt**u**, al-ṣalāt**a*** or *al-ṣalāt**i***. These are the three options. We know the reason - if there was no *tashkīl,* just the Arabic word without the help (of the *ḥarakāt*, or the diacritical marks), we would always know that that word is *al-ṣalāti,* because the word *ilā* is before it. *Ilā* is a tool which basically makes it *al-ṣalāti*.

That is the entire way of the Arabic language. The Arabic script is never written with *fat-ḥah, ḍammah, kasrah, tanwīn*, etc. We work that out. The more you study Arabic, you work that out by looking at what is before or after it, or by looking at its positioning in a sentence, because these are the things which are making it in that state. Obviously for us Paks, someone just helps us out and puts all the *tashkīl* in. I want you to understand that that is absolutely essential.

These kinds of letters, the *hurūf* or *adawāt'l-jar* are things which make words have *kasrah* on it, like *ṣalāti* or *wuḍūʾi*, or *rijli,* etc. - there are a number of them. The two very important ones in this *āyah* are the words *ilā* and the letter *bāʾ.* The word *bi* means 'with' or 'in' or a number of things. The letter *bāʾ* makes the following word *majrūr* (i.e take a *kasrah*). That may have lost a number of you, but those who are studying the Arabic language know exactly what I am talking about. Just keep watching.

Allāh ﷻ says:

﴿ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ ﴾

"[When you are about] to pray, wash your faces…"

Again, the word *wujūhakum* could have been *wujūhukum* or *wujūhakum,* but Allāh ﷻ has made it *wujuhakum*, with a *fatḥah*. When we see *wujūhakum*, we know that it is directly linked to the actual command that we have been told - *faghsilū* (wash). With that *fatḥah*, we know that everything that's now going to follow (every word that we see with a *fatḥah,* like the word *wujūhakum*) is going back to the command *faghsilū*. We know this because this is what we call *mafʿūl bihi* – the object of the sentence. What is the object that we wash? The object is going to be the *wujūhakum*. You will be able to identify it by the *fatḥah*.

Now that you know that, look at the following words:

﴿ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ ﴾

"and your hands to the elbows.."

Wa aydiyakum: It is not *aydiyikum* or *aydiyukum*, it is *aydiyakum*. You can see the *fatḥah* on the *yāʾ*, which means that this is also connected to *faghsilū*. It means that we also need to wash our hands *ilaʾl-marāfiq* (to the elbows).

﴿ وَامْسَحُوا بِرُءُوسِكُمْ ﴾

"...and wipe your heads..."

Wamsaḥū bi ruʾūsikum: Now look at this - we now have a new sentence within this wider sentence. You could add brackets around *wamsaḥū bi ruʾūsikum*. You would start it at *wamsaḥū* and you would end it at *bi-ruʾūsikum*. *Wamsaḥū* is a new command which means 'wipe'. Before the command was 'wash'. What follows it *(wamsaḥū)* is interesting; it is now *bi ruʾūsikum* and not *bi ruʾūsakum,* which means that now its relationship with washing has finished and its relationship is now linked to this new verb, which is 'wipe' - *wamsaḥū bi ruʾūsikum*.

Then the next limb mentioned is *wa arjulakum*, with a *fatḥah*. That is now related back to *faghsilū*. This is strange for us because in the Arabic language, we do not want to be thrown around all over the place. We would assume if we have been told to wash, then all of the things that are going to be washed should come in line and all of the things that are going to be wiped should come in a line. But here, Allāh ﷻ says we are going to wash, wipe, and then we are going to wash again. The only way we would know that is because there is a *fatḥah* on it and that *fatḥah* on that word means it must be going back to the *faghsilū.*

From this verse we can translate it as:

"When you stand up for prayer, wash your faces, wash your hands to the elbows, wipe your heads and wash your feet to the ankles. "

That is the standard *qirāʾah;* that is the standard way we recite the *āyah*.

Except there is another way of reciting the *āyah* authentically and this is the *qirāʾah* of *Warsh ʿan Nāfiʿ*. Many recitations of this verse would recite like this:

*"wamsaḥū bi-ruʾūsikum wa arjul**i**kum ilaʾl-kaʿbayn"*

This is a correct way of reciting the Qurʾān: *wa arjul**i**kum*. Now you tell me if I were to change this to *arjul**i**kum*, what does the translation of the *āyah* now mean?

It now reads, ***"and now wash your faces and your hands to the elbows and then wipe your heads and your feet till the ankles."*** Just by the change of the diacritical mark from a *fatḥah* to a *kasrah*, it changes the *entire* translation and meaning of the verse. The first one says, *wa arjul**a**kum* - wash your feet, and this one says *wa-ʾarjul**i**kum* - you wipe your feet.

This is very interesting as it is a *qirāʾah* which is authentic. It is *mutawātir*, meaning it's an absolutely authentic way of reciting the Qurʾān. This is where the scholars basically said that this is the beautiful sequence of the *tafsīr* where Allāh (through these two recitations) has covered both the washing of the feet and also given the divine permission to wipe it, on the *khuff*, for the wiping of the leather sock.

You all know '*M**ā**liki yawmʾl-dīn'* and '*M**a**liki yawmʾl-dīn'*. Now this is not a time for the *tafsīr* of *Al-Fātiḥah*, but the word *Mālik* means Owner, and the word King is *Malik.* It is almost as if you were to say: *'Māliki yawmʾl-dīn'*, Allāh is the owner of the Day of Judgement.

That is almost like a deficiency because the owner of something is not necessarily the authority. For example, a king can run a country but you are the owner of your house. It goes the other way around as well - you can be the owner of something (meaning that it is under your authority), but you are not necessarily the overall authority or king.

When we describe Allāh ﷻ, we always describe Him in the most perfect way possible. There cannot be a way we describe Him with deficiency - that Allāh is the owner, but He does not really own something.

Allāh ﷻ, in His divine wisdom, revealed this *āyah* in both of these recitations. '*Māliki yawmʾl-dīn'* and '*Maliki yawmʾl-dīn',* when combined, gives us this supreme meaning for Allāh ﷻ, that He is the king and the owner, with absolute authority. He has

absolute authority, He is the Owner in every single way - disposes of it in any single way, without any permission, without any fear of comeback - of the Day of Judgement.

For the people who know *tafsīr,* it is a condition to know the *qirā'āt,* the different *riwāyāt* - the original, the different recitations, the seven recitations that are authentic and then their various narrations that come off of them. You need to know that to give a full picture of *tafsīr* of an *āyah*. That is a useful and beneficial point to make here.

Following the Steps of *Wuḍū'* in Order

The next obligation is *tartīb* (order); basically, you have to purify your limb in its right place. This is the fifth of the obligations. The evidence for order is the *āyah* itself. Allāh ﷻ says: When you stand for prayer, then wash your faces, and then do this, then this, etc.

Let me tell you something very important, '*wa*' means 'and' in the Arabic language. Allāh ﷻ says:

﴿إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ﴾

"When you stand for prayer, wash your faces <u>and</u> your hands <u>and</u> then wipe your heads <u>and</u> your feet."

There are three 'ands'. In the Arabic language, the word *wa* does not indicate order. If I were to say *jā'a Muḥammad wa Zayd* (which means Muḥammad and Zayd came), that does not necessitate that Muḥammad came first and Zayd came afterwards. It just says Muḥammad and Zayd came.

There needs to be a *qarīnah* (side/extra/supplementary evidence) to suggest to us that there is an *order* in play. Just a *wa* in the Arabic language by itself does not necessitate order, unless we have a separate piece of evidence which suggests that.

Shaykh al-'Uthaymīn رحمه الله says that actually, that evidence is very clear from two places. First of all, the *Sunnah* of the Prophet ﷺ.We never saw him or his Companions make *wuḍū',* except in this order. We never saw the order change.

More importantly, secondly, the proof is in the *āyah* itself. The proof in the *āyah* is that Allāh ﷻ mentions a number of things - washing the hand, washing the face, and then the washing of the head. You have similar things which are then broken up by something different. What has it been broken by here? Wiping, and then it goes back

to washing. Allāh ﷻ would never interrupt the order of things unless that thing, which was coming in itself has a benefit or has a meaning.

This means that it's not random. You can't just randomly chuck in 'wash, wash, wash, wipe, wash', except that it is there as a reason to indicate order. The Arabic language will show that.

﴿ إِذَا قُمْتُمْ إِلَى الصَّلَاةِ ﴾

This means this is a *sharṭ*. If you are going to stand for prayer, then do the following. So it is a response to the actual condition which has been placed in the verse.

Now Shaykh al-ʻUthaymīn رحمه الله says that also, and the Prophet ﷺ said,

أَبْدَأُ بما بَدَأَ اللَّهُ به

"I begin with that which Allāh begins with"

This is a general statement. It was not said with *wuḍū'*, but it is the basic principle that when Allāh ﷻ starts something and mentions this in an order, then we should maintain that.

Ibn Taymiyyah رحمه الله has a nice statement with respect to this:

"The speech of the Arabs is never interrupted when there is something which is similar to another thing and they are in a list where it is a similar thing, then a similar thing, then a similar thing, or there is some kind of example being given and an example being given and an example being given. If something breaks out, the only time it breaks is for a fā'idah (point of benefit). There is no possible fā'idah in this particular āyah for this break other than to establish the obligation of order"

The Prophet ﷺ also said to the one who messed up his prayer - you know the one who came to the masjid and prayed and the Prophet ﷺ said, "Go back and pray, for you have not prayed"? He then told this person:

توضأ كما أمرك الله

"Make wuḍū' as Allāh has commanded you to."[1]

[1] *Jāmiʻ al-Tirmidhi*, Book of *Ṣalāh*, Chapter on the Description of *Ṣalāh*, *ḥadīth* no. 302

This is another indication that if you stick to this order, you will have done it properly.

So we have a question that arises here. This order is an obligation. If you don't keep up this order in your *wuḍūʾ*, what is the consequence of that? If you were to walk into *wuḍūʾ* and wipe your head first and then wash your face and then your arms and then go to your feet – your *wuḍūʾ* is invalid. That's the whole point. You have to do it in order. You have to wash your face first, then your hands, then wipe your head, and then your feet. That's the whole point of the *āyah*.

The Shaykh says we have a question: what happens if you mess up the order, either because you didn't know or because you forgot? He says some of the scholars said it does not matter, because if you forget about it out of forgetfulness or ignorance, then there is an excuse there because you didn't know. Other scholars said 'absolutely no way - the order cannot be left out just by forgetting'. This means that if you forget halfway and then you realise or maybe you finished your *wuḍūʾ* and then you realise afterwards that you forgot and you did it the other way around because you were not concentrating, then the second opinion says you have to go back and do it again, because it is a *farḍ* from the *wuḍūʾ*.

Now some of the scholars tried to make a comparison. They said that the first group that said it is okay and forgiven said it is forgiven because if you look at the example of the prayer - if you miss a prayer because you forgot about it and then you remembered at a certain time - it is possible to pray after the current prayer. This means they would be out of order, especially if the time is running out. So there is a proof that basically if you forgot about it, then let it go.

Shaykh al-ʿUthaymīn رحمه الله says, "I don't like this opinion. First of all, you cannot compare the orders of the prayer to the order of the *wuḍūʾ*, because the order of the prayer is an individual act of worship that is going against another individual complete act of worship i.e. the prayer, whereas the order of the actions in *wuḍūʾ* is one act of worship – it's all within the *wuḍūʾ*".

He says if you are going to make the right comparison and you want to discuss this academically, then you have to compare the order of the actions of the *wuḍūʾ* against the order of the actions in one prayer, like the *rukūʿ* and the *sujūd*.

He says any scholar says that if you were to go into *sajdah* first before *rukūʿ* because you forgot, that *rakʿah* will not be acceptable. You would have to immediately go back straight to that *rukūʿ* and carry on from there.

We say the same. It is important that if you mess up the order, you have to go back and start again from where you messed it up from. Either you start again completely, or you go back to the beginning of that point which you messed up the order from. That is one thing.

The Shaykh says if you were to talk about some *miskīn* from the *peind* (village) who has been there his whole life, does not know anything and he has been washing his feet first and then he has been doing the other three for his whole life, we are not going to tell him to repeat all his *wuḍūʾ* and prayer for the last fifty years. That is pure *jahl* and he didn't know better, so he is let off for this reason.

But there are some exceptions here. When we say 'order', we are talking about the order of the obligatory limbs, not the two parts of the limb. For example, first we wash the face and then we come to the hand. That doesn't mean it has to be the right and then the left. For example if you were to wash the left hand first and then the right, that is okay because the order within the actual limb is all right. When you come to the feet itself, you should start with the right first, then the left. If you were to do the left first before the right, that would not matter because the order within the actual limb is not the problem - the order is that of the limbs themselves.

So, the [correct order is to do the] face, hands, head, then feet. That is important, and the order is different according to the different categories. We are talking about obligatory actions here, but there is a *Sunnah* order as well. That is why you will see if you go back to your notes to when we covered the *Sunnah* actions, we said it's a *Sunnah* to do the mouth and nose before the face.

There is also an understanding that the more you open up the categories to include obligatory and *Sunnah* actions, the order starts to become even more important.

Continuity

Finally, *al-muwālah* is the last point, which means the continuity. The Shaykh asks, "and what is continuity?" It is basically that one doesn't delay the washing of a limb until the one before it dries up.

وهي: أن لا يؤخِّر غَسْل عُضْوٍ حتى يَنْشِفَ الذي قَبْلَه

[*Al-muwālah*] is that you do not delay the washing of a set of one limb so much so that the one before it has dried up. If it dries up, then that is it; you have broken the continuity. In a nutshell, your *wuḍūʾ* is to be like one action. It can't be so that it looks like there was a break in the action. How did they determine the break? They determined it with the drying up of the limb before.

Student: Say, for example, you are washing your face and then you go to your head. Do you have to start *wuḍūʾ* again completely or go back to your arms?

Ustādh: No, you wash your face. That step is still there, now you go to your hands and then you go back to your face.

Student: Just going back to the *āyah,* you said that there is no understood benefit of *arjul**a**kum* coming after *ru'ūsiku*m…

Ustādh: No, I said there is no understood benefit of *wa amsaḥū* in between *al-maghsūlāt*. As Shaykh al-ʿUthaymīn says, we have *al-maghsūlāt* [the limbs that we wash] and then *mamsūhāt* [the limbs that we wipe]. He said - and this is a statement of Ibn Taymiyyah and not my statement – that there is no benefit to *al-mamsūhāt* (meaning between the *maghsūlāt*) except for a *fā'idah*. What is that *fā'idah*? The *fā'idah* is *taghsīl.*

Student: But it could be argued that the other recitation is for *wa arjul**i**kum* so if you were to put *arjul**a**kum* before *wa amsaḥū,* then you couldn't say (*wa amsaḥū bi wujūh**a**kum wa aydiy**a**kum ilā'l-marāfiqi wa arjul**a**kum*) and then have (*wa amsaḥū bi-ru'ūs**i**kum*) because you couldn't apply the wiping to the feet if it became before the command itself. For example, if you took the word *wa arjul**a**kum* and you put it before the command to wipe, the other *qirā'ah* couldn't exist…

Ustādh: That is like saying that if there are marshmallows on the moon when we get there, are they going to be *ḥalāl* to eat or do we have to get *fatwa*? You are saying 'if' the verse said *arjul**a**kum* - but the verse doesn't.

Student: But I'm saying is the reason it doesn't is to allow other recitations to exist?

Ustādh: We don't know that. The direct answer would be that you have completed the Arabic series of washing and you have gotten onto two series of wiping. My advice to you is: do not create hypotheses which are not there. We don't need to put the *arjulakum* before the *amsaḥū* because that is not what Allāh wanted or intended. Stick to what Allāh has given us, which was what you started your argument with.

*Arjul**a**kum* and then *arjul**i**kum,* both in its right current place. If you're arguing that *arjul**a**kum* (which refers to the wiping) is the proof that this is an order if we were to change it to *arjul**i**kum,* then the point of evidence for using the *āyah* for order is cancelled. This is your point, isn't it? This is what you needed to say - you don't need to say if *arjul**a**kum* was before, or this and that.

The response to that is of two parts:

1) The *Sunnah* of the Prophet ﷺ made it very clear what the order is, but to use the Arabic on the *āyah* itself, we would have same, same, same and then different but same, same. You are right, the *fā'idah* of proving that it has a different order will drop.

Student: Also, the fact that the letter *waw* can be used for showing *tartīb* (order). Otherwise, the *āyah* should have said *thumma* (then).

Ustādh: Correct. We said that word *wa* ('and') could mean 'both', 'either', 'and', or 'then', depending upon the context and supporting evidences. So the *qarīnah* is important.

The *qarīnah* is the action of the Prophet ﷺ. The action of Prophet ﷺ turns the 'and' into a 'then, then, then'. If the Prophet ﷺ didn't do the order, then the 'and' - as you have said - would just remain as an 'and'. But now because the actions of Prophet ﷺ always show that he did it in this order, now the *wa* is like the *thumma*, as you mentioned.

AL-MUWĀLAH

The continuity. This is the sixth and final obligation from the obligations of *wuḍū'*, according to the Ḥanbali *madh-hab*. It means 'when something continues straight after it'. This continuity (according to Shaykh al-'Uthaymīn) is indicated in the *āyah* where Allāh ﷻ said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ﴾

"O you who believe! When you are about to stand for prayer then wash your faces."

The *fā* here is a 'then'. When you are about to do 'this', then go and do 'that'. Shaykh al-'Uthaymīn says,

أنَّ جواب الشَّرط يكون متتابعاً لا يتأخَّرُ، ضرورة أن المشروط يلي الشرط

This is an Arabic language point. When you have the *jawāb al-sharṭ*, i.e. whenever you have a response to a condition ("If you want to do this, then do that") then in principle it is never delayed. The 'then' in the Arabic language doesn't mean [delay]; *lā yata'akhkhar*. This is part of the principle of the Arabic language. This is the evidence from Qur'ānic Arabic.

As for the evidence from the *Sunnah*, the Prophet ﷺ has never been narrated to have done the ablution in two parts or three parts. He has always done it in a continuous, single motion. Shaykh al-'Uthaymīn رحمه الله makes a couple of points. He says:

وقال بعضُ العلماء: إن الموالاة سُنَّةٌ وليست بشرط؛ لأن الله أمر بغسل هذه الأعضاء، وهذا حاصل بالتَّوالي، والتفريق

Some of the scholars said that this continuity is a *Sunnah* only and not a condition of the *wuḍū'* i.e. not an obligation. They said, the reason for this is because Allāh only ordered for them to be washed. He didn't say that that has to happen immediately. Shaykh al-'Uthaymīn ﵀ responds:

والأَوْلَى: القول بأنها شرط؛ لأنها عبادة واحدة لا يمكن تجزئتها

He says it is much better and much safer to consider it to be a **condition** because this is a single act of worship. It is *'ibādatun wāḥidah*. The *wuḍū'* is a single act of worship and a single act of worship is never divided out into parts with one part here, one part there, and so on. That is fine.

Now let's get our teeth into what I think is the important part, which is how our author Imām al-Ḥajjāwi ﵀ defines what continuity is. He defines it in a very interesting way.

أن لا يؤخِّرَ غَسْلَ عُضْوٍ حتى يَنْشِفَ الذي قَبْلَه

He says that continuity means that one doesn't delay the washing of a limb until the one before it dries up. He is obviously using what *he* considers to be [the definition of continuity], because there is nothing from the Prophet ﷺ to [establish this]. The Prophet ﷺ never said that you can't delay the washing of your limb until the other one dries up. Therefore, the scholars are using *'urf* (the culture of the people) to try and understand what a reasonable amount of time is.

Obviously when the author makes this statement, he says this is when the conditions outside are not raining and the condition outside is not burning hot, because obviously if it is burning hot then it will dry within one second. Anyone who has done *wuḍū'* in Saudi outside will know that within seconds, it is all gone. And you know that if it is freezing cold outside, it is wet and everything then your arms and legs will stay wet for ages and ages. Theoretically, you could go wash your face then go to the back. Chill, have a munch, come back, and then wash your arms and then chill.

The meaning of this point (that the limb before it doesn't dry) obviously is in normal conditions that don't change and have an effect on the water itself. Also, when they

[the Ḥanbalis] mention this point, when they say that, for example, I wash my face and it is now wet, then I wash my arms and they are now wet and now I am about to wipe my head… As I am about to wipe my head, my face is now dried. It is not a problem because the ruling is about the arms. It doesn't matter. My face is now dried naturally. As long as my arms are wet, that is okay to now go on. This is according to the Ḥanbalis.

Shaykh al-ʻUthaymīn رحمه الله also likes this opinion. He prefers this idea of the wetness because he says that it's safer, and so on.

He says that it has been mentioned by some scholars, and this is my personal opinion. Shaykh al-ʻUthaymīn رحمه الله says this is a *riwāyah* from Imām Aḥmad رحمه الله - that what is actually given consideration is a *long duration of time* (according to the culture), and not actually the drying up of the limb. So, it's not really about whether it dries or not. It is about whether the gap is so long that things have lost control.

ʻAbdullāh bin ʻUmar رضي الله عنه has been narrated in an authentic *sanad* that he was in the market, and he was making his *wuḍūʾ* and he finished washing his face and his arms. He wiped his head. As soon as he finished wiping his head, a man came to him and said, "A *janāzah* is in the *masjid*. Can you lead the *ṣalāh*?" He says, "Okay," then he walked into the masjid, and he stood for *ṣalāh* and before he did the *takbīr* for the *janāzah*, he wiped over his feet. He might have been wearing a *khuff* or something, and he wiped his feet.

He actually completed his *wuḍūʾ* inside the *masjid* when he stood for prayer. Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله says that as far as I'm concerned, five minutes is acceptable. Meaning that there is this understanding that the gap period is not about drying. The gap period is about when people are looking at it, they are saying 'Wow, that's a long time.'

For example, if you were to wipe your head, and you are about to wash your feet but you get a phone call. Now, there's phone calls, and then there's *phone calls*. So I am saying you should pick up the phone, no problem. Pick up the phone, "What's happening, bro? Listen bro, I'm making *wuḍūʾ*." If you can make it quick, then make it quick. Job done.

If your missus calls, then I'm saying you should put it on speaker and just put it down, and just carry on doing everything. The point is that if the phone call goes on for ten to fifteen minutes and a person were to come in, thinking, "what are you doing on the phone in the bathroom," right? First of all, why do you have your phone in the bathroom? The point is, you understand the issue. I think five minutes within our culture is right.

Now, what Shaykh al-ʻUthaymīn رحمه الله doesn't like about this position, (and he has a point) is the problem when you use people's culture, or people's own societal norms, it is then difficult to set parameters upon them. It is difficult to keep them under control. In my time, a phone call of fifteen minutes was nothing. We're chillers. Take it easy, relaxed. Maybe our fifteen minutes is their four. That's the point. When you leave it up to culture, then everybody's going to do *their* thing, right?

At least when you have this concept of water and drying, it is under control, and that is fair enough. I'm a strong believer in the authentic opinion, and this is definitely my opinion, and the class position as well. I want to say that the **class position** is that it has nothing to do with the drying of the water, or the drying up of the limb. It has to do with time.

Who can tell me what's useful about this opinion? This isn't the reason I chose this opinion but it does help in *fiqh*. What's the immediate benefit of the opinion that I am teaching, as opposed to the opinion of waiting for the other side to dry first?

You don't get caught with your foot in the sink! You can imagine how easy it would be, for example, to lift off your right foot, wash it and dry it whilst it's there. You've washed it then you dry it completely and then put your sock and shoe on straight away and now you've got a socked up, shoed up right foot now that you can stand on and now you wash left foot and then you wash up, dry up, and whatnot.

You would realise that this practically makes a world of difference. Obviously if you were to literally stick to the letter of the law like the *fiqh* of the Ḥanbalis, they say you can't dry it. We say, 'what is the evidence you can't dry it?' Once something has been washed, it's washed and it doesn't need to remain wet.

Which goes into another chapter which goes into another issue - is it permissible to dry? This is a difference of opinion amongst the scholars and the Companions, but there were a number of the Companions… ʻAbdullāh ibn ʻAbbās, for example, has been narrated that sometimes he would walk out of the *wuḍūʾ* area and he would have water dripping. We've seen the Prophet ﷺ with water dripping. Anas ibn Mālik would dry himself with a towel. Jābir ibn ʻAbdullāh said 'Don't do it (don't dry yourselves).'

This is a *khilāf* amongst the scholars, but drying isn't talking about drying in between. This is talking about drying in general. Can you dry up afterwards? I want to say that there's no evidence at all to show that *wuḍūʾ* is only correct if at the end of the *wuḍūʾ* process, everything is wet. There's no evidence to ensure that.

I am saying that it's permissible if there's a reason; for example, if it's really cold and you wash your hand and you know that if you leave that arm exposed whilst you wash this one, it might cause problems. It might be -30 degrees. So it's permissible for you to wash that and then dry it and then put your sleeves down and then move on to

the second one. This is my opinion, and I don't see any reason for that not to be the case. Like I said, there's a *riwāyah* from Imām Aḥmad as well.

Shaykh al-ʻUthaymīn mentions a good point. He says that there's some exception to this scenario. An exception would be if there was a delay, but the delay was part and parcel of the washing. For example, you are washing your arm, and we have basically said five minutes and they said your face should not dry. Let's now say that the face is dry. The reason that it is dry is [because he came] across some paint so now he is scratching away at the paint, and then scratching away at another part. By the time he got rid of all the paint, fifteen minutes has gone by. He is bone dry now. According to the Ḥanbalis, this is no problem because he is actually still continuously within the act of purification. So even they themselves do not necessitate the issue of the drying; it is more about a continuous act.

He رحمه الله said, on the other hand though, if you were washing your face and moved to your hands and then suddenly as you are washing your hands, you see some blood on your shirt or some *najāsah* of some sort, you drop that and just move to washing this, and that takes ten to fifteen minutes, the *wuḍūʾ* is broken. Your *ṭahārah* is a physical *ṭahārah* of your body. But now this is the *ṭahārah* of your clothes; it is a separate act of worship. What should happen is that you would finish your *wuḍūʾ* and now start cleaning this. It is a separate point. Shaykh al-ʻUthaymīn رحمه الله said the same applies if you are making *wuḍūʾ* from a well and you finish the water and then you put the bucket back down the well, and bring more up again, and it took you ten or fifteen minutes - that would also **not** be a problem. The continuity would have been maintained.

Q & A

Q: When doing complete *wuḍūʾ*, what is the evidence about drying? Where's the evidence to say that you shouldn't dry with a towel?

A: I don't know of any evidence; there isn't any evidence. There is evidence to show that it **wasn't done**, but there isn't any evidence to show that you **shouldn't do it**. Does that makes sense? So the Prophet ﷺ walking in showing water dripping shows that it wasn't done by him then, but it doesn't necessarily mean that it's not allowed to do. There is a difference between the two.

Q: Did you say it's recommended to wash the right hand before the left, even though it's not obligatory?

A: Absolutely. The Prophet ﷺ loved to put the right [first] in everything.

Q: Let's say you mess up your *wuḍūʾ* and you forgot to wash your feet and pray *ʿAṣr*, and then it's *Maghrib* time and you realize you forgot to wash your feet, and then you obviously have to do your *wuḍūʾ* again for *Maghrib*. Do you also have to pray *ʿAṣr*?

A: Yes, in my opinion, if you forgot to wash your feet, then you need to go back (even though it's *Maghrib* time) to pray your *ʿAṣr*, and then your *Maghrib*.

Q: Are we allowed to dry our face with a towel before we go to wash our hands?

A: Yes, in my opinion, it's allowed to dry your face with a towel before you wash your hands if there's a reason to do that. If you want to do that, it's allowed.

Q: What is the point at which one goes too deep into *fiqh* and goes overboard? For example, it could be argued that trying to legally define exactly what constitutes the face, and the hand, is going too far and detracts from the simplicity and ease of the religion.

A: It's a good and difficult question but the answer to that is that some scholars do consider that you should just keep it simple, keep it to the face, so it's not just a random point. Generally the *imāms* of *fiqh* do need to create some parameters because some people don't appreciate what defines the face. So if there's a need, then it does require a definition. So the answer to that is that it's something which self-regulates. The field regulates itself.

Q: Can you give us more information on the *Muṣannaf* of Ibn Abi Shaybah?

A: The *Muṣannaf* of Ibn Abi Shaybah is too off topic and too detailed. It's a book of *riwāyāt.* It's a combination of *aḥādīth* of the Prophet Muhammad ﷺ and narrations from the companions of the Prophet ﷺ, and some of the *tābiʿīn* with very short chains, so it's very close. A lot of it is authentic, and a lot of it is not authentic; it requires very detailed checking of the chains. But it's a wealth of information of understanding the actions of the Companions, especially, because we know we have a lot of focus on the Prophet ﷺ in the big books of *aḥādīth*. All of these books, when you study the science of *ḥadīth*, you'll know that a *jāmiʿ* like Imam al-Bukhāri's, like the *Sunan* of the four *imāms*, like the *Musnad* of Imām Aḥmad and Abu Yaʿla…all of these various types of collection of *aḥādīth* are arranged around the Prophet ﷺ in different manners, and so you learn all these different types - the *maʿājim*, the *muʿjam,* etc. Whereas for the Companions, there's very little that's specifically dedicated for them. So the *Muṣannaf* of Ibn Abi Shaybah has a real focus on the Companions directly.

15. Obligations of *Wuḍū'* VII

Technical and Theoretical Aspects of the Intention

We are continuing with our lesson based on the commentary, *al-Sharḥ al-Mumtiʿ* by Shaykh al-ʿUthaymīn رحمه الله. Last week's lesson was useful in that we were able to finish the obligatory acts of *wuḍū'* in its entirety. We'll tie in the theoretical aspects of the *niyyah*, which are important and even more so for the students who are Shāfiʿi. There is an interesting position about the *niyyah* from the Shāfiʿi *ʿulamā'* when it comes to the *niyyah* of *wuḍū'* and what it can be used for.

You may not have realized before that the Shāfiʿis require specific *niyyāt* and not a general one. This will all become clear soon. I think, if I am right, that we have completed the entire chapter from last time. We start then with the Arabic:

والنية شرط لطهارة الأحداث كلها فينوي رفع الحدث أو الطهارة لما لا يباح إلا بها فإن نوى ما تسن له الطهارة كقراءة أو تجديدا مسنونا "ناسيا حدثه" ارتفع.وإن نوى غسلا مسنونا أجزأ عن واجب "وكذا عكسه" وإن اجتمعت أحداث توجب وضوءا أو غسلا فنوى بطهارته أحدها ارتفع سائرها. ويجب الإتيان بها عند أول واجبات الطهارة وهو التسمية وتسن عند أول مسنوناتها إن وجد قبل واجب واستصحاب ذكرها في جميعها ويجب استصحاب حكمها

The intention is a prerequisite for purification from ritual impurity, in all of its forms.

One makes the intention to lift the state of ritual impurity, or for the purification to do something which wouldn't be permissible without it.

If one intends something for which purification is only recommended such as reciting, or (one intends) the *Sunnah* form of renewing one's *wuḍū'* with the condition that they've forgotten whether they invalidated their *wuḍū'* previous to that, the state of ritual impurity will still be lifted.

If one intends a *Sunnah ghusl*, it will suffice for an obligatory one and vice versa. If many reasons for one's ritual impurity are combined which require *wuḍū'* or *ghusl*, and one only purifies himself for just one of them, all the states of ritual impurity will be removed.

It is obligatory (to make the intention) along with the first obligation of purification - which is the stating of "*Bismillāh*" - and it is recommended to do so along with the first

of its recommended acts if indeed there are any to be found before the obligatory acts. (It is also recommended) to remember the intention throughout the entire process (of *wuḍū'*), and it is obligatory to positively maintain that intention (throughout the *wuḍū'*).

That is the actual translation of the text itself, and it's one of the more technical pages that we'll come across in the Chapter of Purification. In the chapters of *'ibādāt*, this is actually quite a technical kind of aspect. The discussion which is going to happen now is first of all to establish whether one has to have a real *niyyah* before they start this act of worship i.e. *wuḍū'*. This is what we are going to discuss. It is a discussion point because not everyone agrees.

Now you think that it's an act of worship, obviously. If it's an act of worship, than we know that there are two conditions for any act of worship to be accepted. It has to be done for the sake of Allah ﷻ, and it has to be done according to the way of the Prophet Muhammad ﷺ. This is generally when you look at any act of worship.

Is the Intention for Ablution Necessary?

There are some *'ulamā'* - or rather, I should say the Ḥanafi school - and they are alone in this issue. They actually consider the *wuḍū'* not needing a *niyyah*, and it's very interesting why. In the explanation of that, you will learn a very important principle about what we call *al-maqāṣid* (the objectives) and *al-wasā'il* (the means to get to an act of worship). The *maqṣad* (plural: *maqāṣid*), means the objective.

Allāh ﷻ says in *Sūrat'l-Mā'idah,* verse 6:

﴿ إِذَا قُمْتُمْ إِلَى الصَّلاةِ فاغْسِلُواْ وُجُوهَكُمْ ﴾

"When you are about to pray, wash your faces"

For them, the real act of worship here is the prayer. Therefore, everything which then gets to the prayer, is just a means; you don't need to make intentions for them. The majority would of course respond and say 'Well quite clearly, we can't accept that because *wuḍū'* itself is a very clear act of worship'.

It's like if you are making *wuḍū',* whether you need to have a specific intention to wash the hand, and it's all about the washing of the hand. For example, having an intention to have the water in a certain way to allow the water to wash the hand, to get the washing done, i.e. in *wuḍū'.* We wouldn't need to make *niyyāt* (intentions), for the individual aspects at the beginning. This is what this discussion is going to start off with, and it is an important one.

Then it's going to move to how powerful a *niyyah* is. What is it applied to? Is it so that as long as I make *niyyah* to lift my state, I don't have *wuḍū'*? If I don't have *wuḍū'* that means I am in a state of impurity. We studied for the whole last year about this - it is very important to distinguish being spiritually and physically impure. To be physically impure would mean that I have something on my hand or my clothes, for example. This is physical *najāsah* or *khabath.* Whereas *ḥadath* (plural *aḥdāth*) are ritual impurities; it basically means I would not be able to pray even though I may be clean as a baby.

[I could be] super clean, super beautiful, come out of the shower smelling great, shampooed everything up, but I can't pray. The reason I can't pray is because spiritually or ritually, I am not ready for *ṣalāh*; I am not ready to do anything, actually. Of course, this is very important and it becomes more important in certain areas and certain times.

Willful Action

I will give you an example. If you have a long day at work, you often take a shower because it cools you down. When you so regularly take a shower or wash the face repeatedly to freshen up (if you are hot and sweaty), it becomes so frequent that the lines become blurred between the shower and the act of *wuḍū'* itself, or the act of *ghusl* itself.

We all know that every Muslim suffers from the kind of mind that goes on autopilot, like during *ṣalāh*. Most of us suffer immensely in our *ṣalāh*. Some of us are fortunate enough to focus. You get up, get the *niyyah* ready, say "*Allāhu akbar"*, hold it, and you are there, you are… and then it starts to fade.

In our thoughts, *Shayṭān* says 'Okay, I'll just let you start and make you excited. You know I will make you think that this is working; you got *bismillāh*, you got *alḥamdulillāh,* now let's see how long you last'. Then he starts to put *waṣwāṣ*, so the ideas comes through, and all the theories. By the time you realize again, you have moved into *rukūʿ.*

That is the nature of how *Shayṭān* plays us, and that is actually one of the wisdoms of why Ibn Taymiyyah رحمه الله mentioned the *takbīrat'l-intiqāl,* (*takbīr* of moving from one position to the other). One of the wisdoms is that you know you are going to get attacked, and you will get your mind taken away from you from the matter at hand, and then it is like, 'Allāh ﷻ is greater than that' – *Allāhu akbar.*

Then you are in that position, then you come back up and you are standing. People think that it is '*samiʿallāhu liman ḥamidah, Rabbanā wa laka'l-ḥamd'* and then straight down. They think it is a very quick position. If you do it properly, according to the

Sunnah, you could be standing there for a minute. That is a long time in the middle of a prayer. Just to be standing, your hands up beside you and making the *duʿāʾ* from the *Sunnah* of the Prophet ﷺ.

Remember, this is not a *duʿāʾ* you just learned. This is a *duʿāʾ* that you say many times every single day, therefore it is human nature that your mind starts to get numb. Whatever you are thinking, wherever your mind went, Allāh ﷻ did not go anywhere. You are the one who left him. *Allāhu akbar*.

Therefore, this issue of having *istiḥḍār* (being present and making the act real) is essential in all acts of *ʿibādah.* That is why we said when doing the *wuḍūʾ* that it is really important that you are not just washing, because you would normally wash your hands. In *wuḍūʾ,* you just need to slow things down a bit. You need to look at your hand and think 'I am preparing myself to worship Allāh ﷻ here'.

We should be literally owning that sense of having our minds present in everything that we do. It's also because we are practicing, we get the reward for it. The danger of not believing in this concept and the danger of being too lax is that you go into the shower and you don't make any intention whatsoever. You come out of the shower and the line becomes so blurred between nightly shower, morning shower, or midday shower (since it's hot) and the one I needed to do to make *wuḍūʾ.*

In the hot climate you have to be careful of the cold shower and [vice versa]. A lot of people (by nature) will break their *wuḍūʾ* and they will say 'Well I'm not going to make *wuḍūʾ* now. I'm going to the shower anyway because I feel I need to relax a bit and wash up'. They go in with that and the *niyyah* for making *ghusl* is gone, and therefore you come out super clean but not ready to pray. That is a very important technical point.

From a benefit point of view, it's a reminder to myself. I wrote this the other day - if only we just understood how powerful the intention is. We've gone into a shower, with water and soap and we've come out super clean and we still can't pray. We'll pray 20 rakʿāt or whatever we want to pray, and none of it will be accepted. If we had just say, 'this is wuḍū'' or 'this is *ghusl'...* and we'll come later to whether it is sufficient to say or just believe that it is *wuḍūʾ* or *ghusl*.

Verbalising the Intention

The Shāfiʿis, like the majority of the scholars, believe it's *bidʿah* to say the *niyyah* out loud. Ibn Taymiyyah رحمه الله mentions in *Majmūʿ al-Fatāwa* that there are two statements of the scholars on this. I agree with this position, even though in *Fiqh of Ṣalāh* I am defending the people who make the verbal *niyyah* - not defending it Islamically, but culturally.

Ibn Taymiyyah said it is one of the two statements of the *ʿulamāʾ* that it is permissible to verbalise the *niyyah*. But the majority of the scholars will say it is *bidʿa*h. To verbalise a *niyyah* is a major problem, so we should avoid that.

The more important point is that for those people that actually appreciate the power [of intentions], one change of the intention opens up an entire door of worship.

The example that I gave the other day is fasting. I've noticed, *māshāʾAllāh*, that there is a big revival for fasting. I think that's in line with the general revival of people practising the *Sunnah*, which is something positive. I have also noticed that a lot of people miss out, like I did the other day. I was in Scotland on Sunday night, and I was traveling early on Monday and I knew that I had lots of things to prepare before I came here [to Malaysia]. I actually said to myself that I don't think that it's going to be realistic for me to fast. I don't think it's going to work out, I'm going to get hungry, etc., so I decided not to. *SubḥānAllāh* I didn't eat or drink or even look at anything the entire day. Now Maghrib was like at 4:50pm, yet it wasn't till about 7:30pm that I actually even thought about food and sat down. *SubḥānAllāh* when I said '*bismillāh'* to start the food, I thought to myself, 'Look at that - what a waste of a day!'

There's obviously another important point to it as well and that is that we also need to move away from the idea that just because I didn't eat, I lost out on the fast.

Actually that's also not very accurate, because eating and not eating is only one small aspect of the fasting. In my opinion, not eating is the easy part. In the winter, it gets down to like 3:50pm or something. It's clear that the real issue is not the food and the drink. In the UK, it's very cool and wet. You don't feel hungry, you don't feel like you need to drink anything. The labour market is not very physical, and so food is the easy part. It's the rest of the mind being focused - recognising you're fasting, controlling your statements more than you would normally do - that is actually the difficult part. I am just saying that one intention that I had made would have got me the reward for the fasting and I missed out.

THE *NIYYAH* IS A PRE-REQUISITE

Let's look at some of the text now *inshāʾAllāh*. Imām al-Ḥajjāwi's initial statement was:

والنيَّةُ شرطٌ

Niyyah comes from the verb *nawā* which means to intend something, to plan and to want something, or to have something in your sights. It is what you intend. In the Arabic language, the word *niyyah* can be pronounced with *tashdīd* and *takhfīf* (*niyyah*

with the *shaddah* and *niyah* without the *shaddah)* - both are acceptable from a linguistic point of view.

Sharṭ is a sign or an indicator of something and it indicates something else. That's linguistically speaking and that's where its Islamic meaning comes from.

It's a precondition which establishes what is about to follow. That's where the linguistic aspect is. It's a much stronger word legally. It's a condition. It's a pre-requisite that it needs to be there for the validity of the action afterwards. That's in principle.

Linguistically, though, we know that there is a difference between the idea of *wājib* and *sharṭ* (a pillar; the essence of an act), which is the most important thing. It's important to give the word *sharṭ* a proper definition. I want to make it clear that when we say that the intention is a pre-requisite for purification from ritual impurity, we have two intentions behind it.

We want to worship Allāh ﷻ and please Him with what we are doing. We actually want to lift the state of ritual impurity.

That has to be specific in the mind. You have to feel it, and believe it when you are actually doing it. The principle of obligating *niyyah* in all the actions of worship is something which is well established from the Qurʾān and the *Sunnah*.

Allāh ﷻ says in *Sūrat'l-Zumar,* verse 2:

﴿فَاعْبُدِ اللَّهَ مُخْلِصًا لَّهُ الدِّينَ ۝٢﴾

"So worship God with total devotion."

Making the religion sincerely for Him ﷻ. This is something which is absolutely at the very basic principle of worship.

Even when you respect someone for the sake of someone else, it's not really respect. Likewise, worshipping Allāh ﷻ [only so] the people will believe that you are the right kind of person - Allāh ﷻ is in no need of that. Allāh ﷻ has created *insān* with this incredible power or force inside. We call that force *fiṭrah*. It is this innate nature which is pushing you towards recognizing who you really are. We know, deep down, that this world is not ours. This is a very physical, material world and our physical, material nature is not an after-thought but it is the second aspect of us.

Actually, we are souls first and foremost, right? And the souls don't live here. *SubḥānAllāh*, when we die, the souls leave because they are not meant to stay here; this is a temporary ground. The souls leave when we die. Actually, every night they

try to escape; every single night we have the minor death when the souls leave. When you have a dream of course, it is the souls meeting - not physically in this planet. When you are meeting other people and experiencing that, it is the souls.

Even when we look back at our origin, the souls were in heaven. We have no evidence (we can't affirm or deny), but in principle, the body is not some kind of aspect of *Jannah*. It is a soul kind of nature, spirit kind of nature [in *Jannah*]. We are everything that we are there, but when we came here then we were given the human reality.

Still, inside us, we all know where we come from. We all know that because as Allāh ﷻ says in *Sūratʾl-Aʿrāf* (7:172) that we have already beared witness to that. When Allāh said to us, "Am I not your Lord?" and we all said, "Yes you are; absolutely, you are" and Allāh said, "I have asked you that and I have made you bear witness to that so that on the Day of Judgement, you don't say that you were from the *ghāfilīn* (the people who didn't know)".

﴿وَإِذْ أَخَذَ رَبُّكَ مِن بَنِي آدَمَ مِن ظُهُورِهِمْ ذُرِّيَّتَهُمْ وَأَشْهَدَهُمْ عَلَىٰ أَنفُسِهِمْ أَلَسْتُ بِرَبِّكُمْ ۖ قَالُوا بَلَىٰ ۛ
شَهِدْنَا ۛ أَن تَقُولُوا يَوْمَ الْقِيَامَةِ إِنَّا كُنَّا عَنْ هَٰذَا غَافِلِينَ ﴿١٧٢﴾﴾

"And [mention] when your Lord took from the children of Adam - from their loins - their descendants and made them testify of themselves, [saying to them], "Am I not your Lord?" They said, "Yes, we have testified." [This] - lest you should say on the day of Resurrection, "Indeed, we were of this unaware."

Actually, we do know and so that is inside of us. We have that force and [it] is about recognising that and putting it to good use. So if Allāh ﷻ wants us to worship Him, and Him alone, and we are not doing that for His sake but because of X, Y and Z reason, then the whole thing is a fail. It doesn't matter what you do. So much so that the very highest levels we can perceive in the human perception, however possible it can be, can be a false perception.

For example, take the *mujāhid* who does the biggest sacrifice possible - he gives his life. And the one who recites the Qurʾān very fluently that touches your heart, which you know requires a deep study, which requires a huge amount of effort to memorise. And then you have the one who is giving his money away. The link between all three of these things is that to actually achieve the result that they are achieving is very difficult.

The Prophet ﷺ said in the *Ṣaḥīḥ*[1] that all three of these people who gathered in front of Allāh ﷻ are thrown into the Hellfire face-first, even though these three people did

[1] *Ṣaḥīḥ Muslim*, The Book on Government, Chapter: One Who Fights to Show Off and Gain a Reputation Deserves Hell, *ḥadīth* no. 1905.

all of these things. [The problem is that] they did it because they wanted the people to know "I'm a strong, courageous, *mujāhid*" "I'm generous" "I want them to know I am the great reciter" and so on and so forth.

The *niyyah* changes everything. It's a game-changer and it's a deal-breaker. It's everything. There is nothing in your life that you will ever study or perfect that is more important than your *niyyah.* And if you want a clue in that, always look to the really strong people to see what they are scared of. When we think about the strong people we think about our scholars, we think about the *salaf.* We think about the big players on the market. The ones who have really got something and you will see them talking about it in their books all the time; about their *niyyah*.

[They write] "I'm not sure, people are praising me a lot" – and we all have an ego. For someone to say that they do not have an ego, that's just a load of bakwas. Everyone has an ego and not only does everyone have an ego, everyone likes to have their ego massaged - nicely and gently.

I'm saying everyone likes to be praised. Obviously when you get praised it becomes dangerous, because praise is often what then makes you believe that "Wow, people really like that" and then you do more and more. It can be difficult maintaining that.

Now of course the solution to that is to put your trust in Allāh ﷻ and say "I am doing it for Your sake and if the people are happy, then that is from You, *yā* Allāh, but I have to keep going" because *Shayṭān* is right there, playing you at that moment. He wants you to get so freaked out by your act of worship, charity, or help that you stop doing it - and then he's buzzing. He's absolutely laughing his brains out. He's like, "There you go, I did it". Whereas our response is that Allāh ﷻ writes *qubūl*; he accepts these things, and let's carry on with that. Let's make it bigger and better. People like it? Great. But my response to the people liking it is to please Allāh and make Him like it more.

How do you do that? Do the same when people can't see – and that is the lifelong solution to the *niyyah* problem. Do and make your private better than your public. That's it. And if you do that, you'll be safe. You'll protect yourself.

Everyone can pray *Sunnah* in the *masjid,* but isn't it interesting that it's *Sunnah* to not pray *Sunnah* in the *masjid*? Just think about that. Isn't it interesting that when you're praying obligatory prayers and however nice you pray, you're praying next to some next guy who's doing the same thing at the end of the day? If your prayer is great, then as Ibn al-Qayyim used to say, "You look at two people standing next to each other and there's a heaven-and-earth difference between the two." This is his famous explanation of the five levels of the prayer.

The first guy on one side is chilling out and going through the actions. He might be getting involved with the prayer, but he's in-out, in-out. His mind's there and at the

end he's like "Okay, whatever." Whilst the other chap is praying, and from beginning to end he's just on another planet. He's just on another planet - thinking and reflecting about the verses, what they mean, how it impacts us, and he's really feeling it. He says, "*Alḥamdulillāhi Rabbi'l-ʿālamīn"*. He's thinking "*SubḥānAllāh*, it's so true". He says the statement and he's thinking about it.

The Prophet ﷺ told us that Allāh ﷻ does not give anything to Ibn Ādam (meaning the creation) and the creation says "*Alḥamdulillāh*" for that blessing, except that what the person said was better than everything that Allāh gave him[2]. So for Allāh ﷻ to hear a genuine thanks in the form of *al-ḥamd…* and we discussed this before, the consequence of *shukr*.

It exists, [like in the supplication] *Allāhumma aʿinnā ʿalā dhikrika wa* <u>*shukrika*</u>, which means 'O Allāh help me to remember you and to <u>thank</u> you..'.

Actually to thank Allāh verbally and to say "Thank you, O Allāh" is not something you find in the *Sunnah,* and even when you do, it's very indirect. There's no *ashkuruka ya Allāh*, like we would say in Arabic. If someone gives something to you, [you say] "*shukran"* (thank you) or you say "*ashkuruk"* (I thank you) or "*nashkuruk"* (we thank you). That's the way it would be in general, but Allāh has given us the way of how to say thank you.

It is the perfect one, and you say "*alḥamdulillāh*" (All Praise is due to Allāh). You will have heard me explain this before. Of course, one of the beauties in this statement is that the word "*shukr*" is contingent. If you look at the word "thanks" it is normally [said whzen] someone does something for you, then you give it back. You say, "thank you very much." You do not thank people when they do not give you something.

That is an insult to Allāh. It is like when you are thanking Allāh, it is almost like the moment you are breathing and you did not get something incredible, that was not worthy of thanks. It is almost to say that.

Allāh ﷻ has blessed us by giving us a concept and a word which has no deficiency [in this regard], which is praise. This praise is whether I recognise it or not, whether I see it or not, whether I receive something which is palpable or not, or I can perceive it or not – You are praised. In the good and the bad, all the time, You are praised. That is why the Prophet ﷺ said "*alḥamdulillāh"* in the good times and even in the bad times (*Alḥamdulillāhi ʿalā kulli ḥāl* = all praise be to Allāh in all circumstances)[3]. It is important to be able to recognise just how powerful *alḥamdulillāh* is.

If a person has just prayed, a person has just finished a real busy morning of work and they are standing for *Ẓuhr*, and they are appreciative of this little opportunity to connect back again with Allāh. When they say: *Alḥamdulillāhi Rabbi'l-ʿālamīn,* it's like

[2] *Sunan Ibn Mājah*, Book of Etiquette, Chapter: The Virtue Of Those Who Praise Allah, *ḥadīth* no. 3805
[3] *Sunan Ibn Mājah*, Book of Etiquette, Chapter: The Virtue Of Those Who Praise Allah, *ḥadīth* no. 3803

they are wowed, amazed, incredibly connected. There is a huge difference between the people who are aware of why they worship and doing it for the sake of Allāh, and those who just go through the motions. That is important.

The Prophet ﷺ said in the *ḥadīth* which is narrated by Sayyidina Umar ؓ that:

إنما الأعمال بالنيّات وإنما لكل امريء مانوى

"Actions are only by intentions and every man has only that which he intended."[4]

Validity of the Intention For Other Acts

This last statement is what made some of the scholars (like the Shāfiʿis, the Mālikis and one *riwāyah* of Aḥmad ibn Ḥanbal) say that this statement is a support for the one, for example, who didn't have *wuḍūʾ* and wants to read Qurʾān. You want to read Qurʾān, you don't have *wuḍūʾ* and so you think, 'I need to do *wuḍūʾ* so I can read Qurʾān.' What they are saying is that if you're going to make that *niyyah* - and we will put the reading of Qurʾān into some kind of chart where something is at the top and something is at the bottom. To read Qurʾān would be at the bottom of the actions of the obligatory day, or the obligatory and recommended actions in a day. At the very top would be *Fajr* prayer; the obligatory prayer.

The idea is that if you were able to make the intention for something higher and powerful, it covers everything underneath, whereas if you were to make the intention for something low (we don't want to say low obviously, but you know what I mean. *Adnā* is the word, which means 'less than', which is probably the more respectable phrase) then what's above it can't be done by it.

If you were to make the intention for, "I need to make *wuḍūʾ* so I can read Qurʾān" then basically you are restricted to that and anything underneath it. But you would not be able to pray the obligatory *ṣalāh* by that. That is the argument. That is the argument of the Shāfiʿis and the Mālikis because every man gets exactly what he intended.

What we say is no, and we will be talking about this in detail. When you intend something – and the Ḥanbali *madh-hab* obviously stated its position (the *Ḥanbali madh-hab* and this is Shaykh al-ʿUthaymīn's position as well, the contemporary scholars, and the **taught position**) - is that once you make the intention for any act of worship, it covers all the acts of worship.

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[4] *Ṣaḥīḥ al-Bukhāri*, Book of Revelation, Chapter on How Divine Revelation Started Being Revealed to Allah's Messenger, *ḥadīth* no. 1

If you make the intention for an act of worship that requires *wuḍūʾ*, then the requirement of *wuḍūʾ* lifts the state of impurity. It doesn't somehow lift the state of impurity for just that [act of worship exclusively]. It is the correct and practical and beneficial position to be in, when it comes to the acts of worship.

As for the Ḥanafi scholars, they said that there is no requirement for *niyyah* for *wuḍūʾ* anyway. So once you're into *wuḍūʾ,* then *khalāṣ,* everything is open. For them, it's not even an issue; it's not even a discussion. The Ḥanafi scholars say there's no intention for *wuḍū*ʾ because they saw it from the *wasāʾil* (from the means which leads you to an act of worship).

I want you to know that there's an *ijmāʿ* (a consensus of the scholars) that there's no *niyyah* required for the means, or the requirement stage - the things which are required to get you to an act of worship. There's a consensus on that point. But the difference of opinion on this issue is obviously whether this actually is a means or not.

The majority of the scholars say it definitely is not; it's an individual act of worship. It's something which the Prophet ﷺ did. I mean, it's common sense. If you're washing, why would you stop at your elbow? If you were washing your face, why do it only three times? Why only wipe over your head? These steps are very specifically described in a very high-fashioned way, which indicates that it is an act of worship. This is the position of the majority; they are very comfortable with that.

Reasons for Verbalising the *Niyyah*

I also wanted to talk about the statement of saying the *niyyah*. I'm not go into why people do it, I've covered that many times in classes and I think online as well. Cultural people generally are not able to connect so well with the act of worship - they don't understand the Arabic, and they generally come from a background which isn't "scholarly", at such. There's more difficulty in making their minds focused on what they're doing, so to help them, they verbalize it.

When you say something and it's almost like you hear yourself, you think "I know what I'm doing!" Now obviously that might be justified from a cultural point of view. Islamically, if it's not established, then it's not acceptable. So there's no evidence whatsoever to have a verbal *niyyah* for *wuḍūʾ,* for *ṣalāh,* or for *ṣiyām* as well. A lot of people get confused on the issues of *wuḍūʾ*. In *ṣalāh,* there's no confusion. For *ṣalāh*, people completely made up the *niyyah*.

The [intention for the] *ṣalāh* is just completely made up. As for *wuḍūʾ,* some people said the "*Bismillāh*" is the intention, and that is the actual, physical intention. Firstly, that is incorrect. [To say] "*Bismillāh*" is an individual obligation. The *niyyah* itself should be said (or it should be there) before or right at the same time. It cannot be

after an obligatory action. Remember, when we say "*Bismillāh"*… Let us just quickly touch on that issue about the *niyyah* and when it will come into play.

When to Make the Intention

We have already discussed the washing of the hands. We said that the washing of the hands is a *Sunnah*. The first washing of the hands when we go in and we start washing is differed upon. The scholars have different opinions and my **class position** is that the *maḍmaḍah* (the rinsing of the mouth) and *istinshāq* (the cleaning of the nose) are *Sunnah.* Then the first obligatory aspect comes; which is the washing of the face.

Your "*Bismillāh"* has to be before the washing of the face, and your intention has to be before the washing of the face. As the text says later on, it is great if it is actually before the first recommended act, which is the washing of the hands.

There is a time when the hands will be made obligatory and when would that be?

Student: After washing the face.

Ustādh: No, that is later on when you are washing your arms and hands. What about just the washing of the hands at the beginning? [Washing the hands is obligatory] when you wake up from sleep. What kind of sleep it has to be? A nocturnal, deep kind of sleep when you don't know what is going on. Generally, you have lost senses for a serious period of time.

What did I add from myself? What was my **class position**? It is another condition.

If it is from a tap like we use, then it is not applicable, because we are saying that the *ʿillah* is that the water doesn't get dirtied (and this is a controversial position of course that some scholars said that that might not be the *ʿillah*). When you put a tap on, then you are washing your hands under it - you are not dipping your hands into water, so it is not so applicable. Anyway, that is a side point.

Misconceptions Regarding the Intention

Saying "*Bismillāh"* has to be done before, and the *niyyah* is the same. The *niyyah* has to be done before "*Bismillāh"* or at the same time for *wuḍūʾ*. Saying "*Bismillāh"* is not the *niyyah*.

Another example would be fasting. A lot of people believe that [you need to verbally] say X… Some of them are based on weak *aḥādīth.* What's interesting is that there is no verbal intention for fasting.

Secondly, the *aḥādīth* themselves - even if they are authentic - do not indicate them to be an actually *niyyah;* rather, they are like an opening *duʿāʾ* which is different to being a *niyyah.* That's similar to the discussion between saying *Bismillāh* and having an intention to make *wuḍūʾ*.

The other big misconception is with regards to *Ḥajj* and *ʿUmrah*. Many scholars said that the only exception to the rule for verbalising the *niyyah* is *Ḥajj*, because when you say "*Labbayk Allāhumma bi Ḥajj"* or *"Labbayk Allāhumma bi ʿUmrah",* then that is the verbalising of the intention. Scholars say that, and I follow the opinion that that is incorrect and that is Shaykh al-ʿUthaymīn's opinion as well. That statement in and of itself is a *talbiyah labbayk.* It is a *talbiyah,* and the *talbiya*h is different from the *niyyah*.

The *talbiyah* is a *dhikr* which you are rewarded for. It's like the action you get yourself into [first]. You're gearing yourself up. You start with "*Bismillāh"* - let's go. You have an act of worship at the beginning, but that doesn't mean it has to be an intention (because obviously the intention is always at the beginning). You can see where it's coming from.

If you have any kind of thing said at the beginning, [people say] "Let's put that in the intention bracket". Well, that's not the case. When you say "*Bismillāh"* when you decide to walk or "*Bismillāh"* to leave the home or when you say "*Bismillāh"* when you want to enter into as *masjid*, it's not an intention to enter the *masjid*. You intended to enter the *masjid* the second you got into your car. When you drove to the *masjid*, you're now rewarded. You are being rewarded now, whatever happens - even if you go to the prayer late, [or you] miss the prayer, [or it] take a long time stuck in traffic, something happens or you walk a long, long way. You are rewarded for going to the *masjid* all the way because of your intention. Whether you enter the *masjid* or not, whether you get there or not, whether you get there late or not.

So "*Bismillāh"* when you walk into it is another act. It's another act of worship. You're putting your trust in Allah ﷻ.

It's important for us to mentally separate the two. So "*Labbayk bi ʿUmrah"*, is not an intention; it's a *dhikr,* and that intention is something which is separate. Not only is it

separate, it is not stated. There is no stating an intention ("I intend to do X, Y, Z" or whatever). What's in your heart, what you believe - that's your intention.

You're wrapped up in two cloths that you wouldn't wear ever except for during this process - this is an act of worship. This act of worship, otherwise known as *iḥrām* or known in Islam as a disaster. [When] you put those two cloths on, it is not like you are doing a play, is it? It is not for fun; it is obviously for *ʿUmrah* and *Ḥajj*.

Likewise, when you walk into a *masjid* at *Ẓuhr* time and you think, "Right, I am going to pray *Ẓuhr,"* you don't need to tell Allāh ﷻ that you came to the masjid to pray *Ẓuhr*. Allāh ﷻ knows it from your heart that that's the reason you are here. So we have to be careful that we do not try to justify things that are unjustifiable, like the verbalising of certain statements.

I follow the opinion that any verbalisation is *bidʿah,* even though some of the *ʿulamāʾ* said it is just a weak opinion. There is difference between the two. A weak opinion is a weak opinion, and people follow it. But a *bidʿah* is something which is punished because you are introducing something into the religion which is not there. We never saw it from the Prophet ﷺ, so it should be avoided. We will not consider people who are not aware that it is *bidʿah* to be sinning in this particular situation, because there is some discussion amongst the scholars about it.

Final Points about Verbal and Non-Verbal Intentions

We are just finished now with this last paragraph. It is important to know that the Ḥanbali *madh-hab* officially considers saying the *niyyah* out loud for *Ḥajj* a *Sunnah,* and so do a number of scholars.

Shaykh al-ʿUthaymīn رحمه الله says: as for someone who believes it to be *Sunnah* to openly speak out the *niyyah,* then this is so weak and it is confusing the people, especially in the prayer. And there is absolutely no need for that, there is no basis, and so on.

Also, just to show that sometimes the *niyyah* itself is established in the most simple of ways… (this is just to show you the other side). For example, one side are really, really down on the *niyyah*. It's got to be very clear. Obviously some people say that it has to be said - that's unacceptable. Others say that you have to focus and go through a mental process or something. If that is what we wanted, we would tell you to say it. It's easier, isn't it? That it is also not what we want. We want to try and understand the bigger point that we are calling to, and what Ibn Taymiyyah رحمه الله was calling to, and what the *ʿulamāʾ* themselves are generally trying to promote which is to allow the Muslim to be confident and to always think positively.

If you turn up to the *masjid* at *Maghrib* time, the only prayer you are going to pray is *Maghrib* unless you've completely lost the plot. And if you have lost the plot, it doesn't

matter what you pray, it will still get accepted (lost the plot, meaning mentally ill). If you are mentally ill, you come to the *masjid* at *Maghrib* time and you start praying '*Ishā'*, then even your '*Ishā'* has been accepted because you are mentally ill.

So they don't need to say it. Ibn Taymiyyah رحمه الله gives an example showing that sometimes you can even tell the intention, and the act of worship is accepted just by his actions - not even by a 'stop and think' process.

Take *Ramaḍān*, for example. When you don't make so much food, or you don't start cooking in the morning and you start preparing in the afternoon, it is because of the fast and because everyone is fasting. If you are eating less in the evening because your body gets full quicker, that itself is an intention to break the fast. That itself is an intention that you are in a period of fasting. That itself is an intention that we don't need to revive a brand new intention the day after tomorrow. We said this last time in our fasting special. We said that if a person wants to break the fast because he goes travelling for a couple of days in between in *Ramaḍān*, when he comes back he should re-focus because he has had a break. It is not the norm anymore. That is something which can be said.

16. Obligations of *Wuḍū'* VIII

We are now on page 2 in the class notes and page 196 in the *sharḥ*. This is good stuff and *wallāhi*, I really enjoy today's lesson. It is a good mind exercise. So Shaykh al-Ḥajjāwi says in the text of *Zād'l-Mustaqni'*:

والنيَّةُ شرطٌ لِطَهَارةِ الأحْداثِ كلِّها ، فَيَنْوِي رَفْعَ الحدث أو الطَّهارة لِمَا لا يُبَاحُ إلا بها، فإن نوى ما تُسَنُّ لَهُ الطهارةُ كَقِرَاءةٍ، أو تجديداً مَسْنُوناً ناسياً حدَثَه ارتَفَعَ ، وإن نوى غُسْلاً مَسْنُوناً أجْزَأَ عن واجب وكذا عكْسُهُ وإن اجتمعت أحداثٌ تُوجِبُ وُضوءاً أو غُسْلاً، فَنَوى بطَهَارَتِهِ أحَدَها ارتفعَ سَائِرُها

What we did last week was:

The intention is a pre-requisite for purification from ritual impurity, in all of its forms.

The text we are going to do is:

One makes the intention to lift the state of ritual impurity, or for the purification to do something which wouldn't be permissible without it.

'It', here, refers to something which I will explain in a minute.

If one intends something for which purification is only recommended such as reciting, or (one intends) the *Sunnah* form of renewing one's *wuḍū'* with the condition that they've forgotten whether they invalidated their *wuḍū'* previous to that, the state of ritual impurity will still be lifted.

That does not make sense, no matter how many times you read it, so do not worry about it. It will become clear as we go along and discuss it, and it is actually very interesting.

Specific Mention of '*Aḥdāth*'

On page 196, Shaykh al-'Uthaymīn رحمه الله says [regarding the statement] 'for purification from ritual impurity, in all of its forms' - لِطَهَارةِ الأحْداثِ كلِّها - that *aḥdāth* is the plural of *ḥadath*. If you remember correctly, *ḥadath* in the Arabic language means when

something new comes around or a new situation occurs. We can say that in principle, *ḥadath* is something that happens to the body and prevents one from performing the action of prayer, or other things like that. That's what *ḥadath* means.
When we say 'he was involved in *ḥadath*', it means he had an accident. If you read a news headline in the Arab world [that a person] was involved in *ḥadath*, it basically means he had an accident of some sort. It's a very oft-used word and it obviously has lots of different meanings in the language, *fiqh,* and theology. Theology is where it really gets scary. The word *ḥadath* and its variations refer to the beginning of events and actions. That's where we talk about Allāh ﷻ and the first thing that happened and so on and so forth.

Shaykh al-'Uthaymīn رحمه الله says that sometimes it's not the actual thing which causes one not to be able to go and pray. Sometimes, it is the reason behind something

وأحياناً يُطلقُ على سَبَبِهِ

Sometimes, it's actually used for the reason why something has stopped your prayer. [It's] not the thing which stopped you [from] praying, but the thing which has stopped your prayer. For example, passing wind. Passing wind is something that happens to the body and it doesn't allow you to pray. It doesn't make someone dirty or [physically] impure - it makes you ritually impure. It means you are not able to do with the ritual act of *ṣalāh*. That's what *ḥadath* is, but sometimes the word *ḥadath* is used for something which caused the passing wind. Therefore, the word *ḥadath* doesn't actually refer to the physical nature of the thing, like going to the toilet.

That's why Shaykh al-'Uthaymīn رحمه الله says in the Arabic language, we say that when we are going for a number two (to defecate), that's also *ḥadath*. When you go to urinate, that's *ḥadath* [as well]. The Prophet ﷺ said in an authentic *ḥadīth* reported by Imām al-Bukhāri in *kitāb'l-wuḍū'*:

لاَ تُقْبَلُ صَلاَةُ مَنْ أَحْدَثَ حَتَّى يَتَوَضَّأَ

"Allāh would not accept the prayer of anyone of you if he does a ḥadath until he makes wuḍū'"[1]

The *ḥadath* is like the thing which came about.

[1] *Ṣaḥīḥ al-Bukhāri*, Book of Ablution, Chapter: No Prayer Is Accepted Without Ablution, *ḥadīth* no. 135

Absence of Intention in Purification

This is one of those examples in *fiqh* where every word and letter has been chosen very carefully. When he [Imām al-Ḥajjāwi ﷺ] says *li ṭahārat'l-aḥdāthi kulliha,* and from the [word] *ḥadath* is *aḥdāth,* the other word for physical impurity is *najis,* or *anjās.* By specifying *ḥadath,* all *najis* has been removed from this description. The Shaykh is saying that you must have an intention if you want to become pure from states of ritual impurity. By specifying states of ritual impurity [*ḥadath*], it means that you do not have to have an intention when it comes to lifting states of physical impurity [*najis*]. That is to be taken from his use of the word *aḥdāth* only.

For example, you have a *thawb* and it is dirty (you had urine on it or something), and you just hung it outside on a washing line. Then it rained and the sun came and dried it. This *thawb* is now pure. You had no intention, but something can become pure by itself; this is the physical nature [of things], so it is not a ritual issue at all. This is the position of the Māliki school, the Shāfiʿi school, and this school [i.e. school of the Ḥanbalis]. There's *ijmāʿ* that you do not need a *niyyah* in the issue of lifting physical impurity - it just happens.

As Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ said last week, it is the *wasāʾil* (those things which are a means of an act of worship, but not an act of worship itself) that do not require a *niyyah*. As for any act of worship to be accepted, that requires a *niyyah*. Once you understand that, you understand that every *ʿālim* considered that the physical purification of an area (be it body, clothes, or location) does not require a *niyyah* because it is not worship - it is part and parcel of an act of worship.

Abū Ḥanīfah ﷺ also went further by saying that *wuḍūʾ* isn't technically an act of worship. He said *wuḍūʾ* is actually the preparation and the *wasāʾil* (the means) for the act of worship that is the prayer (the *ṣalāh*). Therefore, he doesn't require a *niyyah* for the *wuḍūʾ*. As for the other three *imāms,* they said 'Absolutely not, and that is very clear for us that it is an independent act of worship (what we call *ʿibādatun mustqillatun,* meaning an independent specific intrinsic act of worship) and that is what we believe'.

Shaykh al-ʿUthaymīn ﷺ gives some examples. He said that if a person wants to put on a *thawb* to cover his *ʿawrah,* he does not need to actually make the intention that he's putting his *thawb* on to cover his *ʿawrah.* He said that if the person were to put on that *thawb* just to look good, because he likes it, or because he's cold, then this is fine - this is the *Ḥanafi* argument.

Wuḍūʾ as an Individual Act of Worship

Shaykh al-ʻUthaymīn ﷺ considers this argument weak. He is basically saying that the difference, here, is that it was not an independent act of worship, whereas wuḍūʾ is an independent act of worship:

والصَّوابُ أن الوُضُوء عبادةٌ مستقلِّة

The correct position is that *wuḍūʾ* is an independent or individual act of worship based upon the evidence Allāh ﷻ has given. *Wuḍūʾ* is given a reward in the *ākhirah,* and that can only happen if it's an act of worship.

It's an act which you do and you get rewarded for - this is the dictionary definition of an act of worship, and this is the position of the majority of the scholars. He just wants to emphasize that *kullihā* (every single type of ritual impurity) covers *asghar* and *akbar,* meaning the small and the large. A small state of ritual impurity would be [caused by] using the toilet. A large state would be [caused by] *hayḍ* (menstruation) and intercourse (sexual impurity). One makes the intention to lift the state of ritual impurity.

Two Types of Intention

They have two types of *niyyah* which are being discussed for the purification to do something which wouldn't be permissible without it.

فينْوِي رَفْعَ الحدث

The first example of how you can make the *niyyah* is that when you go to the toilet, you know that you will break your *wuḍūʾ*, so now you've entered into a state of ritual impurity. You then make *wuḍūʾ* with the intention of lifting your state of ritual impurity (which was caused by urination). One makes the intention to lift the state of ritual impurity.

أو الطَّهارة لما لا يبَاح إلا بها

The second type is for the purification - to do something which wouldn't be permissible without it. This second example is for me to make the intention for *ṣalāh,* for *ṭawāf,* or (for those who obligate it) the touching of the *muṣ-ḥaf.* These are three separate acts that are completely different from each other. These three acts require

wuḍūʾ. There's a discussion about the permissibility of touching the *muṣ-ḥaf*, but that's not important for now.

If I say I want to pray or I want to pick up this *muṣ-ḥaf* and I can't because I'm not in a right state at the moment, my state of ritual impurity is gone. The surprise, here, is that I didn't say I want to lift my state of ritual impurity or become ritually pure. I said I want to pray. The wording and the thought is different.

That's why Shaykh al-ʿUthaymīn ﷺ emphasised the point. He says that if a person were to make the intention for purification to pray – even if he does not make the intention to lift the state of ritual impurity – he has lifted his state of ritual impurity. The reason for that is that it's not possible to pray except by lifting of the ritual state, so when you have made the intention for that, the job is done.

Intending Purification for a *Sunnah* Act

The next paragraph says:
If one intends something for which purification is only recommended such as reciting, or (one intends) the *Sunnah* form of renewing one's *wuḍūʾ* with the condition that they've forgotten whether they invalidated their *wuḍūʾ* previous to that, the state of ritual impurity will still be lifted.

The third example is that you intend purity or purification for something which is *Sunnah* and not for something which is obligatory. For example, you want to read some Qurʾān. We're just talking about reciting the Qurʾān, not touching it.

An example would be when you recite *alḥamdulillāhi rabbʾ l-ʿālamīn, al-raḥmānʾ l-raḥīm*. When you want to recite, it is *Sunnah* to be in a state of *wuḍūʾ*. If you are not in a state of *wuḍūʾ,* your recital is accepted and it's fine, but it is better and recommended to be in *wuḍūʾ*.

In fact (and as Shaykh al-ʿUthaymīn ﷺ says), it is *Sunnah* to be in the state of purity for every *dhikr*. The Prophet ﷺ said:

كَرِهْتُ أن أذكر الله إلا على طهارة

"I hate that I mention the Name (dhikr) of Allāh, except that I am upon the state of purity."[2]

[2] *Sunan Abi Dāwūd,* Book of Purification, Chapter: Returning *Salām* While Urinating, *ḥadīth* no. 17

Student: Doesn't it say in *Sūratʾl-Wāqiʿah* (verse 79): ﴿لَّا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ﴾, that none touch it except the purified?

Ustādh: For the time being, yes, the touching of the *muṣ-ḥaf* is something which requires *wuḍūʾ* or *ṭahārah*. However, we're not talking about the touching, we're talking about someone who's just reciting. It is okay to not have *wuḍūʾ* while reciting Qurʾān (any *Sūrah* or reciting any *dhikr)*, but the Prophet ﷺ preferred that he stay in a state of *wuḍūʾ*.

I'll add even more. Shaykh al-ʿUthaymīn رحمه الله says that it is *Sunnah* to have *wuḍūʾ* while doing any *dhikr*. I say to you that it's *Sunnah* to have *wuḍūʾ* for every single act of worship. *Wuḍūʾ* purifies it and makes it better, even though it's not a condition for it.

Take fasting for example. It is not connected to *wuḍūʾ* at all, but a person who keeps himself in *wuḍūʾ* - keeping himself pure, maximizing everything that he does whilst fasting - is better. So generally, the principle of being in *wuḍūʾ* is a good thing.

Shaykh then continues to say that if a person makes the intention for something which is not obligatory, then his state of ritual impurity has been lifted. This is because if he is intending something which is recommended, then that is the same as *ṣalāh* in the previous example. He is intending something which is going to lead to the lifting of the state of ritual impurity anyway.

Shaykh al-ʿUthaymīn says that this is the same, not just with the intention to recite the Qurʾān, but also (for example) if he wanted to enter into a state of purity after he was angry.

If he is very angry and wants to make *wuḍūʾ* to calm down (according to those that consider this to be a *Sunnah*), then that would be enough for him to go pray *Ẓuhr* (for example) because it's actually a minor thing (meaning it's a recommended point) but his state of impurity has been lifted.

For example, when he wakes up from sleeping, he makes *wuḍūʾ*. This intention would be sufficient for him to pray on, even if he didn't intend to actually pray. This is the third type.

[To summarize], there are three types:
The first type is to intend the removal/lifting of the state of ritual impurity.
The second type is when one intends to purity for an obligatory act.
The third would be when one intends purity for a recommended act.

Student: If a person is reciting the Qurʾān and he says 'I should be in a state of *wuḍūʾ*/purity', what happens?

Ustādh: That would completely depend on what his state was. If he's already got *wuḍūʾ,* he's already in purity. If he's not in a state of purity and he's reciting Qurʾān, he might think 'It would be nice to increase the reward here and I should make *wuḍūʾ*'. He makes *wuḍūʾ* and now he has to have an intention for the act to be accepted. That intention would be 'I want to be in a state of purity for this act of *ʿibādah* that I am doing'.

Student: Is he obligated?

Ustādh: No. That's the whole point of this third point. He's not obligated and it can be any of the acts that you can think of where one is not obligated to make *wuḍūʾ*.

Tajdīdʾl-wuḍūʾ & Uncertainty

Now we've got the fourth *ṣūrah* (example). It's when one intends the *Sunnah* form of *tajdīd* (which means renewing one's *wuḍūʾ*) but they've forgotten whether they've invalidated their *wuḍūʾ* previous to that. Let me explain what *tajdīd* means.

Tajdīdʾl-wuḍūʾ is that a person prays a normal prayer, and after he finished his prayer (like *Ẓuhr*) nothing happens and he's still in [the state of] *wuḍūʾ*, *ʿAṣr* time starts and he thinks 'I want to go make my *wuḍūʾ* again for *ʿAṣr*'. This is *tajdīd*. We haven't broken *wuḍūʾ* so this is the renewal of *wuḍūʾ*.

It is a *Sunnah* act. This used to be the *Sunnah* of Prophet ﷺ and it used to be the *Sunnah* of the Companions ﷺ.

A random point - Abū Ḥanīfah رحمه الله prayed *Fajr ṣalāh* in the *wuḍūʾ* he had done for *ʿIshāʾ* for 40 years. This is put forward as praise. There is no doubt in my mind (*wallāhu aʿlam*) that this is a fake statement. Not because Abū Ḥanīfah رحمه الله didn't pray *tahajjud* - he's way beyond that. The problem with this statement is that Imām Abū Ḥanīfah رحمه الله is far better than this statement. There is no *Sunnah* in not making *wuḍūʾ* throughout the night. We expect anyone who follows *Sunnah* to have made *wuḍūʾ* for *tahajjud*, not stay awake all night and to make *wuḍūʾ* again for *Fajr*… especially an *imām* such as Abū Ḥanīfah رحمه الله. This statement is narrated everywhere but it is false. Even if it were authentically in a book, I can't believe that it would apply to Abū Ḥanīfah رحمه الله. It's an insult because he is better than that.

That's what *tajdīdʾl-wuḍūʾ* means. You have *wuḍūʾ* but you do it again just for the extra reward. This is what we call the *Sunnah* repetition. Shaykh al-ʿUthaymīn رحمه الله says that the issue, here, is that our author Imām al-Ḥajjāwi رحمه الله has put two conditions down for this fourth example that would allow this person to lift the state of ritual impurity. *Tajdīd* must be according to the *Sunnah*.

Tajdīd means to renew something. Something can be renewed which is not according to the *Sunnah,* but when you renew your *wuḍū'*, it is according to the *Sunnah*. Shaykh al-ʻUthaymīn رحمه الله says,

لأنه إذا لم يكن مسنوناً لم يكن مشروعاً

If it's not a *Sunnah tajdīd* (*Sunnah* renewal), then it wasn't legislated in the first place. For example, if someone intends to renew his *wuḍū'* (not a *Sunnah* version) than he has intended a purification which is not legislated; therefore, his state of ritual impurity is not lifted.

The *tajdīd* of *wuḍū'* is considered *masnūnan* (a *Sunnah* of the Prophet ﷺ) if a person prays with the *wuḍū'* of that prayer, and then makes *wuḍū'* and prays another prayer with the new *wuḍū'*. The *Sunnah tajdīd* would be that I make *wuḍū'* for *Ẓuhr* and pray it, then when the time for *ʻAṣr* arrives (and I still haven't broken my *wuḍū'*), I make *wuḍū'* again for *ʻAṣr* and pray it. This is the *Sunnah*.

Even if he did not pray the *ṣalāt'l-ʻAṣr* with that second *wuḍū',* it is not like the prayer has to be done to make the *wuḍū'* valid. The point is that the *wuḍū'* was made at *Ẓuhr* and he prayed *Ẓuhr and* that is it. *ʻAṣr* time came in and he made *wuḍū'* again; this *wuḍū'* would raise the state of ritual impurity, even if he doesn't pray.

Here is where it wouldn't apply.

بأنْ توضَّأ للعصر قبل دخول وقتها؛ ولم يُصَلِّ بهذا الوُضُوء، ثم لما أذَّن العصرُ جدَّد هذا الوُضُوء، فهذا ليس بمشروع؛ لأنَّه لم يُصلِّ بالوُضُوء الأوَّل، فلا يرتفع حدثُه لو كان أحدث بين الوُضُوء الأول والثَّاني.

[We're using the] same example as before - it's time for *ṣalāt'l-Ẓuhr,* he makes *wuḍū'* and then prays *ṣalāt'l-Ẓuhr*. Before *ʻAṣr* time has started, he makes *wuḍū'* but doesn't pray after this *wuḍū'. ʻAṣr* time starts and then he makes *wuḍū'* again to pray *ʻAṣr* even though it was *Ẓuhr* time 5-10 minutes before *ʻAṣr.* He makes *wuḍū'* again for whatever reason, but he doesn't pray using that *wuḍū'* and then the *ʻAṣr* time starts and he now does *wuḍū'* again and he prays with that one.

What happened is that in between these two *wuḍū',* he didn't do a prayer and he didn't break his *wuḍū'* either. If he were to do that, this second *wuḍū'* would not be a

wuḍū' that lifts the state of ritual impurity because this *tajdīd* of *wuḍū'* was not according to the *Sunnah*. It was not a legislated *tajdīd*.

Student: Can't he just do *wuḍū'* again and again?

Ustādh: Yes, he can.

Student: There is no ritual impurity?

Ustādh: Correct. In fact, that is the exact point and that is what Shaykh al-'Uthaymīn رحمه الله said:

فهذا ليس بمشروع؛ لأنَّه لم يُصلِّ بالوُضُوء الأوَّل

This is not legislated. He did not pray with the first *wuḍū'*. He says:

فلا يرتفع حدثُه لو كان أحدث بين الوُضُوء الأول والثَّاني.

I said that he made the *wuḍū'* five minutes before *'Aṣr* and he didn't pray with it, and then he made the *wuḍū'* again at *'Aṣr* time and then he prayed with that. There's that gap period now. I want you to know that this second *wuḍū'* that he made is not the *tajdīd* of *wuḍū'* because you can only renew a *wuḍū'* that has been used. The practical point is that if he had broken his *wuḍū'* between these two ablutions, the second *wuḍū'* would not lift his state of ritual impurity. Someone tell me why.

Student: Because he has the intention of *tajdīd*.

Alḥamdulillāh, that's good. This whole fourth example is all about a person who, in his mind (when making *wuḍū'),* is only thinking of *tajdīd*. If this person is thinking of making *wuḍū'* for *'Aṣr*, then it's not a discussion. This is about a person who is only thinking about renewing his *wuḍū'*. It's like the guy who says he puts on his clothes because he's cold and he doesn't think for a second about that *'awrah*.

Likewise, we have this guy who is only thinking of *tajdīd* (renewal). We're saying, 'It's fine if you don't want to make a proper accurate intention (which is: 'I want to become pure for X prayer'). If you want to go down the whole renewal line, then you know you're going to be fine'. For it to be fine, there have to be some conditions. The actual condition is that the renewal must be according to the *Sunnah*. Again, I'm going to explain it so that you appreciate the point.

If I had not prayed *Ẓuhr* with my *wuḍū'*, then that's fine. Now before *'Aṣr* starts, I make my *wuḍū'* again and I've still got *wuḍū'*. I don't pray using that *wuḍū'*. *'Aṣr* time now comes in, so I make *wuḍū'* again and then I pray. That final, second *wuḍū'* – whatever you call it - that was not a renewal. You can only renew the *wuḍū'* that has had a prayer attached to it. Therefore, the previous *wuḍū'* was not even legislated according to the *Sunnah*.

Therefore, if I was unfortunate enough that on the stroke of *'Aṣr* I broke my *wuḍū'...* For example, I went to the toilet and now I go and I make my *wuḍū',* but I am not thinking of lifting my state of ritual impurity, rather I am thinking of renewal, my ritual impurity is not lifted. I am not in a state of *wuḍū'* because I cannot use the renewal line here. I cannot use the renewal card, because I am not renewing my *wuḍū'* since I never prayed with the previous one. Therefore, it is not a renewal if I were to break my *wuḍū'* between these two ablutions, and it would not work. This is the application.

Student: It makes sense. The first and second renewal of *wuḍū'* was when *'Aṣr* started. So far, you have told us he did it 5-10 minutes before *'Aṣr*. What if he did it after *'Aṣr* (he made *wuḍū'*) and for some reason, he did not pray and [inaudible]

Ustādh: The same would apply. It is not even an issue of time. It is not the issue that it was before *'Aṣr*. Let's say that a person prayed *Ẓuhr* and everything's all done, then *'Aṣr* time starts and he makes *wuḍū',* but he does not pray with it. After half an hour (still within *'Aṣr* time) he makes *wuḍū'* again. He makes *wuḍū'* saying, "I am renewing my *wuḍū'*".

Student: If he was to pray with that prayer and he had not broken his *wuḍū'* at any time, would that prayer be valid?

Ustādh: Yes, because he has not broken his *wuḍū'.*

Student: Let's say between *wuḍū'* one and *wuḍū'* two he had broken his *wuḍū'*, would that prayer be valid?

Ustādh: It depends upon his intention.

Student: If he was doing it for the *Sunnah* of *tajdīd,* then it wouldn't be.

Ustādh: Correct, if he is just making the intention of *tajdīd*, then the prayer is invalid. This is because his state of ritual impurity has not been because the previous one was not used, so he is not doing a legislated *tajdīd*.

However, if he were to make *wuḍū'* and say, "I am making *wuḍū'* for *'Aṣr"*, there's no problem. This is why it is always important to be aware when you are making your intention; you have to be clear in what you want to do.

This is a very specific scenario, and it is probably that one guy out of a million who is doing *tajdīd* of *wuḍū'* all the time. He is a next level guy, but he is causing himself some problems because he is just thinking like that.

That is the first condition. There is another condition as well, which makes it even more fun. The second condition is that he has to forget his ritual impurity. In English [it is] translated as:
or (one intends) the Sunnah form of renewing one's *wuḍū'* with the condition that they've forgotten whether they invalidated their *wuḍū'* previous to that

On the condition that they had 'forgotten the *ḥadath*... what does that mean? For example, if a person forgets that he broke his *wuḍū',* then he is okay. If he remembers that he has broken his *wuḍū'* and he does *tajdīd,* it is invalid – his state of ritual impurity has not been lifted.

Shaykh al-'Uthaymīn رحمه الله says

وهذا من غرائب العلم

This is one of the most *'ajīb* (strange) things you'll find in sacred knowledge. He says that if a person intends something which he has forgotten, it is correct, but if he intends something which he remembers, it is invalid. It would not make sense in any other field of knowledge, or at any other time, but this is one of those very rare circumstances where this is applied.

It makes sense. The example is that of a man who prays *Ẓuhr* with the *wuḍū'* of *Ẓuhr*, and then he breaks his *wuḍū'* straight after the prayer. Then he makes *wuḍū'* again for *'Aṣr* (*tajdīd*), forgetting that he broke his *wuḍū'* after *Ẓuhr*. This is what he does every single day. He's on the *Sunnah*. Every time he ends one prayer and a new prayer comes in, he makes *wuḍū'* again for the *ṣalāh*. He forgets that he broke the *wuḍū'*.

What is the state of his *wuḍū'*? Valid. He is in a state of ritual purity. His state of ritual impurity has been lifted but Shaykh al-'Uthaymīn رحمه الله says:

فإذا كان ذاكراً لحدثه، فلا يرتفع؛ لأنَّه حينئذٍ يكون متلاعباً، فكيف ينوي التجديدَ وهو ليس على وُضُوء؛

If he made *tajdīd* remembering that he had broken his *wuḍū'*, then how can it lift the state of ritual impurity?

He is *mutalāʿibā;* meaning he is flaffing about. You've broken your *wuḍūʾ* and you're saying you're making *tajdīd*. *Tajdīd aṣlan* cannot happen unless your *wuḍūʾ* hasn't been broken.

لأن التَّجديد لا يكون إلا والإِنسان على طهارة

Remember that as a golden rule or maxim. You can only renew your *wuḍūʾ* as long as you are upon *wuḍūʾ.* You can only renew your state of purity as long as you are upon *ṭahārah.* It's not possible for you to use renewal (*tajdīd)* and get the reward for *tajdīd* unless you are already in a state of purity. That's just common sense as well. What would be so rewarding for renewing your *wuḍūʾ* if you have to make *wuḍūʾ* anyway because you broke it?

Student: Can you make two intentions?

Ustādh: How can you make two intentions if you have broken the *wuḍūʾ*?

Student: Well, he cannot remember and he is not sure.

Ustādh: If he is not sure, meaning he is thinking 'Either I have or haven't,' then he must make the intention of raising the state of ritual impurity.

Tajdīd is only going to happen if he is already in the state of *wuḍūʾ, a*nd it is only going to happen if he has forgotten whether he broke it (his *wuḍūʾ)* or not. If he is not sure, it cannot be *tajdīd*. Unless, of course, he is more sure that he didn't. Then that's something else. That's going back to principles of certainty and doubt.

In principle, if a person is thinking 'I'm not breaking it', then he would make intention for the state to be lifted. What I am trying to say is the *tajdīd* guys are the risk-takers. They are making intentions on the fly because they are used to it and kind of claiming that high-level game. Whereas the basic people like us - the *masākīn*, we are only going to make intention for lifting a state of ritual impurity or to get ready for prayer. Of course it's the safer one and that's the main lesson of the class I guess.

Sunnah Ghusl Suffice for an Obligatory One?

Now that you understand that, the next part is easy. Shaykh al-ʿUthaymīn رحمه الله says in the Arabic:

وإن نَوَى غُسْلًا مَسنونًا أَجْزَأَ عن واجبٍ وكذا عَكْسُه

If one intends a *Sunnah ghusl,* it will suffice for an obligatory one, and vice versa. For example, Shaykh says that if a person was to make *ghusl* from after washing a dead body, according to many scholars, this is a *Sunnah.* It's not obligatory for you to do the *ghusl* after washing the dead body, or (for example) to do *ghusl* for *iḥrām*.
Another example is when you want to go and stand in *ʿArafah.* It is *Sunnah* (recommended) to make the *ghusl* before you enter *ʿArafah* itself.
These are three separate examples [when] the *ghusl* is not obligatory.

Likewise, the *ghusl* of *jumuʿah* - while Shaykh al-ʿUthaymīn ﷺ considers it *wājib* (obligatory), the majority of the scholars say it is a *Sunnah.* If you were to do any of these, it covers the obligatory one.

Shaykh al-ʿUthaymīn ﷺ wants to make a point here. He says:

وهو المذهب .: ولو ذكر أن عليه غسْلاً واجباً وقيَّده بعض الأصحاب بما إذا كان ناسياً حدثه، أي: ناسياً الجنابة، فإن لم يكن ناسياً فإنَّه لا يرتفع؛ لأن الغُسْل المسنون ليس عن حدث، وإذا لم يكن عن حدث، فقد قال النبيُّ صلّى الله عليه وسلّم: «إنما الأعمال بالنيَّات». وهذا الرَّجلُ لم ينوِ إلا الغُسْل المسنون، وهو يعلمُ أن عليه جنابة، ويذكر ذلك، فكيف يرتفع الحدث؟ وهذا القول . وهو تقييده بأن يكون ناسياً . له وجهةٌ من النَّظر

What Shaykh al-ʿUthaymīn ﷺ is saying (but he wants support for this statement) is that you should know that a number of the scholars of the Ḥanbali *madh-hab* (and it is now the official Ḥanbali *madh-hab* position) say that the only time it is going to be accepted is if he was not aware of the reason why he broke it. Let me explain this.

According to Shaykh al-ʿUthaymīn ﷺ and according to the Ḥanbali school, those three *ghusls* are not to lift a state of impurity. When you go to start making *ghusl* for *ʿArafah*, it is not to lift the state of impurity; it is actually to purify yourself further. When you go into *iḥrām*, it is not because you have just broken your *wuḍūʾ;* it is because you purify yourself further. The issue of the dead person, is one of difference of opinion.

The point is that if you had an obligatory *ghusl* upon you (i.e. a state of *janābah* (sexual impurity)), now the only time that the *Sunnah* one is going to cover the obligatory needed *ghusl* is when one forgets.

For example, the *jumuʿah*, (if I consider this *jumuʿah ghusl* to be *Sunnah*). If I had forgotten that I was in a state of *janābah* and then I made my *ghusl* for *jumuʿah,* the one for my *janābah* is covered as well. It has to be that I have forgotten, and this is according to the Ḥanbali *madh-hab*.

Shaykh al-ʿUthaymīn ﷺ then goes forward. He says, "You know what, the more I think about this statement, I think there is a point. I think they have got an argument". He says:

وتعليلُ المذهب: أنه لما كان الغُسْل المسنونُ طهارةً شرعيَّة كان رافعاً للحدث،

This is where the *madh-hab* is coming from. Whenever a *Sunnah ghusl* is actually a legislated act which purifies the body, then it will lift the state of ritual impurity.

Let me just say what he says. The example would be: the person made *ghusl* for *jumuʿah*. For the person who considers the *ghusl* of *jumuʿah* as *Sunnah* and he's in the state of *janābah* but he didn't remember it, or he only remembers the state of *janābah* after the *jumuʿah* prayer, then his *jumuʿah* prayer is valid because the fact that he did a *ghusl* for *jumuʿah* whilst forgetting that he's in a state of *janābah* has dealt with it.

The Shaykh ﷺ continues [by saying], 'If you were to tell me that there's a person out there who knows he has to make *ghusl* for *janābah,* yet he does the ghusl for *jumuʿah* only…

فإن القول بالإجزاء في النفس منه شيء

…there's something in my heart that doesn't feel at ease with that'. That's what he's trying to say.

He says that in the Ḥanbali *madh-hab*, there are scholars who are saying that if he does know about *janābah*, it doesn't matter because he's doing it to lift his state of ritual impurity anyway. Therefore, that's accepted.

Imagine you wake up ten o'clock in the morning and you've got *wuḍūʾ,* then at twelve o'clock, you are on your way to the masjid. It's *Sunnah* to now go do *ghusl*, according to the majority. It doesn't matter if you've broken your *wuḍūʾ* or not. It's *Sunnah* to have a [ritual] bath, so that's not necessarily lifting the state of ritual impurity at all. It's just putting in a better state for *jumuʿah.*

The Shaykh is saying that if a person wants to do that and he knows he's in the state of *janābah* as well (which requires an obligatory *ghusl*), and if that person goes there and says 'Nah, it's okay because of the *ghusl'*, then he [Shaykh al-ʿUthaymīn] says 'I am not happy with that'. I will discuss that *inshāʾAllāh* next week because it's not a straightforward point.

Q & A

Q: The second condition for *tajdīd* is that he has forgotten whether he has *wuḍūʾ* or not. Does it suffice that he simply isn't sure whether he has *wuḍūʾ* or not (he has simply forgotten), so he wants to do *tajdīd* just to cover the bases? Now does he actually have to break the *wuḍūʾ* and do a fresh *wuḍūʾ* rather than *tajdīd* in order to be on the safe side?

A: The answer to that question is that there is no possible safe side in *tajdīd*. If there is any doubt or uncertainty, then you don't need to break the *wuḍūʾ* and do the *wuḍūʾ* again - you don't need to do anything like that. The thing you need to do when you make *wuḍūʾ* is just don't make the intention for *tajdīd*, that's it. Make the intention for lifting the state of ritual impurity.

That is most powerful. You know if you wanted to stay away from all the difference of opinion, all the different *madh-habs*, then don't make the intention for *tajdīd.* Don't make intention for X, Y, Z. Make [the] intention that, 'I want to lose my *ḥadath'*.

Q: So if he wasn't aware that he broke his *wuḍūʾ* and did *tajdīd,* is he not excused due to his honest mistake? Is his prayer then valid or not?

A: If a person is doing *tajdīd* and he has forgotten that he had broken his *wuḍūʾ*, I guess it is a mistake. But this is the one that is allowed, no problem. This is the one where a person would be forgiven - not only forgiven, his *wuḍūʾ* would be accepted. Not only would it be accepted, it is accepted as *tajdīd* . This is for a person who genuinely believes he is in *wuḍūʾ*.

Q: Why would somebody even make an intention for *tajdīd* if they know they have broken the *wuḍū*?

A: Either 1) They don't realize they have broken their *wuḍūʾ,* or 2) Most of the time they have no idea what *tajdīd* actually means. They probably think that just because they broke their *wuḍūʾ,* it doesn't mean anything. For them, *tajdīd* means making *wuḍūʾ* for every prayer time.

If a person believes that *tajdīd* is making *wuḍūʾ* every prayer time, then he has got that wrong. That is not *tajdīd*; *tajdīd* is making *wuḍūʾ* for every prayer time without breaking your previous *wuḍūʾ*.

Q: So if you have to do an obligatory *ghusl* before *jumuʿah,* does the *ghusl* suffice as a *Sunnah ghusl* for *jumuʿah* as well?

A: Yes, the obligatory one for *janābah* would cover it. That is according to the Ḥanbalis. We are going to debate that point. We have a few opinions about that.

Q: Is the issue really about intending to lift *ḥadath?* As for in *tajdīd,* the person will never intend lifting *ḥadath.* So if he forgot that he is in a state of *ḥadath* and he intended *tajdīd*, his intention was not to lift *ḥadath,* so his *ḥadath* didn't lift.

A: Correct. What this person just said is absolutely correct. That basically explains the whole point of the fourth version of the *niyyah*. The person making the *tajdīd* has no connection with *ḥadath* whatsoever. That's why if he remembers that he did do *ḥadath,* then he can't possibly make intention for *tajdīd*.

Q: What about when women who have a lot of discharge and have to make new *wuḍūʾ* at each prayer time? Is this lifting ritual or physical impurity?

A: This is something we are not coming to for a long time, but I have written a paper on that and it has also been checked by Shaykh Kehlan *ḥafiẓahullāh*. In my opinion, any person who has uncontrollable discharge, continuous discharge, incontinence, urinary incontinence or flatulence, IBS, vaginal discharge which is continuous, etc. (and obviously vaginal discharge is of different types but I'm talking about that which breaks the *wuḍūʾ* and is happening all the time), then I personally follow the Māliki position, which is that there is no breaking if *wuḍūʾ* happening here at all.

Every time that this person is being incontinent, he is being incontinent. There is no breaking of *wuḍūʾ* because he is not in control. Therefore, in my opinion, the only time he would make *wuḍūʾ* is when he knows he has broken his *wuḍūʾ*.

So whenever he or she would go to sleep, whenever he or she would go to the toilet, whenever he or she would do something else, then they would make their *wuḍūʾ*. However, throughout the rest of that time there is all of this happening. This is my position and that is the *fatwa* that we wrote for that person.

The point to remember is that the three *imāms* and the majority of the scholars hold the position that it does break the *wuḍūʾ,* but because it is a hardship and there is an interpretation of one advice of the Prophet ﷺ, it is sufficient to make *wuḍūʾ* just for every prayer time beginning. However, if you read my paper, you will realise that I believe that this is a misunderstanding of the *ḥadīth* itself.

Q: If you pray with the *wuḍūʾ* you have done, does it have to be a *farḍ* prayer, or can it be a *Sunnah* or *nafl*?

A: It can be a *Sunnah* or *nafl*. All of the prayers maintain the *tajdīd* concept.

Q: Can one combine the intentions for recommended acts in the same *wuḍūʾ*?

A: That can happen but that's happening next week.

Q: Why don't we always make *wuḍūʾ* with the intention of removing ritual impurity and not for renewing *wuḍūʾ,* to prevent us from doing the mistake?

A: Because the best and most supreme action is the action of the Prophet ﷺ, and he would make *tajdīdʾl-wuḍūʾ* without breaking his *wuḍūʾ*. So that is the higher, more difficult act, no doubt about that.

Q: What if he remembers after praying that his *wuḍūʾ* was supposed to lift ritual impurity and not [be a] renewal? Should he repeat his prayer?

A: Yes, if a person was in that scenario and he remembered afterwards that he made that mistake, then it is safer for him to do that.

Q: Did Shaykh say that the official opinion of the Ḥanbali *madh-hab* had changed over the issue of *Sunnah* and *ghusl* (*ghusl* sufficing for the obligatory ones)? Do the positions of the *madh-habs* change over time?

A: Absolutely. The official *madh-hab* positions do change. This is not to say that this has changed massively, but I will be expanding on this next week. The official position is never at the early stages; it's always after a number of revisions and key players get involved.

Q: Shaykh mentioned that it is the *ijmāʿ* that the intention is required for *wuḍūʾ,* except for [in the] the Ḥanafi *madh-hab*. I thought that *ijmāʿ* means 'all without exception'. If there's an exception with the Ḥanafi *madh-hab*, then it's not *ijmāʿ*.

A: *Ijmāʿ* means consensus of all the scholars. It is the *ijmāʿ* (consensus of the scholars) that one does not need an intention for the physical cleaning of the body from dirt/*najis*. As for the need to have an intention for *wuḍūʾ* or to lift the state of ritual impurity, then this is the position of the majority of the scholars. The three *imāms* and not Abu Ḥanīfah, because I said he does not consider it to be an independent act of worship.

17. Obligations of *Wuḍū'* IX

Adequacy of Sunnah *Ghusl* for an Obligatory One

[Last week] I mentioned *ghusl* quickly, but I didn't talk about it properly. It's important because the position of the scholars differs. There's a difference of opinion in the issue *aṣlan,* and then we have a difference of opinion from Shaykh al-ʿUthaymīn رحمه الله and Shaykh Kehlan as well, specifically against the Ḥanbali position.

He [Shaykh Kehlan] has held this opinion very strongly for eternity and we should explain what his opinion is on this matter. This is referring to the text which is on page 2 of the English notes:

If one intends a *Sunnah ghusl*, it will suffice for an obligatory one and vice versa. If many reasons for one's ritual impurity are combined which require *wuḍūʾ* or *ghusl*, and one only purifies himself for just one of them, all the states of ritual impurity will be removed.

That's probably all we are going to do today. It's pretty straightforward, and the first statement is clear - 'If one intends a *Sunnah* ghusl, it will suffice for an obligatory one and vice versa'. The classic example which is given on page 200 by the Shaykh رحمه الله would be after you wash a dead body, to do *ghusl.* It is a *Sunnah* according to the majority of the scholars. [Another example is] to make *ghusl* for *iḥrām* when you are about to go for *ʿumrah*. Just before you enter into the *iḥrām*, to do *ghusl* is a *Sunnah* (non-obligatory) according to the majority of the scholars.

Another one would be when you want to enter into *ʿArafah*. On the night of *Dhuʾl-Ḥijjah* when you leave your camp in the morning for *Minā*, the last thing that you do [as] *Sunnah* is to do *ghusl*, either there or on the way. We don't have the ability to do it on the way, but you would do it before you enter the *ḥudūd* of *ʿArafah* (before you stand on the plain of *ʿArafah*). Some say it is *Sunnah*, and others say it's *mustaḥabb*. The point is that it's not obligatory.

The famous one that we all know is the *ghusl* for *jumuʿah*. The *ghusl* for *jumuʿah* should obviously be done on a Friday after *Fajr* time and as close as possible to the *jumuʿah khuṭbah* itself. This is the *Sunnah*. We will come to this in its right time, but when we discuss the narrations, you will see that the idea is to almost come dripping to the *ṣalāh,* just to emphasise the point. It's almost the last thing that you do and the idea is that you might be sweating or might have done the day's work and now this is basically off time. You would make it the last thing, you are going to wash and change [into] new clothes, put on your perfume or oil and walk straight into *ṣalāh* as early as possible.

There is a difference of opinion about this *ghusl.* Some consider it to be an obligation, but the position of the majority of the *ʿulamāʾ* is that it is a *Sunnah*. [Therefore], we know that for all of these four, the actual reason for the *ghusl* is not what we would call *irtifāʿ al-ḥadath*.

You are not lifting a state of ritual impurity because you are not ritually impure. You are in a state of *wuḍūʾ,* but you are entering into a new state. You might have just made *wuḍūʾ* in your hotel room when you were in *Madīnatʾl-Munawarah* and you go to *Dhuʾl-Ḥulayfah* which is the *mīqāt* (place where you go to put on the *iḥrām*). You are fully in *wuḍūʾ* and you make a *ghusl* at the *mīqāt* before you put your *iḥrām* on. It's not to lift a state of *ḥadath,* it's actually an act of *ʿibādah* that you are wishing to get reward for. It's not because you are impure. That is very important to understand.

If a person was doing a *ghusl* for that reason, at the same time he needs to do a *ghusl* for an obligatory reason. Obligatory reasons would be (for example) that he has ejaculated, had a wet dream, sexual relations, he lost consciousness for a long period of time (some of the scholars considered that to be an obligation when one comes around after a long period of time), or *ḥayḍ* (the woman who is coming off of menstruation). We have a scenario now where it's Friday and a man needs to make obligatory *ghusl* and he needs to make a *Sunnah* one.

The *Ḥanbalis* are basically saying that as long as you do one *ghusl* - even if it's for the *Sunnah* reason - the obligatory one is covered. Now this is a controversial position. Imām al-Ḥajjāwi has made it the position of the *madh-hab.* Within the *madh-hab* there are statements that some put conditions on it. You can imagine what one condition would be if you remember our discussion last week.

At the top of page 201, it says that some of the *ʿulamāʾ* said:

لكن إن كان ناسياً فهو معذور

If he had actually forgotten that he needed to do the obligatory *ghusl* and he did the *ghusl* anyway for the *Sunnah* reason, than he is basically covered.

We will just say for the sake of argument that if there is such a person, then he doesn't really need to worry about it because he actually didn't even realize until afterwards. The scholars would say that if there is a guy who is in a state of sexual impurity (*janābah*), he needs to do an obligatory *ghusl* before he prays. He forgets that he needs to make that *ghusl*, then he goes into the bath and he has a clear intention in his mind – 'I'm making *ghusl* for *jumuʿah'* - like he does every Friday. Because he actually forgot, pretty much all the scholars say that he is covered.

Does a Lesser *Ghusl* Cover a Higher One?

What if a guy knows that he has to actually do this obligatory *ghusl,* but he goes in and only makes intention for the *jumuʿah ghusl* and doesn't make an intention for the lifting of state of al *ḥadathʾl-akbar* (major state of ritual impurity)? The *Ḥanbalis* say it's okay. They say that the lesser *ghusl* (*al-adnā*) always covers even the higher one and the higher one (*al-aʿlā*) will also cover the lower one. That is why he said *wa ʿaksuhu* (and vice versa). I want you to know there is pretty much no difference of opinion on the vice versa thing. As far as we are concerned, the scholars are all happy with that.

If I make the intention to go in on Friday and I make my intention for the *ghusl* for *janābah* (i.e. the obligatory one), then if I was thinking about the one for *jumuʿah* as well, it's covered by the *niyyah* for the obligatory one. The higher, more powerful, obligatory *niyyah* covers the lesser ones. The positions you need to know are straightforward. For the *Ḥanbalis*, the official position is that it does cover. Shaykh al-ʿUthaymīn رحمه الله has an interesting statement. He says:

أما إذا علم ونوى هذا الغسل المسنون فقط، فإن القول بالإجزاء في النفس منه شيء

If this person knows and makes intention for the *Sunnah ghusl* only, then the statement that this [*ghusl*] is sufficient for him for the *janābah* does not make sense. That's what Shaykh al-ʿUthaymīn رحمه الله says. He doesn't want to pour out the water completely but he says "I'm not happy with it."

As for Shaykh Kehlan, he is much clearer on this and would probably fit a number of other scholars as well. [His position is that] it is not acceptable for you to do just *Sunnah ghusl* and expect it to cover the obligatory one as well.

That is the **class position** and my position as well. Of course, it's the safer position. It is obviously a riskier position to assume going in that you're only going to make the intention for the *Sunnah* one and hope that it covers the obligatory one. I can tell you that if scholars themselves are the ones who have to stop and think for a second just to get a hold of their *niyyah,* then the masses need to even more so. They need to be more in control of what they are thinking. Just think of the danger. It's common sense.

Every Muslim virtually has a bath before Friday prayer whether they do it early or later. When you are doing that every single Friday, it becomes automatic and so if you are in state of *janābah*, you are in a serious trouble f that *ghusl* is not covering your obligatory one. That is why it is essential for Muslims to have a *niyyah* ready

before they do any act of worship, especially ones that share common generic reasons for that action to be done.

A common generic reason would be cleanliness. We want to shower and wash our faces anyway when we wake up in the morning. Even if we weren't Muslims, we'd want to wash ourselves and have a shower regularly. When you do have an act of *ʿibādah* in Islām which is very similar to another common standard act, it is essential that when you walk in you are very focused on your intention. This is the reason I am now going to do this particular act. Shaykh al-ʿUthaymīn رحمه الله says he is happy with it and the evidence for that is the *ḥadīth* which states that every action is by its intention.

The one who intends the higher will always cover that which is underneath it.

He also mentions at the bottom of page 201 that despite the Ḥanbalis offering this as the official position, they definitely emphasise that it is better that you actually do two *ghusls*. You do one for the *jumuʿah* and one for the obligatory reason that you might have.

Obviously, this is what the Ḥanbalis are saying. The taught position of this class is that your intention for lifting the state is not the *janābah* [exclusively]; lifting the state of major ritual impurity does everything. It's Friday, you are there to go to the prayer, so you are doing it at this time.

Let us just talk about the intention. You might say, "What is the proof that I am already thinking about the intention for *jumuʿah*?" The proof is that it is not necessarily the time to pray. If you were in a state of *janābah*, you still probably have another two hours to pray (theoretically), but you do your *ghusl* from *janābah* at that moment. You do it because you want to go to the Friday prayer. You taking your bath at that time indicates that your intention is for the *jumuʿah*, and that is all it needs to be. There isn't some kind of process where you have to say to yourself, "I intend to do *ghusl* for five minutes".

The point is that you don't have an actual verbal *niyyah*. Shaykh al-ʿUthaymīn رحمه الله says there are four scenarios. If we have two *ghusls* that need to be done or two intentions we want to get covered – the one for the *Sunnah* and one for the obligation (e.g. one for *al-ḥadath'l-akbar* (major ritual impurity) and the one for *jumuʿah*) – there will be four scenarios:

الأولى :أن ينويَ المسنونَ دونَ الواجبِ

The first scenario is that a person will go into the shower or bath and he will only make a *niyyah* for the *Sunnah* one.

الثانية :أن ينويَ الواجبَ دونَ المسنونِ

The second scenario is that he only makes *niyyah* for the *wājib*.

الثالثة :أن ينويهما جميعاً

The third scenario is that he goes in and he makes a *niyyah* for both of them in one bath, which is what we are saying is an acceptable scenario.

الرابعة :أن يغتسل لكلِّ واحد غسلاً منفرداً

The fourth scenario is that he will actually have two baths. The first one is the obligatory; the second one would then be the *jumuʿah* one.

Student: What happens if a person forgets to do their intention for the *farḍ* one, but he assumes it's a *Sunnah* one?

Ustādh: So he forgets to do an intention for the *farḍ* one, but he does the *Sunnah* one. We are following the opinion - not the *Ḥanbali* opinion - that the *Sunnah* one does not cover the obligatory one, and he goes in and he forgets the intention for the obligatory one. He prays, and he remembers afterwards.

Remember what Shaykh al-ʿUthaymīn رحمه الله said. He says, for example, there is a person who makes *ghusl* for *jumuʿah* and he considers it as a *Sunnah* for *jumuʿah.* He is in a state of *janābah* but he forgot about the *janābah*. Then he prays, and he only remembers the *janābah* after the prayer.

The *jumuʿah* prayer is going to be correct because the *janābah* has been lifted by the *ghusl* he did for the *Sunnah*, even though his intention was not "lifting a state of *janābah*" because when he goes in for the *jumuʿah*, he's not thinking like that. This is why he said,

لكن إن كان ناسياً فهو معذور

If he forgot about the *janābah*, then he has an excuse. Even those that do not accept this opinion would allow a person who forgets about the *janābah* to get away with it, because of the fact that he forgot.

One Purification Suffices for Multiple *Aḥdāth*

The next statement is "If many reasons for one's ritual impurity are combined which require *wuḍū'* or *ghusl*, and one only purifies himself for just one of them, all the states of ritual impurity will be removed."

وإن اجتمعت أحداثٌ تُوجِبُ وُضُوءاً عن البول

For example, let's say a person urinates, then he defecates, then he goes to sleep, then he eats some camel meat (according to the *Ḥanbali madh-hab*), but then he does *istinjā'* (that's separate), then he makes *wuḍū',* only because of the urination. That is the only thing that is in his mind - "I urinated, so I need to make *wuḍū'*". Shaykh al-'Uthaymīn رحمه الله says, this *wuḍū'* after the urination covers all of the other invalidators of *wuḍū'* as well. He does not have to makes another *wuḍū'* for the toilet, and another for this and that, etc. That is the basic point.

Then Shaykh al-'Uthaymīn رحمه الله makes an interesting statement. He says,

ولكن لو نوى عن البول فقط على أن لا يرتفع غيرُه، فإِنَّه لا يجزئ إلا عن البول

If a person does all of that (all of those four, five things) then he makes *wuḍū',* but when he is making *wuḍū'* his intention is, "I am making *wuḍū'* to purify myself from urinating and nothing else", Shaykh al-'Uthaymīn رحمه الله says that this is the only thing which is going to be done for him.

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى

The Prophet ﷺ said "All actions are by intentions and indeed a man should only get that which he has intended."[1]

[1] *Ṣaḥīḥ al-Bukhāri*, Book of Revelation, Chapter: How Divine Revelation Started Being Revealed to Allāh's Messenger, *ḥadīth* no. 1

If a person only intends purification from urination, then that is the only thing he is going to get. Now, we will say that even if that happens, he is still okay because even if he says "I want purification from urination only," then that will still put him into a state of purity. A state of purity is all that is needed for him to continue on with the rest of the actions.

And that is what he says next:

يجزئ عنه وعن غيره، لأن الحدثَ وصفٌ واحد

If you think about this, impurity is actually an attribute.

Ritual impurity is a state. You cannot have ten states of ritual impurity; you are either pure or impure. Once it is lifted, it is lifted - *khalāṣ*. It does not matter if you have done ten impurities or not, or if you only make intention for one of them or not. Once that state has been lifted, there are not five other theoretical ones waiting to be lifted. That is what Shaykh al-ʻUthaymīn رحمه الله says.

Student: So, you can be ritually impure for five reasons, but if you lift one of them, they are all gone?

Ustādh: They are all gone. That is what Shaykh رحمه الله says after discussing the back-and-forth, because there is a bit of craziness going down. Basically Shaykh said the correct position is that if he just makes the intention to lift the state of ritual impurity for one of those reasons, the entire state of ritual impurity has been lifted. Even if he makes the intention that he does not want it lifted of anything else. It is still going to be lifted because as we said that the *ḥadath* is *waṣfun wāḥid* (it is a singular state, even if the reasons that caused it are many).

Student: Can you use that same point with the *Sunnah* and obligatory *ghusl*? You are ritually impure, and the *Sunnah ghusl* lifts up. Therefore, whether you had the intention or not, does it not just lift the ritual impurity?

Ustādh: Right, this is a good question. If you are saying that is the argument (doing one lifts up the rest as well), why wouldn't that work then for the *Sunnah ghusl* discussion?

First of all, it does work for the *Ḥanbalis* and that is why they said their position. They agree with what you just said. The rest of the scholars note there is a definite difference. The difference is that when you do the *Sunnah ghusl,* you are not lifting a state of ritual impurity. It is a *Sunnah ghusl,* so you are not in a state of *ḥadath (aṣghar or akbar)* and so you are not expected to lift it because you are not obligated to do it in the first place. Therefore, what you have is one type of *ghusl* and a whole

different genus which is *janābah* (which requires a clear intention to lift the state of ritual impurity). That is the argument, and certainly, it is the safest one.

He says the same thing about the washing as well:

أو غُسْلاً، فَنَوى بطَهَارَتِهِ أحَدَها ارتفعَ سَائِرُها

If there are many reasons why he/she needs to make *ghusl* - for example, intercourse, ejaculation, menstruation, or post-partum bleeding - all of those examples are combined at one moment and you need to have *ghusl* for all of them. One obligatory one would do the job for all of them.

He is saying that whatever is applied to *al-ḥadathʾl-aṣghar* (meaning minor ritual impurity which you make *wuḍūʾ* for) is also applied for *al-ḥadathʾl-akbar*, which is what you do *ghusl* for.

Again, this is just a reminder to everyone here that intention is absolutely fundamental when it comes to making *wuḍūʾ* and doing *ghusl*. We don't want to go to an extreme by trying to make this intention something which is so real that it needs to be articulated, but at the same time it is something that needs to be there.

It's one of the most common questions that myself and others get asked. What is the actual intention? If to say the intention is *bidʿah*, what do you want people to do or say? What about those Muslims who don't have the confidence to believe that they are in the right state?

Many Muslims are like that - they actually need a statement to latch on to. It's like unlocking the door isn't enough to get in; you have to physically have a key, put it into the door, and by saying the statement "I am standing here, doing this, doing that", it makes them feel that they're more into the action. The answer to that is: when you step back and actually think about this deeply, the more natural approach to that act is your actual intention.

The intention is a very important matter, but it's very simple. When I come to the masjid at this time of the night, I'm coming for *ʿIshāʾ*. I don't need to think about *ʿIshāʾ*. I don't need to rack my brains and think to myself "*ʿIshāʾ, ʿIshāʾ, ʿIshāʾ*." People need to just really chill on those cultural kind of aspects. You come to the *masjid*, you're obviously going to face *Kaʿbah*, you're obviously going to be in *jamāʿah*, you're obviously going to be praying behind the Imām, and that you're not here to pray *Fajr*, unless you've had a complete blonde moment and you have just like lost the plot 100%. Just keep it very simple.

When the Intention Must be Made

Now we move on to the next point - the place of the intention. On page 2, in the last paragraph, it says:

ويَجِبُ الإتيانُ بها عندَ أَوَّلِ واجباتِ الطهارةِ وهو التسميةُ، وتُسَنُّ عندَ أوَّلِ مَسنوناتِها إن وُجِدَ قبلَ واجبٍ، واستصحابُ ذِكْرِها في جَميعِها، ويَجِبُ استصحابُ حُكْمِها.

It is obligatory (to make the intention) along with the first obligation of purification - which is the stating of "*Bismillāh*" - and it is recommended to do so along with the first of its recommended acts if indeed there are any to be found before the obligatory acts. (It is also recommended) to remember the intention throughout the entire process (of *wuḍū'*), and it is obligatory to positively maintain that intention (throughout the *wuḍū'*).

That's the *Ḥanbali* position in the text. Like all of the *madhāhib,* they have a very hands-on approach to the *niyyah*. Not only does it need to remain at the beginning, it needs to be thought of all the way through. It needs to be kept and mentioned, reminding yourself, whether that's right or not. The last thing is very important. Whatever happens, at the very least, you mustn't drop that *niyyah.* If you are not going to keep it alive in your heart as an active thing, what they are saying at the very least, you mustn't almost allow something to come and take your mind away.

The first statement is, " It is obligatory (to make the intention) along with the first obligation of purification". It is a *tasmiyah* (meaning to say "*Bismillāh"* only). Now of course this is from the position that [to say] "*Bismillāh"* is obligatory, which, in the Ḥanbali *madh-hab,* it is. In the other *madhāhib*, it's not. To say "*Bismillāh"* in *wuḍū'* is from one of the obligations of *wuḍū'. W*hat is the *niyyah*? Shaykh al-'Uthaymīn رحمه الله says:

عزمُ القلب على فعل الطَّاعة تقرُّباً إلى الله تعالى

The intention is the determination of the heart to do an act of worship for the sake of Allāh, the Most High. It could be translated as 'to get closer to Allāh, the Most High', but I prefer 'for the sake of Allāh, the Most High'. This definition has been given by Shaykh al-'Uthaymīn رحمه الله.

You can see the emphasis and focus is really on the issue of the heart. It has nothing to do with the tongue. To say something with the tongue is a mistake. Of course it's to do an act of worship, and that worship is any act which is done to please Allāh ﷻ, expecting reward from Him. That's what an act of worship is, and that's why the

niyyah is very important to determine that between any other act that you do for any other reason.

The Shaykh رحمه الله now also wants to discuss the exact placing of the *niyyah* - when should it happen?

ويَجِبُ الإتيانُ بها عندَ أَوَّلِ واجباتِ الطهارةِ

ʻInda in the Arabic language has a number of different meanings, but most of the time it means 'with'. When we say the Arabic word *ʻinda,* it means 'closeness'. That's what the Shaykh رحمه الله says.

هذه الكلمة تدلُّ على القُرْب

[The word *ʻinda*] signifies closeness, such as when Allāh ﷻ says in *Sūratʾl-Aʻrāf* (verse 206):

﴿إِنَّ الَّذِينَ عِندَ رَبِّكَ لَا يَسْتَكْبِرُونَ عَنْ عِبَادَتِهِ وَيُسَبِّحُونَهُ وَلَهُ يَسْجُدُونَ﴾

"[Even] those who live in the presence of your Lord are not too proud to worship Him: they glorify Him and bow down before Him."

Side Benefit: Verse of Prostration

This is an *āyah* of *sajdah*; it is nice if we do a *sajdah* and it's good *adab* as well.

The ruling on an *āyah* of *sajdah* is that it's not an obligation according to the correct position and the majority of the *ʻulamāʾ*. It does not require *wuḍūʾ* as well, according to my opinion and number of scholars as well. We will be covering the *sajdatʾl-tilāwah* in detail later on.

It's not an obligation, and also in teaching the *ʻulamāʾ* gave an exception to that. In teaching, it is a study and when you are studying a verse for example repeating again and again and you're looking at the words, you are not obligated to do it at that time. If a person wants to do good, a single one would suffice for the twenty readings of the *āyah*. It's important to understand that it wasn't obligatory that we did that, and even if we did consider it being obligatory, we can delay it as well.

It's a good *Sunnah* and my teachers always brought me upon the *manhaj* and the methodology of never missing an opportunity to do a *sajdat'l-tilāwah* just because it's a good humbling of one's ego, and it's always good to make sure that one doesn't feel in any way too proud to make the *sajdah*.

Student: What about during a *khuṭbah*?

Ustādh: This is my point - because it's a close circle and we all know each other, I know I can say "Let's do it, folks" and everyone would do it.

We wouldn't expect the *imām* to drop that on the masses. He is in *khuṭbah*, he drops down and everyone gets down and then he does the *sajdah* and then everyone is lost. By the way, it has been done in the *sīrah,* it has been done in the *Sunnah,* and it has been done by the *khulafā' al-rāshidīn* as well – and it is authentically narrated - but obviously we are talking about the audience who knows the Qur'ān, and who knows what's going on.

Māshā'Allāh, I don't want to praise, but Shaykh Abdul Ghaffār has trained this masjid in a very unique way in that we do a thing that is a very blessed. We recite the Qur'ān throughout the prayer. You know the maximum majority, in fact the 99.99% of mosques of the world only recite parts of the Qur'ān and they don't have *sajdat'l-tilāwah* except on Friday.

They say it's a *Sunnah* to do it in the Friday morning prayer when they recite *Sūrat'l-Sajdah*. Other than that, they don't [do it]. It also depends upon the audience as well. In this *masjid,* we are used to regularly doing *sajdat'l-tilāwah* in our *ṣalāh*. This is an audience that wouldn't see it as a big shock if we did it in a *khuṭbah*. It's up to the *imām* and knowing how the people will react.

When we were in our circles with our Shaykh, he would certainly do *sajdat'l-tilāwah* and we would as well. It's not [an] obligatory one according to the correct position, but we should never miss out.

Shaykh Abdul Ghaffār added that this *āyah* in *Sūrat'l-A'rāf* (verse 206) is the first *sajdat'l-tilāwah* in the Qur'ān, and the last one is in *Sūrat'l-'Alaq* in the thirtieth *juz'*.

'With' Indicates Proximity

What Shaykh al-'Uthaymīn رحمه الله was using this *āyah* for was to show that Allāh ﷻ says in *Sūrat'l- 'A'rāf* :

﴿إِنَّ الَّذِينَ عِنْدَ رَبِّكَ﴾

"Those who are close to your Lord (and those who are with your lord)"

He's talking about the angels, of course. The angels are those that do not have any pride when they are worshipping Allāh ﷻ. They constantly praise Him and make *sajdah* to Him.

Therefore, it is established in the Qur'ān as meaning 'with'. When we see in the text that Imām al-Ḥajjāwi رحمه الله says that it should be done with the first obligation, then it means close to or next to the obligation. It doesn't necessarily mean absolutely touching. That's important, because we need to know what happens in different scenarios.

What we can determine is that the *niyyah* must be connected to the action.

أو متقدِّمةً عليه بزمنٍ يسير

Or it can be before the action, but only for a small period of time. It can precede the actual *bismillāh*.

We are talking about the *niyyah* which is in the heart. It's not something which is mentioned. We are making it 'with' the first obligation. 'With' actually means right with the *bismillāh*. You say "*Bismillāh"* and you are thinking *wuḍū'*. You are thinking 'I have just been to the toilet or want to get ready for *Ẓuhr,* so *bismillāh'.*

Or Shaykh al-'Uthaymīn رحمه الله says even if you made the *niyyah* before it, then that's no problem, but it has to be a small amount of time [that has elapsed between making the *niyyah* and saying *bismillāh*].

Acceptable Duration of a Lapse

Now, the word *yasīr* in the Arabic language means 'little', but in *sharī'ah* it has a different meaning. In *sharī'ah* it means 'insignificant according to the culture'. In Arabic, linguistically it means 'something which is easy'. *Yusr* means easy.

﴿إِنَّ مَعَ الْعُسْرِ يُسْرًا﴾

"Indeed with hardship there is ease."

Yusr means ease; *yasīr* comes from the same thing meaning easy. Of course, we know that words which are linguistically described are not necessarily what they mean in *sharīʿah.* In *sharīʿah* it means that it is insignificant according to the culture because sometimes the culture might be such a chilled culture. The point has to do with culture, because our quick period of time might not be the same quick period of time somewhere else.

It's difficult to explain *yasīr* in the context of culture. Let me give you the other example which is the opposite of *yasīr*. Who knows what the opposite of *yasīr* is in *fiqh*? What is the opposite of insignificant? Significant. What is the Arabic word used most commonly? There are two, actually; the technical one is *kathīr,* which means 'much', but also there is the word is *fāḥish. Fāḥish* means 'a huge amount'. Actually, it doesn't mean a huge amount even in the Arabic language; *fāḥishah* is something which is shocking.

For example, when we come to the section of invalidation of *wuḍūʾ,* we will be choosing the opinion that the only type of blood loss which invalidates the *wuḍūʾ* is a *fāḥishah* amount of blood loss – a shocking amount of blood loss. Now that is linguistically speaking.

In *sharīʿah, fāḥish* would mean significant according to the culture of the people. Not significant according to a doctor, because a doctor looking at a guy dying says, "It's alright. Stick a plaster on him and he will be fine'. At the same time, you might have some queasy woman who has one look at that and she faints. She might look at that tiny amount of blood and say, "That is good enough for me. Your *wuḍūʾ* is gone and your *ghusl* is gone and everything is gone".

That is the point of saying that the *ʿurf* has to define that concept. It needs to be a balanced Joe off the street and the person has to be balanced and not too squeamish and not too medical (in looking at blood). He has to be a normal type of guy and he looks at the blood and says, "You know, you are bleeding quite bad there, mate". When he says that, that is an indication that maybe you should go and make *wuḍūʾ*.

This is a position of the scholars. Likewise, the opposite also applies and *yasīr* is the same. It cannot be someone who has a vested interest in medicine or someone who is very discriminatory in his analysis. I tried to give the example of someone who tried to do *wuḍūʾ* in Jamaica and it didn't work. You can give a better example if you can think of one.

Someone who is 95 years old and he lives in a residential home moves very slowly and takes half an hour to make *wuḍūʾ*. Everything is being done super slowly, and so this person is not the standard for the period of time for making *wuḍūʾ*.

Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله gives his example and he says "*zamanin yasīr*" is like a minute or two. So you make intention to make *wuḍū'*, he says, and then you put the water on but it doesn't work. So you turn the tap back on and it may take one or two minutes for the water to come out. It's sputtering and it comes out dirty and you are waiting and waiting and it is still freezing cold. You wait another minute for it to become warm, and this is what we consider a small amount of time.

Whereas if you made the intention but did not say *bismillāh* yet, and then you get a phone call that lasts for five and then ten minutes, you come back in and then you say *bismillāh*. According to the scholars, this second scenario with the phone call is not allowed and you need to make your intention again. That is going out of the realms of *'inda* or 'with', whereas a short period of time would still be considered 'with *wuḍū'*'.

I'm just saying that the point still remains - you need to have the intention. As long as you have got the intention to make *wuḍū'* then you're alright; it's absolutely no problem at all. If you're coming back from your phone call and you've got the intention, "Right, let's get back to that *wuḍū'*," you're right, it's done. But at least have that intention. Some people might go in and say I want to do something else.

Shaykh al-'Uthaymīn رحمه الله says that according to the *madh-hab*, they are basically talking about the *awwal wājib* (the first *wājib*), which is the *tasmiyah*.

وهذا على المذهب من أنَّ التسمية واجبةٌ مع الذِّكر .

Shaykh al-'Uthaymīn رحمه الله reminds us of the position of saying *bismillāh*. What is it? That it's *Sunnah*. We said that that is our position, we said that it's Shaykh al-'Uthaymīn's position and that it's the **class position.** He [Shaykh al-'Uthaymīn] reminds us as we covered on page 158 that actually, even though the Ḥanbalis consider it to be an obligation, the three Imāms, Shaykh al-'Uthaymīn and the majority of the scholars consider the statement of *bismillāh* to be a *Sunnah* and *Sunnah* only. And of course, *bismillāh* is a statement that is said physically on the tongue.

فإذا أراد أن يتوضَّأ فلا بُدَّ أن ينويَ قبل أن يُسمِّيَ، لأن التَّسمية واجبةٌ .

In summary, Shaykh al-ʻUthaymīn رحمه الله says that regardless of how you see it (whether you consider it *Sunnah* or obligatory), if you are going to make your *niyyah*, it should be before you actually say the word *bismillāh*. A second before, or 10 seconds before, or 20 seconds before then that's going to be okay.

Q & A

Q: You said that saying *bismillāh* is *Sunnah*?

A: According to Shaykh al-ʻUthaymīn ﷺ and the majority of the scholars and it's the class position.

Q: So therefore you went there and purposefully forgot to say *bismillāh*, it would still be valid?

A: Correct. According to the majority.

Q: So would the *niyyah* then still need to be with the *bismillāh?* Because it has to be with the *bismillāh*.

A: I'll just say to you that Shaykh Muḥammad Mukhtār al-Shanqīṭi says regarding the next statement [in *Zād al-Mustaqniʻ*, which] is that if it [the intention] is not going to be with the obligatory [actions of *wuḍūʾ*], then [it should be with] any other of the recommended acts. The reason that Imām al-Ḥajjāwi mentions that is because he knows that there's a difference of opinion on this issue anyway (i.e. if *bismillāh* is *wājib* or not). So he's giving us that scope of the recommended acts too. What they're basically saying is that there's going to be four stages:

1. *Bismillāh* is obligatory or *Sunnah* and therefore your *niyyah* is going to be done before it.
2. The first *Sunnah* is *al-istinshāq* and *maḍmaḍah* (rinsing of the mouth and the nose) and therefore your *niyyah* is going to before that.
3. I don't need to do it before any *Sunnah* act. I don't believe that *bismillāh* is obligatory, so I need to it before the first obligatory act, which is washing the face. Before you actually do the washing off the face, the *niyyah* has to have been made that you are making *wuḍūʾ*.
4. Those people that consider the washing of the hands to be an obligation if they wake up from deep sleep. That would be after the *bismillāh*. That's regardless of whether you consider the *bismillāh* an obligation or not, that would be the first obligation.
   We discussed that and we don't consider that to be an obligation, but a *Sunnah* to do that after you wake up, but if we know the reason that someone is protected – and we had a long discussion about it – then we don't consider this to be a major issue.

Regardless, the *niyyah* should be done at the beginning and we have all these potential points. In my position, as long as you remember and make sure that the *niyyah* happens before you wash your face, your *wuḍūʾ* is done. But that is breaking *fiqh* right down. That's an emergency scenario. The correct way would be to have it

before you wash your hands, before you say *bismillāh*, before you wash your nose and your mouth, etc.

Q: Just a point about the timing of the intention - is it similar timing to *ghusl*?

A: It applies to all acts of worship if there's a serious, prolonged period of time which could theoretically threaten the validity and the continuity of your intention - especially if you get a phone call, someone speaks to you, and breaks your attention span.

For example, in *Ramaḍān*, we believe one intention at the beginning of the month is sufficient for the entire month, even though it might be argued according to some of the scholars that it is recommended – and some say obligatory – to at least to make the intention every night. Those same scholars also insist on you making it again two nights later, if, for example, the next day you went travelling and you broke your fast (even though you made your intention at the beginning for the covering of the whole month). They said that now you're in this state where your intention has been broken, you need to renew that intention now that you're back home.

It's not always about a small period of time. It's about anything potentially coming in that would change your state.

Q: If someone is in a state of *janābah* and he needs to make *ghusl*, he already said to himself that he's going to make *ghusl* and he goes straight to the bathroom…

A: If he wakes up two hours later and goes straight to the bathroom, then it's now a simple question - what is he doing in the bathroom? If there was nothing else, he wasn't sweaty and there was no reason for anything else, then his intention is exactly as it was, and he would already be walking into the bathroom upon that same intention. It really is about the intention itself being alive, clear, and definitely achieved. It's a risky scenario, which is why the scholars are always talking about mastering the intention.

Q: What about a scenario where you need *wuḍūʾ*, but you do *ghusl* anyway? If you do *ghusl*, does that automatically cover your *niyyah* for your *wuḍūʾ,* or do you have to make two intentions?

A: Good question - we are going to come to that. The question is what about the *wuḍūʾ*? Does the *wuḍūʾ* get covered by lifting the state of major impurity? The answer is: yes, it does. Lifting the state of major impurity includes lifting the state of minor impurity. Lifting the state of minor impurity does NOT include lifting the state of major impurity. For example, going into the shower and making intention for *wuḍūʾ* would not count as your *ghusl* for anything. Whereas walking into the shower

making the *ghusl* for X would cover the need for *wuḍū'* because you just urinated, for example.

Q: You don't need a separate intention?

A: You don't need a separate intention for the *wuḍū'*. The ghusl encompasses the entire act of the lifting of minor ritual impurity – *al-ḥadath'l-aṣghar. Al-ḥadath'l-aṣghar* is minor ritual impurity. *Al-ḥadath'l-akbar* is major ritual impurity. Making the intention to lift major ritual impurity covers all minor ritual impurities.

Q: So with this intention, some people are struggling. Is it subconscious, conscious, something that is formed in the mind, or is it as it is mentioned - something that is formed in the heart?

A: I know. I'm so used to this because it's the most common confusion. When people think of the heart they get confused, because actually no one thinks anything in the heart. When you think of the heart, you think up here, but you say the heart, right? I don't want to get into a big discussion about that because it is deep and profound, the connection between the heart and the mind. The point is that they are the same thing. Whilst you are thinking of something, it is basically the heart speaking. It is the thought, and it is a conscious thought which is done subconsciously. It doesn't need to be articulated. You see the problem with using English words is that when we say conscious, are we insisting that it means articulated verbally? Well if not, what is subconscious? Is subconscious something which is there, which is not articulated verbally? What is the difference between conscious and subconscious?

Student: Subconscious - I go to the bathroom before *Fajr* to do *wuḍū'*, but I did not actually say to myself consciously that I am going to do *wuḍū'* now.

Ustādh: If that is the way you define subconscious, then subconscious will never be accepted as an act of worship for a *niyyah*. If that is how you define subconscious, I would argue that even the subconscious needs an instigating point.

Student: The instigating point is that you are going to pray.

Ustādh: Yes, but we discussed that, remember? We said that the statement you make to yourself does not need to be, "I want to make *wuḍū'*". As we said last week, you can also say, "I want to pray *Fajr*". When you say "I want to pray *Fajr*", that itself necessitates that you need to lift the state of ritual impurity. That is the whole point of last week's lesson. You can actually make the intention for the act of worship, which in itself cannot be performed without the requisite act of *wuḍū'*.

Student: An easier example would be the *qiblah*. Nobody here has ever prayed in any direction other than the *qiblah*, but do you make an actual thought before praying every single time, that I am going to face the *qiblah*? No. Surely that is

subconscious, or something that you automatically do?

Ustādh: That is my point. That is why my definition of subconscious is a thought which has definitely had an instigating point.

Even though I am used to it, if I know that I pray towards the qiblah as a Muslim and that never changes, then every single time I do that (without having to remind myself of the fiqh, rulings, evidences, and reasons), it's still an instigated, clear thought in my mind. I don't need to say to myself 'This is qiblah'.

The easier way to understand this is that your intention is only at risk if you are doing things which risk the intention. The subconscious is only *not* fine when you do things to risk your intention. For example, if you turn off the AC and become super hot, then your only thought is that you need water to cool down. That has almost overpowered your subconscious.

Student: But shaykh, if that's the case, someone could still wash their face and put their feet in the sink…

Ustādh: Which is why I said that it does not work very well with *wuḍū',* but it works with showers. Remember that for a *ghusl*, you can jump into a river and jump out and that's it. To do the rubbing, this and that, is all a *Sunnah* act - we are going to come to that later. If you could jump in and jump back out, it's a job done.

That's why right at the beginning of this lesson, I said what I said. I said that the issue of intention is more emphasised and is more thought about in those acts which have a common generic kind of reason for doing so anyway, which would be swimming or showering.

In *wuḍū',* this is not going to happen. It's going to happen very rarely, and what will happen is that your intention will come late because washing your hands and washing your face is the most generic thing to do in the morning. It is after you've gone into the really strange part of washing until the elbows that you start to think 'Oh, this is *wuḍū','* but then it's too late. That is my point.

I am happy with the idea that you've got *wuḍū'* as long as you know that you are making *wuḍū',* but you have got to be careful. Be warned that many people have been there, and done it. Especially if you wake up for *Fajr* and go back to sleep again and wake up again.

That is another danger being added to the scenario. Normally, when you wake up first thing, it is only for the *Fajr* prayer - it is the only reason you wake up at that time. That covers *wuḍū'* automatically. But when you are waking up a second time, there is no prayer to pray. You might think, 'At *Ẓuhr* at work I will make *wuḍū'* again' so now, any washing of hands, brushing of teeth, cleaning up is very much for the actual cleaning up.

Yes, I am happy for you to not go crazy on this, relax, keep it as part of subconscious, etc. but your intention is at risk only when you do something that risks your intention like common actions. Common actions like going back to sleep after *Fajr*, going into a shower where you are just going to have a quick shower, etc.

Q: If a person decided that he is going to do two *ghusl*s for the *Sunnah* and the obligatory, which one comes first?

A: The obligatory comes first. I do not want to say that that is an act of *bidʿah,* but we need to think about that. If Shaykh Kehlan was here, he would have a heart attack. Basically he would say that your *taḥīyatʾl-masjid* (*Sunnah* prayer) is not allowed to be prayed when the obligatory one is being established.

You would go into the m*asjid* and join the *jamāʿah,* and you would have the intention for *taḥīyatʾl-masjid* as well as the intention to pray *Ẓuhr* behind the Imām. You would get the reward of both. The obligatory (*Ẓuhr ṣalāh*) covers the *Sunnah* of *taḥīyatʾl-masjid*.

This principle exists across the *dīn.* There might be an exception found, but if there is an exception, it is because there is an evidence for the exception. Here, the general principle would be that you would make the intention for the *janābah*, (which is the intention of lifting the state of ritual impurity) and it's understood that because you are doing it at this time before the Friday *adhān*, that you are doing it for another reason as well. If you made that intention subconsciously, then that's even better.

I do not want to say it is *bidʿah*, but if a person was to do two separate ones (*ghusls*), that is fine. He would make the intention for each one, and he would do the obligatory one first.

Q: Major ritual impurity, intercourse, and finishing the menses… is there another one?

A: Yes, there's ejaculation at night (wet dreams), postpartum bleeding, a person losing consciousness for a long period of time, etc. We do not want to get into that because we have a major section on that.

Q: Can it be argued that a *Sunnah* and obligatory *ghusl* being done separately is an example of getting excessively caught up in technical legalities?

A: Absolutely, I agree with that and you heard what I said about that. I think when you start doing that (separate *ghusl*s), you are starting to lose the plot.

18. Obligations of *Wuḍū'* X

I am told that we are at the statement:

وتُسَنُّ عندَ أوَّلِ مَسنوناتِها إن وُجِدَ قبلَ واجبٍ

...and it is recommended to do so along with the first of its recommended acts, if indeed there are any to be found before the obligatory acts.

This is on the middle of page 204 in the commentary, and it is the second line from the fifth paragraph on page 2 of the notes.

In the commentary, Shaykh al-'Uthaymīn رحمه الله opens up with this statement that it is recommended to make the intention before, with, or at the first *Sunnah* act. This applies if we have a *Sunnah* act before the *wājib*. Quick question - what is the *wājib* they are referring to? The *basmalah* or the *tasmiyah*.

It is only the Ḥanbali *madh-hab* that believes that saying *bismillāh* is *wājib*. If this was one of the other *madhāhib*, they would say it is *Sunnah* to [have the intention] with one of the *Sunnah* actions of *wuḍū'* before the obligatory one. What would be the obligatory act for them? It would be the washing of the face. This is only if it is one of the other *madhāhib*.

Now what are the *Sunnah* acts before saying *bismillāh*?

We've heard intention, but that can't be right because intention itself is an obligation. We are not talking about the obligation of making the intention. We've already said last week that it is obligatory to make the intention before the first obligation, which, in the Ḥanbali *madh-hab*, is [saying] *bismillāh*.

Now we are talking about what the *Sunnah* is, so that's kind of the last case scenario. What is the *Sunnah* according to the Ḥanbalis*?* They are saying the *Sunnah* is to have the intention before the first *Sunnah* of the *wuḍū'* - not just the obligation of the *wuḍū'*, but before the first *Sunnah* of the *wuḍū'*.

I have a question; what is that first *Sunnah*? The great thing is you guys make *wuḍū'* every day and you can't think of it. The reason you can't think of it is actually why the sentence has been worded the way it has been. You're confused because you're thinking [that saying] *bismillāh* is the first thing I do, so what comes before *bismillāh*? That's exactly the point of the author.

He says, "If there is one that you do before". Do you understand?
What would the example be? [Let's say] before a person says *bismillāh,* he washes his hands. In your mind, the idea would be that you walk up to the tap, you say *bismillāh* and then you start washing, which would be the right and sensible way. It's possible that you will start washing your hands, and say *bismillāh*. We've already said that unless you're walking around at nighttime, etc., then the washing of the hands at the beginning of *wuḍū*' is a *Sunnah* act. The main lesson being taught here is that we need to make sure that we have the intention for *wuḍū*' before we wash the hands. If we wash the hands after we say *bismillāh,* then we've got to have the intention before the *bismillāh.*

Let's start from the beginning. The *Ḥanbalis* say that the statement *bismillāh* is a *wājib*; meaning you have to say it. At the same time, they also accept that it's possible that the washing of the hands, which should theoretically come after the *bismillāh,* might be done before the *bismillāh.*

We've got scenario A where the person says *bismillāh* then washes his hands. We've got scenario B where he washes his hands and then says *bismillāh.* Now we're talking about the intention, which is an obligation in all of the *madhāhib.* We want to know where to put that intention in scenario A and scenario B. We already know that it is obligatory to make the intention and it's obligatory to make the intention before the first obligation of *wuḍū*'.

Now the author is asking us, what's the *Sunnah*? What's even better than the obligation? It's better to do it at a certain moment. That certain moment is to do it with the first *Sunnah* act of the *wuḍū*'. What is the first *Sunnah* act of the *wuḍū*'? Washing the hands.

In scenario A, when does the intention need to be made?
He said *bismillāh* and he washes his hands. The intention must be made before saying *bismillāh*.

In scenario B, he washes his hands first as a *Sunnah* act, and then did the obligatory *bismillāh.* When should the intention be? Before washing of the hands.

That is why the sentence itself is very good. I will re-read the sentence again:

...and it is recommended to do so along with the first of its recommended acts if indeed there are any to be found before the obligatory acts.

This means that before saying *bismillāh,* you need to have the *niyyah* for making *wuḍū*'. The intention is something which is real. In your heart and in your mind, you believe it. It is not some sort of pastime; it is a real thing. That had to happen before the *tasmiyah.*

In case, for whatever reason, you forgot to say *bismillāh* first, that is the reason why the authors put it in this statement. How many times have you put your hands under the water and you start saying *bismillāh* [too late]? Well actually, you are already washing your hands. You have already moved on to the next stage. Does saying *bismillāh* late

affect the *wuḍū*'? No it doesn't. That lateness does not affect the *wuḍū*' because it is actually not mentioned in the *tartīb* of the *wuḍū*'. We just know that it has to be said at the beginning.

Therefore, in principle in the Ḥanbali *madh-hab,* it's either going to be said before you say *bismillāh,* or it's going to be said when you wash your hands before saying *bismillāh.* As for the other *madh-habs*, we believe that to say *bismillāh* is *Sunnah,* so the same rule applies. You will make the intention before any of the *Sunan.* Whether that is to say *bismillāh,* whether it is washing the hands, whether it washing the nose, or whatever, all of the *madh-habs* agree. The three Imāms (Mālik, Abu Ḥanīfah, and Shāfiʿi ﵀) agree, as long as you make that intention before you wash the face.

You may have already washed your hands, and you're thinking, 'What's this? *Wuḍū*',' and then you wash the face… your *wuḍū*' is correct. That is the **taught position** of this class. It's also the position of Shaykh al-ʿUthaymīn ﵀ as well, who considers the *tasmiyah* to be *Sunnah* and not an obligation.

That's why he says:

وقولُه: «إن وُجِدَ قبل واجب»، يشير رحمه الله إلى أن هذا المسنون لا يوجد قبلَ الواجب في الغالب، فالغالب أن يُسمِّيَ قبل غسل كفَّيه، وحينئذ يكون الواجب متقدِّماً.

Basically, this is something which is rare. Generally, a person will say *bismillāh* before he does anything. But just in case he washes his hands before he said *bismillāh*, then this sentence covers it.

The next statement is:

واستصحابُ ذِكْرِها في جميعها

(It is also recommended) to remember the intention throughout the entire process (of *wuḍū'*).

It is a *Sunnah* to be in a state of awareness that you are making *wuḍū*'. Our big mistake when we make *wuḍū*' we only go through the motions like we do ṣalāh. We don't understand what is going on; we only remember right at the very end when we've finished our prayer. That is when you realize you just prayed four *rakʿah,* and it's the same with *wuḍū'.* People generally realize when they turn the tap off, the water stops pouring, and suddenly they come out of their trance. That is obviously a major issue and

all ritual worship in that manner is a problem. We know that the Prophet ﷺ has emphasised this *khushūʿ* and being in the zone throughout *ṣalāh* immensely.

There are so many interesting *aḥādīth* [on this matter]. For example, the Prophet ﷺ said in *al-Tirmidhi* that Allāh ﷻ is in front of the one who is praying, (looking at him until the person turns away). That turning away is not a physical turn away because he remains facing the *qiblah,* but his heart turns away. He's there, [reciting] *'alḥamdulillāhi rabbi'l ʿālamīn',* then he gets bored and his mind starts to wander. Once his mind goes and the rest is all auto pilot, Allah ﷻ has lost interest as well. He ﷻ doesn't care about you anymore. [1]

In another *ḥadīth,* the Prophet ﷺ said that a person will take either a tenth, an eighth, a sixth, a fifth, a fourth, a third, or a half of the prayer. No more than that. What was he referring to? He is not referring to the physical act. He is referring to how much the person took away and how much it impacted him. [2]

We don't have such a specific *ḥadīth* about *wuḍūʾ* in this manner. We do have general *aḥādīth* that praise the act. With every drop, drops of sins come off.[3] When you are washing, you are washing your sins completely. This is more spiritual and more holistic, but the point remains. When you are making *wuḍūʾ* and rubbing your hands, you should look at the hand and reflect upon the hand that Allāh ﷻ gave you that you are washing. You should reflect upon the beauty and the mercy of water, and the fact that you have some.

That is the beauty of making *wuḍūʾ* regularly as a habit with a small amount of water. When I show you the video in a couple weeks' time, you'll see that I did 3 different kinds of *wuḍūʾ.* I did one with lots of water running - the standard kind we all do. Then I did a *wuḍūʾ* with half a cup to basically show the *Sunnah* of the Prophet ﷺ, and I recorded the video with the *mudd* (a measure), itself. I filled up my hands with the exact amount and then I did *wuḍūʾ* with it. The third one is how to make *wuḍūʾ* when you are on *Ḥajj,* which is with probably about a quarter of one of these.

I showed it for two reasons. Firstly, to show that it can be done. You should now try and practice it. It's a practice which is good to revive. Secondly, I wanted to show you so that when you watch it, it's something which freaks you out. When you are doing it, you feel like you are living the *Sunnah.* You actually feel like *subḥānAllāh*, this is what it's about. You're there and you are doing the *dalk* (passing hands over limbs) of al-Nabī ﷺ and you suddenly understand why someone would do such rubbing because of such little water.

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[1] *Sunan an-Nasāʾi*, Book of Forgetfulness, Chapter: Stern Warning Against Turning Around When Praying, *ḥadīth* no. 17

[2] *Sunan Abi Dāwūd*, Book of Prayer, Chapter: What Has Been Narrated Concerning Shortening The Prayer, *ḥadīth* no. 406

[3] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: Purging Of Sins With Ablution Water, *ḥadīth* no. 44

Whereas when you're sitting like us, with big taps, sticking our arms and feet under it, how is it going to be a spiritual experience? In addition to this, what the *ʿulamāʾ* are talking about here is that to maintain that spiritual experience is to be in the moment. When you're washing, you're feeling it, you're making *wuḍūʾ* and you're purifying yourself.

We talked about this in the very first session which was recorded at IlmSummit, where we talked about the verb of *waḍāʾa*. This is a verb which, in its linguistic sense, is talking about shining bright. When you are saying to someone else if they have *wuḍūʾ* or you say that you have just made *wuḍūʾ*, we're thinking in the technical. Maybe instead you should be thinking in the linguistic. Am I really shining? Am I that person that the Prophet ﷺ mentioned in a *ḥadīth* that his Companions will come on the Day of Judgement and they'll be instantly recognised as *ghurran muḥajjalīn* – all of these parts will be shining?

Whenever we think in our ephemeral, western mindset, and by watching films and TV, whenever heaven is portrayed, it's always portrayed bright, shining and light. That is something which is in all of the religions when they discuss heaven. These are the kind of words and adjectives that are used which describe the purity, light, goodness and righteousness (of heaven). We are actually meant to be living that when we are preparing for the greatest act of worship possible.

When you think about *Sūratʾl-Māʾidah*, the *āyah* of *wuḍūʾ* only is given to us as a favour: when you stand up for the prayer, then go and wash your faces and your hands up to the elbows. The reason we make *wuḍūʾ* is for the prayer. If you want to do this great act of worship, then you need to come to it shining, pious, righteous, and pure. When you are making *wuḍūʾ* and you're not feeling that *wuḍūʾ* or you're not getting a spiritual buzz from it, that's a problem. That's why they make it *Sunnah* to have you thinking about *wuḍūʾ* at every stage. This is a spiritual level. You're thinking that you are now purifying yourself and you make sure nothing is left uncovered.

We mentioned that when you watch films and the actor that's about to blow everyone up is making his final *wuḍūʾ*, they make it dramatic, and he's making an incredibly spiritual ablution to go to heaven and to kill a thousand people. You're watching him and the camera catches the water as it flows. We need to revive that concept.

What Shaykh al-ʿUthaymīn رحمه الله then says is that this is obviously the spiritual side of intention, but there's a legal aspect to this as well. What if, for a second, you don't believe you are making *wuḍūʾ*? That's a problem. At any moment, if you believe you're not making *wuḍūʾ*, you stop making *wuḍūʾ* because intention is a belief.

Let me give you an example. When you're praying, and you're reciting *Sūratʾl Fātiḥah* and you're half-way through and then you say to yourself, 'This is a disaster. For whatever reason, I'm not concentrating. I don't even know what I am doing – I have lost my mind and I am about to collapse'. You would just come straight out of the prayer because you are not praying. You have just told yourself 'I'm not praying', 'I'm not here',

'I don't understand what am talking about' or 'my mind is going'. Maybe you're ill - sit down. So you sit down, you have a drink of water, and then you start again. 'I'm now about to pray - *Allāhu akbar*'.

Another example is if you are in the middle of [reciting] *al-Fātiḥah,* and then you realise you haven't got *wuḍūʾ*. You see people who say *Al-salāmu alaykum wa raḥmatullāh* [while turning the face right and left] to exit the prayer and they go off to make *wuḍūʾ*. There is no s*alām* in the prayer because the prayer is gone. How did the prayer go? Because you said 'I'm not praying'. The second you say 'I'm not praying', it's gone. That's what it means by 'intention of any act has to be there all the way through'.

We are going to talk about what 'all the way through' means in a practical sense. We are going to talk about that but I want you to understand at any moment - Let's just say for example, you are in a farm where you've been working barefoot and your feet are filthy. You realize when you're making *wuḍūʾ* that 'as part of my *wuḍūʾ*, I'm not going to get myself clean'. You're halfway through the proper *wuḍūʾ* and you think 'sack this - I have to take a shower'.

To get to a shower, you have to go over a carpeted area to go into the shower room. You can't afford to walk on that carpeted area with your dirty feet, so you carry on with your *wuḍūʾ* (which isn't valid because you have broken it to go have a shower) and you wash your feet. What I'm saying is that you complete the physical actions of *wuḍūʾ*.

Do you have *wuḍūʾ*? You have no *wuḍūʾ,* even though you did the physical act of *wuḍūʾ*, even in the right order and the right amount. You don't have *wuḍūʾ* because you've thought 'I'm not having *wuḍūʾ*'.

ISTIṢ-ḤĀB

That's what we are talking about when we are talking about having the right intention or having the right belief. What Shaykh al-'Uthaymīn رحمه الله mentions at the end (before he goes onto the next point) is that to believe something is more for your benefit, even if your tongue said something else.

He gives an example - what if a person was to say, "I'm not making *wuḍūʾ*", with his tongue for whatever reason, but in his heart he still believes he's still making *wuḍūʾ*? Do you think he has *wuḍūʾ* or not? Yes, because he says [to himself] 'I'm not making *wuḍūʾ*' but in his heart, he knows [that he's making *wuḍūʾ*] because this is *istiṣ-ḥāb*.

Istiṣ-ḥāb comes from the word *ṣāḥib*. *Istiṣ-ḥāb* is to take a companion, and *ṣāḥib* (pl. *ṣaḥābah*) is a companion. *Istiṣ-ḥāb* means to accompany the intention, to ask the intention to accompany you all the way through. Basically, we want to maintain our intention as our friend, right in our hearts and minds, all the way until the end [of *wuḍūʾ*]. Let's say that in your heart, you still believe that you're making *wuḍūʾ*, but on your

tongue you say, "I'm not making *wuḍū'*", for whatever reason. Are you in the process of making *wuḍū'* or not? Yes, because you still have the intention in your heart.

The intention is not something which is based upon what you say. The intention is a belief. It's a state, not a statement. As long as you believe, that's what counts. Whatever you say doesn't change it, whether you make it as long as you want, as short as you want, whether you speak in English, Pashto or whatever language you want to choose.

Shaykh al- 'Uthaymīn رحمه الله gives another example - one that people would understand. Let's say there is a person that wants to do *Ḥajj*. He puts on his *iḥrām* and makes the *niyyah*. When he makes the *niyyah,* he says *'Allāhumma 'umrah'*. He makes the intention for *'umrah*, and he says the words, *'Allāhumma 'umrah'*. However, he knows that he is here for *Ḥajj*. What's given precedence? What he has in his heart, what he believes, what he knows he's there for.

The final statement in that paragraph:

ويَجِبُ استصحابُ حُكْمِها

...and it is obligatory to positively maintain that intention (throughout the *wuḍū'*).

Let's look at the sentence before it:

واستصحابُ ذِكْرِها في جَميعِها

(It is also recommended) to *remember* the intention throughout the entire process (of *wuḍū'*)...

It means that when I'm making *wuḍū'*, I think to myself 'I'm making *wuḍū'*, I'm making *wuḍū'*, *yā* Allāh, accept this *wuḍū'*, *yā* Allāh accept this *wuḍū'*'. That's a belief; in fact, it's an act of *'ibādah*. But that's just recommended. If you can't do that, the minimum or the obligation is to "positively maintain that intention".

If I say that it is obligatory to at least positively maintain it, it means that you do not intend to break it. Once you start at the beginning making the intention to make *wuḍū'*, the job's done. Until you change it into something completely different, you're still making *wuḍū'*.

Shaykh al-ʻUthaymīn رحمه الله says that if you have understood that, that means that we can sum up the issue of the *niyyah* by saying that there are four states or four scenarios where you can have a *niyyah*:

The first one:

الأولى: أن يستصحب ذكرها من أوَّل الوُضُوء إلى آخره، وهذا أكمل الأحوال.

To be in the presence, or to have the intention in your heart and mind from the very beginning to the very end. That's the best. You start off by telling yourself that you're making *wuḍūʾ*, and you're really enjoying the process.

You know what, brothers and sisters? Even though you haven't seen the video, if you get an opportunity, make your *wuḍūʾ* with half a glass of water. Just challenge yourself. If you've never done it before, it'll be insane, trust me. It'll be an awesome experience. Go out there and just say, 'You know what? I'm going to get myself some water and I'm going to have a go at it.'

Try it, and even if you fail, the one thing that I can guarantee that you will be thinking is '*wuḍūʾ*, *wuḍūʾ*, *wuḍūʾ*'. All the way through, you won't think of anything else. You will be in the moment. You will never make a *wuḍūʾ* like that in your life. That's why *Sunnah* is a revival thing. That's the first scenario, you are thinking of *wuḍūʾ* all the way from the beginning until the end. According to Shaykh al-ʻUthaymīn رحمه الله, that's the perfect state.

The second one is that he starts off by making the intention and then he becomes *ghāʾib* (absent-minded). At no stage does he ever say 'I'm doing something else' for example, 'I'm cooling myself down'. He doesn't break that initial intention. Basically, it's the Pak *wuḍūʾ*. Everyone is in group number two. Shaykh al-ʻUthaymīn رحمه الله says,

وهذا يُسمَّى استصحابَ حكمِها

According to Shaykh al-ʻUthaymīn رحمه الله, this is what's called accompanying the state with you, as opposed to the spiritual kind of reminding. It's a level down from the first one. You still have the intention, but you never lived it .It wasn't really with you all the time . It's almost like you've invited a guest into your living room and then you walked into the kitchen and just left him there. You will still get respect for the fact that you took the guy in and sat him down. You went missing for an hour but then you brought him some biscuits and some water at least. That's the second state.

The third scenario is: he starts off with the intention of *wuḍūʾ* and then he intends to stop it. He continues and does all the actions anyway. No *wuḍūʾ* for this guy. This person does *wuḍūʾ,* but right before he washes his feet he says, "I'm not making *wuḍūʾ*". He washes his feet anyways because he needs to wash them. Although he has done everything in the right order, he doesn't have *wuḍūʾ* because he actively changed his intention. That's the third scenario.

The fourth one is that he makes the intention at the beginning and then after he washes his feet, he actively says to himself, 'I'm done with *wuḍūʾ*; I'm not making *wuḍūʾ* anymore.' He actively breaks his intention after washing his feet. The action is done so it doesn't matter now that he actively breaks it. What do you think?

Student: Your act is complete and it is not one of the conditions to say that 'I do not have *wuḍūʾ* to break the *wuḍūʾ.*

Ustādh: Correct. It's just straightforward. Remember, when you have an answer in mind, it is normally the simplest answer.

The action is done. It doesn't matter now that he actively breaks it. Whether he actively breaks it or passively breaks it, it doesn't matter. Actually, what has happened is that the action is done and it doesn't matter. That is why Shaykh al- ʻUthaymīn رحمه الله says that as Imām Ibn Qudāmah رحمه الله said in *al-Mughni,* if a person intends the end of prayer after he has finished his prayer, it is complete. Now that sounds like common sense. There is nothing else so say about that.

Doubt in Acts of Worship

Shaykh al- ʻUthaymīn رحمه الله then says that from this we learn a *qāʻidah* (axiom) in *uṣūl al-fiqh.*

قاعدة: قَطْعُ نيَّةِ العبادة بعد فعلها لا يؤثِّر، وكذلك الشكُّ بعد الفراغ من العبادة،

This is the *qāʻidah*: the breaking of the intention of an act of worship after completing it does not affect the act. Likewise, doubting after one has finished from the act [does not affect it].

The [following] is not technically part of the same *qāʻidah*, but Shaykh al- ʻUthaymīn رحمه الله continues,

سواء شككتَ في النيَّة، أو في أجزاء العبادة، فلا يؤثِّر إلا مع اليقين.

It doesn't matter whether you have doubted your intention or any of the individual acts of the worship. As long as there is doubt, ignore it completely unless you have 100% certainty that you didn't do something.

For example, you finished *wuḍū',* you look at your left arm and it's bone dry and the other one is absolutely soaked. That is certainty. Let's say that you bring your sleeves down. This is the difference - you will only be able to make that judgment if the sleeves are up. You now finished *wuḍū'* and are about to dry yourself. You look at your arms and see that one is soaked and the other is dry and think to yourself, 'Did I even do that?' You look at that and there is nothing there, so clearly you didn't. You need to go back and do it again, as we mentioned last time. If your sleeves are down and you are about to go to the towel to wipe your face and you say to yourself, "Did I do that?" There is nothing to prove to you that there is or isn't. As long as you are in doubt, this means nothing.

Ahl'l-Sunnah, my brothers and sisters, are flippin' hardcore against doubt. We are so extreme against doubt, meaning we slap that thing like a female dog. When doubt comes to us, we say 'later'.

Do you understand what I'm trying to say? It's a really important point actually – it didn't come across as that important. Why do you think I say that *Ahl'l -Sunnah* are so harsh against doubt? Doubt has ruined the lives of millions of people. Doubt is what introduces *waswās* and you start to say to yourself, "Did I? Did I not?", "Have I? Have I not?", "Did I pass wind, did I not?", "Did I feel something there? No I didn't", "Is that me dripping or not?", "Did I wash myself correctly or did I not?", "Did I use enough paper did I not?", "Did I feel something go out there? No", "Did I wash myself properly? Did I not?" or "When I was praying did I go in for *rukūʿ*?" You know this "Did I? Did I? Did I?" is from *Shayṭān*. It is 100% from *Shayṭān* and that's why I am saying *Ahl'l-Sunnah* look at it and we slap it one; kick it out of touch and move on.

The only time we ever consider anything is when 100% certainty comes. The Prophet ﷺ, *subḥānAllāh*, in *Bukhāri*[4] when he prayed that *Ẓuhr* prayer with five *rakʿāt*, he turned around, and he was alright. He saw people chattering and whispering. Then one man, *subḥānAllāh*, had the guts to say, "Was that something new, the five *rakʿāt*?" He already had a feeling, heard all that noise, man stood up as well and said it (a Companion, not some joker – all trustworthy people). The Prophet ﷺ walks around, goes to the pillar, leans against the pillar, thinking whatever. He goes to Abu Bakr ؓ and says, "Is it true what they just said?" Do you understand what I'm trying to say? I mean you have got to

[4] *Ṣaḥīḥ al-Bukhāri*, Book of Prayers, Chapter: What Has Been Said About (Facing) The Qiblah And Whoever Considered That There Was No Need To Repeat The *Ṣalāt* (prayer) If Someone Offered Prayers By Mistake Facing A Direction Other Than That Of The Qiblah, *ḥadīth* no. 56

be certain if you are going to do an act of worship again or correct something. If it is doubt, we don't give it consideration.

Shaykh al-ʻUthaymīn ﷺ now gives a few examples. He says:

فلو أن رجلاً بعد أن صَلَّى الظُّهر قال: لا أدري هل نويتُها ظُهراً أو عصراً شكّاً منه؟

He says a person goes and he prays *Ẓuhr*. Then after it he says, "I don't even know whether I prayed *Ẓuhr* or *ʻAṣr*. I don't even know what I just did there to be honest. Was it *Ẓuhr*? Was it *ʻAṣr*? I don't know". Shaykh al-ʻUthaymīn ﷺ says that as long as that guy came to the masjid at *Ẓuhr* time to pray *Ẓuhr,* end of story. That's it. There is no doubt. What the hell are you doing there at that time? Why did he come to the masjid except to pray *Ẓuhr*? It's that simple. We don't need to make it any more complicated.

When you stand up at home at one o'clock in your office or whatever, you're not standing up thinking "*ʻAṣr*" - you're thinking "*Ẓuhr*". You're thinking "lunch". This is key because Shaykh al-ʻUthaymīn ﷺ now talks about that. He says 'I'll come back to that in a minute'. This goes back to the *fāʾidah*. What did we learn from the *fāʾidah*? When the action is complete, if I've got some doubt – throw it out. Throw it straight out.

He tells another example. After he finishes his prayer, he then says to himself in that last *rakʻāh*, 'Did I do one *sajdah* or did I do two *sajdahs*?' What happens?

It's done. Who is going to prove certainty to me here? Unless someone says, "Hey bro, I recorded you on the phone. Have a look at this," then you are really an unlucky boy. Some weirdo's videoing you and he shows you the proof – well obviously that is another game altogether. In the absence of that, I absolutely don't care. Whoever says that to you, you can tell them to get lost.

Student: Say, for example, you made *wuḍūʾ*, and you actually did forget to wash your left hand; however, you are uncertain so you go and pray.

Ustādh: It does not matter if you never did it at all -not even if you did not even wash any arms or hands, because you walked in, you believed you did it, and you carried on. Only until afterwards did you think "Did I, or did I not?" The normal principle is that you did, and that's from the *raḥmah* of Allāh ﷻ.

Student: So what happens if you pray the *ṣalāh*? After you finish the *ṣalāh*, you remember that you didn't do it.

Ustādh: Certainty! There's a difference with certainty. If you know for a fact that you did not [complete your *wuḍūʾ*], the *ṣalāh* is gone, and the *wuḍūʾ* is not there.

Student: You have to pray again?

Ustādh: Yeah. You would have to make *wuḍū'*. Certainty is different. Doubt is something which is the absence of certainty. The *dīn* would turn into a farce, because basically people would ignore things and say, "Well it does not matter". That is actually a more important lesson to take. If we were to play like that with certainty, everyone would just blag everything.

Shaykh al-'Uthaymīn ﷺ says that here we have a really important point. Some make the intention for the time and not for the prayer – you guys might not be able to relate to that, but you will if you are working. In the Muslim countries, the whole day is split into *Fajr* time, *Ẓuhr* time, *'Aṣr* time etc. It's not necessarily the prayer itself, it's the time because people have got holiday or the shops get closed. People understand it; they do not see it from 12-5pm the shops are closed - they see it as: from *Ẓuhr* until *Maghrib,* the shops are closed. People think of the prayer time, not as the prayer itself, but as the 'prayer time.'

Shaykh al-'Uthaymīn ﷺ says that if someone makes the intention for the prayer in a time as opposed to specifying the actual prayer, what happens to this person? Shaykh says,

فلو جاء إنسان مثلاً لصلاة الظُّهر؛ ووجد الناس يُصلُّون ودخل معهم في تلك الساعة؛ ولم يستحضر أنَّها الظُّهر، أو الفجر، أو العصر، أو المغرب، أو العشاء. وإنما استحضر أنَّها فرض الوقت. فالمذهب: لا يجزئه

He says, this happens all the time. It is *Ẓuhr* time, a man comes into the masjid, he does not make the intention for *Ẓuhr*, *'Aṣr*, *Maghrib*, *'Ishā'*, *Fajr*, nothing - he just [intends], "I'm praying with the *jamā'ah".* He walked in at *Ẓuhr* time, and he knew it was *Ẓuhr* time, but he did not make the intention for that prayer. What are the positions?

The Ḥanbali *madh-hab* say it is not accepted from him.

لا بُدَّ أن يُعيِّنَ إما الظُّهر، أو العصر، أو المغرب، أو العشاء، أو الصُّبح

He says that in the *madh-hab,* it is not acceptable. In the *madh-hab,* he has to specify a prayer. Even in *Ẓuhr* time he must say, "I'm praying either *Ẓuhr"* or "I am praying *'Aṣr*" and you know why? Because all of these could actually happen.

Let's say the guy has missed *Fajr* prayer. If he has missed *Fajr*, and he just stands up and prays in *Ẓuhr*, he could be praying his missed *Fajr,* theoretically. Let's say that he is a traveler and combining it or whatever. He can pray *ʿAṣr* in his *Ẓuhr* time together. This is the Ḥanbali argument. You have to specify the name of the prayer.

Shaykh al-ʿUthaymīn رحمه الله says that [in] the generation of Imām Aḥmad رحمه الله (and it's narrated by Ibn Rajab رحمه الله in *Jāmiʿ al-ʿUlūm wa'l-Ḥikam* in the book of Imām Rajab al-Ḥanbali رحمه الله), he narrates that Imām Aḥmad رحمه الله has one *riwāyah* saying that a person who makes an intention for the time of the obligation, that will be sufficient for him. Whatever prayer he does, it will be accepted as the prayer of that time.

Some of the major Ḥanbalis in the *madh-hab* also chose this position. You can see that in *al-Inṣāf*, and the reference is given there (see page 207 of the Sharḥ).

How many people do this? I think the closest that we can get to it is the idea of lunch. If you're a working guy and you go into your lunch break, you might not be thinking *Ẓuhr*, but you know that lunch is around *Ẓuhr* time, and you know that I pray in lunch break. Sometimes, you may go into your lunch break, and you might stand up and pray, and you might not even think the name of the prayer.

Anyway, the reason that the *mas'alah* is being mentioned here is that it exists, and it is definitely better to be on the safe side. Shaykh al-ʿUthaymīn رحمه الله does not give his opinion. He does not say whether he accepts it or not. I find it compelling that he emphasises that there is a narration from Aḥmad رحمه الله found here, and that he does allow it. In my experience with Shaykh al-ʿUthaymīn, [this indicates] that he's leaning towards [the opinion] that it might be acceptable. That might be him saying that I will accept it.

But there is no doubt that you would stick to the safer side. The *madh-hab*'s side is safer, i.e. make your intention each time *inshā'Allāh* for the prayer, rather than for the time.

He gives a *mas'alah* based upon this. He says a person comes into the masjid at *Ẓuhr* time, but does not intend the *Ẓuhr* prayer itself.

سلَّم من ركعتين من الظُّهر بناءً على أنَّها الفجر

He comes to the masjid. He doesn't say anything –just "*Allāhu Akbar*". He must be praying by himself. After two *rakʿāt*, he says "*al-salāmu ʿalaykum wa raḥmatullāh*, *al-salāmu ʿalaykum wa raḥmatullāh,"* because he thought he was praying *Fajr* prayer. So he gave his *salām* thinking that it was *Fajr,* even though he is praying in *Ẓuhr* time.

What does this person do? He has two options. Does he stand up and fulfill two *rakʿāt* more to make it full, or does he start again?

Student: Did he pray *Fajr* in the morning?

Ustādh: That's a good point, but it doesn't affect the ruling. You know why it doesn't affect the ruling? Because he believed it was *Fajr*.

Remember, he came into the masjid at *Ẓuhr* time. This is based upon the whole idea of *niyyah* for the time and *niyyah* for the prayer. So after he has given *salām*, he realises.

The answer is: if a person was to do exactly that, he has to repeat praying again because he got nothing on *Ẓuhr;* he hasn't even gone two units for *Ẓuhr*. He just intended something completely different and has now realized it has cancelled, so he basically has to start again. Now, when would there be a scenario where he can stand up and continue? Is there a scenario where that could be recovered?

Student: If he was praying *Ẓuhr*?

Ustādh: Correct. If he was praying *Ẓuhr* knowingly in *Ẓuhr* time, and then he gave the *salām* early and realizes, he can stand straight up and carry on with the prayer. That *salām* does not affect the prayer - at that moment, I mean. He carries on because he still thought that it was four. He has basically made a mistake, so he finishes off the two *rakʿāt* and then at the end he would do *sajdat'l-sahw* (the prostration for forgetfulness). According to the *madh-hab,* that would be after he gives the s*alām* once - he would do two prostrations, then give the two s*alāms*.

Q & A

Q: [inaudible] There *ʿAṣr Jamāʿah* is around 1:35 p.m. A guy has read *ʿAṣr ṣalāh* with them and after that he comes out and say, "When is *ʿAṣr*?" He says, "That was *Ẓuhr*, wasn't it?" So, he made *niyyah* for *Ẓuhr,* but prayed *ʿAṣr* behind Imām.

A: So that *miskīn* hadn't prayed *Ẓuhr* at all but you already had, and because you knew that this is *ʿAṣr* time, you walked in expecting *ʿAṣr*. He walked in expecting *Ẓuhr*. This is a person who is coming to the *masjid* and he honestly believes that the prayer is the *Ẓuhr* prayer, even though it is actually *ʿAṣr* prayer, and he intends the *Ẓuhr* behind an Imām who is praying *ʿAṣr*.

This is acceptable. This is not acceptable in the Ḥanafi *madh-hab*, but it is acceptable in the Ḥanbali *madh-hab*. It is the position of contemporary scholars and Shaykh al-ʿUthaymīn رحمه الله as well. So we believe that it is acceptable for a person to [do that] not only unintentionally, but intentionally as well.

I don't want to say that it is a good habit. I don't like it as a principle, nor am I comfortable [with it], but the prayer is acceptable and that is the position of the *ʿulamāʾ*.

Q: Do you have to say "*bismillāh*", and can you say it in the bathroom?

A: Yes, in the *madh-hab,* they say the *tasmiyah* is an obligation. It's a verbal one and it's not a theoretical one or something like that.

I think we covered this in Year One - the idea of the statements that are made in terms of *dhikr*, and whether it should be done or not in bathrooms, and so on and so forth.

Now in principle, the *ʿulamāʾ* differed, and we talked about if we must consider the toilet or not. If we really want to stay on the safe side, you step outside to say *bismillāh* and then you come back to the bathroom.

I would say to you that our modern day bathrooms are not like the toilets [were back then]. Otherwise, we would get into the major issue. Classically, this was not the case. The toilet was somewhere outside, and then the area of water is somewhere else, and these are clean kinds of places that don't have the exact same *ḥukm* as making the *dhikr.*

There are some *ʿulamāʾ* who say that you shouldn't say *bismillāh* there; rather, you should say it outside and then come in. Also, the *dhikr* afterwards, you should do outside.

I personally say (and this is the position of our teacher as well) that it is acceptable to say *bismillāh* there, and it is also acceptable to do the *dhikr* there as well, in a normal bathroom. I am talking about modern day bathrooms. But if you can do the *dhikr* outside, it's better.

Q: Would it be possible to say it while moving the lips but nor making any noise?

A: Yes, that would be possible, but then it wouldn't be the exact same thing. I want you to understand the concept of *dhikr* not being right to say in the area of toilet is not loud *dhikr*, it's *dhikr*.

And for the *dhikr* to be accepted and rewarded, the action has to be physically done. I do not get the reward for saying *subḥānAllāh* three times, which I just said in my head. I have to say "*subḥānAllāh*" [by moving the lips], and that's what I get rewarded for. When I said *subḥānAllāh* [by moving the lips], you didn't hear me but I said it. My reward is based on me saying "*subḥānAllāh*" [with my mouth]. And of course that is a rule concerning all acts of worship that have a verbal component.

Ṣalāh is not acceptable by reciting in the head; a lot of people make that mistake, especially with the recital of the *Fātiḥah.* You can say, '*alḥamdulillāhi rabbiʾl-ʿālamīn'* or you say, '*alḥamdulillāhi rabbiʾl-ʿālamīn'* (by just moving lips), meaning it is recited and it can never just be said in the head.

Duʿāʾ is different. In principle, *duʿāʾ* is accepted from the heart, and the tongue just follows what's in the heart. An act of worship though, that involves reciting like *dhikr,* and that is something that is a verbal act.

The answer to the question is that it doesn't actually affect the ruling. The actual prohibition is in the toilet - meaning when you are defecating or urinating, that's the prohibition in that region.

In the process and in the region, we talked about not giving s*alām*, not responding to s*alām,* etc. Our modern day bathrooms are super clean areas, where toilets are over there and we are making *wuḍūʾ* over here. If you are somewhere else, then that obviously increases the potential problem, but the root prohibition is during the unclean act and in the sphere of the unclean act. If you can make a mental differentiation or divide between the two kinds of spheres or zones, then that is acceptable.

Sayyidina Abu Bakr al-Siddīq ﷺ used to put sticks in his mouth when he used to go to the toilet because he was a person who was always making *dhikr*. When he was in the process of going to the toilet, he would (put the stick in his mouth) so he physically couldn't say anything. That's obviously a sign of a good man and a righteous person, but even unrighteous people need to do that sometimes.

I do it as well, but for a completely different reason. That reason is, if you are in a house where the Qurʾān is being played and you are hearing it in the bathroom, you know it's a subconscious reaction to recite that Qurʾān. It's very difficult to (not recite). Qurʾān is an addictive thing, isn't it? When you hear it, you recite it. It's not allowed, but you recite it. When you do recite it? It's actually very difficult to recite something in your head, by the way, and that is why the *ḥukm* is upon just reciting. So you might need to stop yourself and that's important. Everyone should keep that in mind.

Q: Was there another Companion who put sticks in his mouth?

A: I don't know about any other companion other than *Sayyidina* Abu Bakr ﷺ who did exactly that.

Q: Just to clarify the points about the doubt. You mentioned that once the action is complete [and] then doubt comes in your mind, it's complete. However, as an example, you are doing *wuḍūʾ* and you've washed your face and you've washed your arms but you are not sure you have washed your hands or not. You're doubtful at that moment, but the action is complete. So because it's doubt at that stage, what would you do?

A: So the way that we deal with doubt within an act is like we deal with doubt in any act of worship. I can give the example of *ṣalāh.* In *ṣalāh,* we have a process where if you doubt something, you are unsure as a result of it and then the Prophet ﷺ told us to build

upon what is certain.[5] Therefore, you go back and assume you've only prayed two as opposed to three. You might end up praying five in the end, but at least you are certain about it, agreed?

The second response to doubt is what we call making *taḥarrī*, meaning you sit there and you think about it and this is narrated in a *ḥadīth* of Abu Mūsa al-Ashʾari ﵁.[6] You would play over and think about it and then you would suddenly realize 'Ah, I am okay'. In *ṣalāh* according to some of the *ʿulamāʾ*, even for this, "oh, I am okay" process, you need to do *sajdatʾl-sahw* afterwards. You carry on from where you are, but the point is that you made a conscious decision. So that is just the example of how it works. In the *wuḍūʾ,* it's the same except that there is no *sajdatʾl-sahw*.

In *wuḍūʾ,* you look at this issue of doubt and there's a point; there could be an argument there. You are there at the moment, then you cover it. You deal with it by going back one step and if there is absolutely no basis for it, you have a little think and say to yourself, "How can I not have done that? My hands are wet," then you just carry on. There is no *sajdatʾl-sahw*, there is no nothing at the end.

Q: You mentioned that *ḥadīth* in Tirmidhi where Allāh ﷻ looks away from the person [who loses concentration in *ṣalāh*]. Say, for example, you lose concentration in *ṣalāh* and you regained your concentration. Does Allāh ﷻ then pay attention to you?

A: We don't know. *Allāhu aʿlam*. Good question. Maybe Allāh ﷻ will increase *karam* upon that person and again one more time. Allāh ﷻ knows best.

Q: You have made the full *wuḍūʾ*. Afterwards, you notice sleep in your eye, even though you thought you had already washed that off during *wuḍūʾ*. Does this mean you redo your *wuḍūʾ,* or go and redo your face and eyes, or just ignore it and start praying?

A: You ignore it and start praying because the depths to the level of cleaning every single trace of whatever is in the eye, of sleep and this and that, is not something which we have any evidence for. Shaykh al-ʿUthaymīn ﵀ is going to give an example next week where he says that it is not obligatory for a person who is wearing a ring to take that ring off or to remove your dentures, for example.

There is a general understanding that you would wash, then you would rub that area, and that is basically covered. You don't need to take the whole thing off and so on. You give it a general rub and you understand that it is washed. Afterwards, if you have found

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[5] *Ṣaḥīḥ Muslim*, Book of Mosques and Places of Prayer, Chapter: Forgetfulness In Prayer And Prostration As Compensation For It, *ḥadīth* no. 110

[6] *Ṣaḥīḥ al-Bukhāri*,, Book of Prayers, Chapter: [During The Obligatory Prayers] One Should Face The Qiblah Wherever One May Be, *ḥadīth* no. 52

that, you would just clean the eyes. That is what he would do, with nothing affecting the ruling, and Allāh ﷻ knows best.

Q: Either you have doubt and it doesn't remove certainty, or you are certain. I don't understand why you would still do a *sajdat'l-sahw* if you had a bit of doubt.

A: First of all, some of the scholars do not accept this (*taḥarrī*). This is a *khilāfi* issue. This is why we should never bring up subjects that are off-topic. That is correct. The question is correct. In the chapter of *sajdat'l-sahw*, there are some *ʿulamāʾ* that do not consider the category which is called *taḥarrī*. What does *taḥarrī* mean? It means a person who is doubtful, thinking about something and then he realises that he is okay, but he still has to do *sajdat'l-sahw* because of the poorness of his intention and doubt that happened, even though he dealt with it. That is a controversial *ḥadīth* and a controversial meaning. Let's skip it over and let's not get into that now.

Q: Is it possible to recite *Ẓuhr* and *'Aṣr* out loud for the sake of concentration when praying alone at home?

A: It is not *ḥarām* in the outright sense, but it is a *bidʿah* and from the point of the *bidʿah,* it would become *ḥarām*. If a person was to do it by mistake, or if a person was to do it out of desperation, on a one-off occasion or something like that, then maybe Allāh ﷻ would forgive them. But in principle, to believe that it's better for me and I should do it - this is pure *bidʿah*. This is you saying something is better done other than the way it has been legislated, and therefore that would fall into innovation and that would be *ḥarām*.

Q: Praying in *jamāʿah*, can we listen or do we have to move our mouths and recite?

A: Again a question off of the topic. It is acceptable to follow the recitation without having to recite it. Following the recitation, you don't have to recite it in a *jamāʿah* if you are praying behind an Imām.

uṣalli

Of course the Ḥanafis don't accept it at all. Shāfiʿis say "No, you have to recite the *Fātiḥah"* and so after the Imām has finished reciting the *Fātiḥah* he says, "*āmīn"*, then the *m* would say [it quickly under their breath]. This is in a congregation. The position of Ibn Taymiyyah رحمه الله, Shaykh al-ʿUthaymīn رحمه الله, myself and the taught position of the *Fiqh of Ṣalāh* class, is that a person doesn't have to recite with the Imām - he can just follow the recitation without moving his lips.

19. Obligations of *Wuḍū'* XI

We will jump straight into the text. In the Arabic, Imam al-Ḥajjāwi رحمه الله says,

وصفةُ الوضوء: أن ينويَ، ثُمَّ يُسمِّي، ويغسلَ كفَّيه ثلاثاً ثُمَّ يَتَمَضْمَضَ ويَسْتَنْشِقَ ويَغْسلَ وجْهَهُ مِنْ منابتِ شَعْر الرأس إلى ما انحَدَرَ من اللَّحْيين والذَّقن طُولاً، ومن الأُذُنِ إلى الأُذُنِ عَرْضاً، وما فيه من شَعْرٍ خفيفٍ، والظاهر الكثيفَ ثم يمسح كلّ رأْسِه مع الأُذُنَيْن مَرَّةً واحدةً ثُمَّ يَغسل رجْلَيْه معَ الكعبين ويغسلُ الأقطعُ بقيَّة المفْرُوضِ، فإن قُطِعَ من المَفْصِل غَسَلَ رَأْسَ العَضُد منه، ثم يرفعُ بصرَهُ إلى السَّماءِ ويقولُ ما وَرَدَ، وتُبَاحُ معونتُه وتَنْشِيفُ أعضائِه.

The translation of that entire passage will probably take us the next couple of weeks.

The description of the *wuḍū'* is that he makes the intention first; then he says *"Bismillāh"* and washes his hands three times; then he rinses his mouth and nostrils and washes his face from the hairline to underneath the two jawbones and chin lengthwise, and from one ear to the other width-wise, including light hair and just the facing side of thick hair as far as it descends; then he washes his hands up to and including the elbows; then he wipes his entire head including the ears a single time; then he washes his feet up to and including the ankles.

If there is a limb which has been cut, the remaining obligatory aspect of it is washed. If the limb has been cut from the joint, one washes the head of that upper arm (or joint).

Then one raises his gaze to the sky and invocates with that which has been narrated.

It is permissible to assist one (with their *wuḍū'*) and (it is permissible) to dry one's limbs.

That's the actual text. After he has already talked in a lot of detail about the obligatory aspects of *wuḍū'* and then the *Sunnah* acts of *wuḍū'* and the intention, Imam al-Ḥajjāwi رحمه الله is wrapping it all up (putting it all together, obligatory aspects and *Sunnah* aspects), starting from the beginning and taking you right down to the end.

If you remember, when we started this a few lessons ago, I would have said to you that you guys will obviously benefit much more by seeing me physically do the *wuḍū'*. First, I wanted you to go through the technical details of what obligatory aspects are

and then the *Sunnah* aspects. Then Imam al-Ḥajjāwi ﷺ will come back to this and when he takes you from beginning to end, after that I will show you a video of me also doing it from beginning to end. Obviously these are things that when you see practically done, you don't forget. That's the easiest way of teaching but academically speaking, we need to study the issues as well (such as the language, matters, etc.).

STEPS OF *WUḌŪ'* - INTENTION & *TASMIYAH*

If you go to page 208 of *Al-Sharḥ al-Mumti'*, Shaykh al-'Uthaymīn ﷺ says,

وصفة الوُضُوء ، المؤلف رحمه الله ساق صفة الوُضُوء المشتملةَ على الواجب، وغير الواجب.

Shaykh al-'Uthaymīn ﷺ is basically saying that our author will describe *wuḍū'* for the last time, including both the *wājib* matters and the non *wājib* matters.

He starts off by saying,

أن ينوي

Meaning that he makes the intention (and the intention is a condition). Without the intention, there is no established act. It's a prerequisite.

That's because the Prophet ﷺ said:

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ

"Indeed, all actions are by the intention."[1]

First of all, he makes the *niyyah* - that's a *sharṭ*. Then he does the *tasmiyah.*

ثُمَّ يُسمِّي

[1] *Ṣaḥīḥ al-Bukhāri*, Book of Revelation, Chapter: How Divine Revelation Started Being Revealed to Allāh's Messenger, *ḥadīth* no. 1

[Meaning] he said *bismillāh*. What did we say [about saying] *bismillāh* in the Ḥanbali *madh-hab*? In the *madh-hab*, it's *wājib*. In the Ḥanbali school, it's an obligation. What did we choose for our own position? Shaykh al-ʻUthaymīn رحمه الله, the three Imams, the contemporary scholars, and my own personal position is that the *bismillāh* is *Sunnah* only. It is a recommended act, not an obligatory act. That is the stating of the *bismillāh*.

Washing the Hands

Shaykh then says that he washes his hands three times, and the evidence for that we have already covered (the fact that the Prophet ﷺ did that). It has been narrated from him very clearly in *Ṣaḥīḥ al-Bukhāri* and *Muslim*. Therefore, it is a *Sunnah* act to wash the hands three times. We said it becomes obligatory if one is waking up from night-time sleep because the sleep at night is understood to be the deepest sleep. The deepest sleep is when you don't know where your hands have touched, whether there's filth on your body, and so forth. Therefore, to wash the hands becomes a requirement.

Remember that washing the hands is linked directly to the point that the water that you are going to use would become dirty if you were to put your hands in. The idea would be that the reason you are washing your hands is because your hands are the medium by which you do the rest of the *wuḍūʾ*. If your hands are dirty in whatever way and then those hands go into the water which you are going to use to clean yourself with, it's dirty.

The idea is that the hands are washed separately, obligatorily - and remember we said there's no taps or anything like that. There are people who are mostly just scooping water [with their dirty hands]. If you are scooping water from something, then obviously it could pollute the water as such. It's just not nice and it's not right.

I did mention that my personal opinion is that in our time, that's not something which is obligatory. It's *Sunnah* to do and we do it. But is it an obligation when the tap itself is a direct flow of water and it doesn't directly affect the water? You are not polluting the water that's coming before it. We said that that's not necessarily the case here. In any case, it's *Sunnah* to wash the hands three times before you start the rest of the actions.

Rinsing the Mouth

[After washing the hands], you do *maḍmaḍah*. We discussed *maḍmaḍah* in detail and it means,

المضمضةُ: أن يُدخل الماء في فمه

The moving around of the water in the mouth. The idea is that it's not just the entering of the water, rather there is something that has to happen for *maḍmaḍah* to be achieved. That something has been discussed and debated over by the scholars. There are a number of *ʻulamāʾ* that consider the *maḍmaḍah* and the *istinshāq* (putting water in the nose) to be an obligation.

I said that my personal position is that it's a *Sunnah* act. It's a *Sunnah* act first of all because you need to understand why it is that the scholars consider it an obligation.

They did because they considered it to be from *wujūhakum*. They said that Allāh ﷻ says "wash your faces", which is a command and therefore it is an obligation to wash the face. There is *ijmāʻ* upon that; to wash the face is an obligation. They then said "But what does washing the face mean?" Therefore, they said that the *aṣl* is that the inside of the nose and mouth are also part of the face. Those that said "No, it's *Sunnah,"* said "Yes, we know that the Prophet ﷺ did it. Does that mean it comes under the obligatory ruling which is in the *āyah* (which is the really serious, hardcore command)? No, because what is inside is not what is considered the face."

The face is called *wajh*. And the word *wajh* comes from *muwājahah,* meaning 'to face'. Whatever is facing is what is obligatory and whatever is inside the nose or mouth is not what's facing. Technically it is, but there's a barrier in front of it.

I believe that the correct position is the most balanced and well-supported one, the position of Shaykh al-ʻUthaymīn رحمه الله in a *riwāyah* (although it has been heard from him that he didn't think it was an obligation, and then at one point he did). Our **taught position** is that it is not obligatory to wash the mouth and clean the nose, but it is a *Sunnah* to and you should. Of course, the best way to do it is to give it a full clean - that would include trying to remove any morsels of food or any dirt or anything like that. To clean around, to gargle if necessary - these are all things which are good. To do it three times is also good.

What is the actual extent of this, though? The Shaykh رحمه الله says:

وهل يجبُ أن يُدير الماء في جميع فمه أم لا؟

Is it an obligation to actually make sure that the water is swirled in the entire mouth, or part of the mouth? What's the actual minimal limit? Shaykh says that the *'ulamā'* said:

الواجبُ إدارته في الفم أدنى إدارة

It says an obligation of *al-maḍmaḍah* is that there is some kind of movement. If the water goes in and then goes straight out, is that enough or not?

The classical example I can think of straight up is water fountains. You know when you press the button when you're drinking, it doesn't all go in - it all just comes out, isn't it? Some goes in, some goes straight out. Would you consider that to be rinsing? Think about the process; you press the button and the water kind of pops up and it goes [into your mouth]. You're drinking as fast as you can and obviously it's more than what is going in, isn't it? So then it starts to drip out. Now that water is almost literally going up and then down again. I personally think that that would not be considered *adnā idārah* - the absolute least amount of swirling. I think there's got to be some kind of movement involved – minimal.

Shaykh رحمه الله says:

وهذا إذا كان الماء قليلاً لا يملأ الفم

Of course, this is only going to work if there is a lot of water.

If there is very little water, it is not going to go anywhere. There has to be enough water to actually have some kind of movement. In my personal opinion, as long as there is some kind of intention to make some kind of movement, it does the job.

وهي يجب أن يزيلَ ما في فمه من بقايا الطعام فيخلِّلَ أسنانه ليدخلَ الماءُ بينها؟

Question: Is it an obligation to remove all aspects of food when you do the *maḍmaḍah*?

الظَّاهر: أنه لا يجب.

Answer: He believes no. It is not an obligation. *"Al-ẓāhir* (what seems apparent to me)" he says, "is that it is not an obligation." That would be another level of requirement. It would be another level of cleansing, rinsing and gargling and it would be contradictory to the original position.

He رحمه الله says:

وهل يجبُ عليه أن يزيلَ الأسنانَ المركَّبةَ إذا كانت تمنعُ وصول الماء إلى ما تحتها أم لا يجب؟

When you are doing *maḍmaḍah,* how far do you go with respect to making sure that the water goes to different aspects of the teeth, specifically dentures (*al-asnān'l-murakkabah*)?

The term *al-asnān'l-murakkabah* - this is obviously a modern day translation. There is no such thing in Arabic as *asnān murakkabah*. It is like a made up word. It is literally translated as: "*asnān"* means teeth and "*al-murakkabah"* means manufactured.

Even though it is not required from the Ḥanafis, we are Paks, aren't we? When it comes to *wuḍū'*, we go mental on that. I know my father has dentures, and he takes them out every time. You can imagine, obviously the dentures cover part of the mouth, part of the palate, other teeth and so on. So for him (actually, not just for him of course – based upon many of the *'ulamā'*), the idea is that you have to wash the mouth and it's about getting the water everywhere.

Therefore, if you've got dentures, it is not going to happen. Take the dentures out and get the water around - that is what Paks do and I guess it makes sense. You definitely get rid of all the food, and if it is dirty, then that would be the proper, complete clean and there is no doubt about that. Is it an obligation? Shaykh al-'Uthaymīn رحمه الله gives the correct answer that no, this is not an obligation. This is not what Allāh سبحانه وتعالى obligated upon the people.

I mean, *aṣlan,* we are talking about the face and we are talking about the back teeth now. How far are you going to go? You could really take it to another level. Once you want to take it to that kind of detail, you start losing the plot so I think that (it is) the correct position. He says:

الظَّاهر أنه لا يجب

It is not obligatory (to take out the dentures). Just wash your mouth with dentures in and don't worry if the water is or isn't getting everywhere. It has gone into the mouth and it is been swirled and it is out. That's the job done.

He says:

وهذا يُشبه الخاتم

Think about the ring. We know that the Prophet ﷺ had a ring, but we have never had it narrated that he ever moved or removed that ring. Actually, [there is no indication] that he removed the ring for *wuḍū'.* Just move it up and down – that's what you do. You just move it or just leave it.

If I had a ring, that is what I would do because I am a Pak. The thing is, if I had a ring, I am thinking of it blocking the skin underneath.

In terms of giving evidence, I don't think it is a very strong one because as we know (and Shaykh al-'Uthaymīn رحمه الله knows this far better than I do) the stating of something not happening is not proof that it did not happen. Does that make sense? The Prophetﷺ not removing the ring or moving the ring does not mean that he never removed the ring. It just means that it might not have been narrated.

At the same time, his evidence is to be considered because we're not talking about us lot observing. We are talking about the Companions رضي الله عنهم who were observing, and they picked up on every single minute detail - and I mean *everything* that we know about *wuḍū'.*

I mentioned a couple of weeks ago that 'Abdullāh ibn 'Umar رضي الله عنه narrated that when he used to wipe his head, he would go back to the water and pinch it between his fingers to then go back and wipe his ears with it. Someone like Ibn 'Umar رضي الله عنه might have seen the Prophet ﷺ remove his ring. Especially when they said that the Prophet ﷺ washed his hands three times like this and in this manner and so on. Why would he not mention the ring? The ring of the Prophet ﷺ is a famous ring.

So Shaykh al-'Uthaymīn رحمه الله says:

ولم يُنْقَلْ أنه كان يحرِّكه عند الوُضُوء، وهو أظهر من كونه مانعاً من وصول الماء من هذه الأسنان،
ولا سيَّما أنه يَشُقُّ نزع هذه التركيبة عند بعض النَّاس

Think about this. In conclusion, he says it has never been narrated from the Prophet ﷺ that he removed his ring, despite the fact that the ring and the skin that it is blocking from getting wet is a more obvious thing to worry about than teeth at the back of the mouth with some random dentures. Add to that the fact that if it were an obligation to keep removing the dentures, it would become very difficult for some people because some dentures very easily come out, and others do not.

Cleaning the Nose

The next thing is the *Sunnah* act, in our position. *Istinshāq* is the cleaning of the nose. Now, the cleaning of the nose has two aspects. It has *istinshāq* (which is the sniffing), and *istinthār* (which is the blowing of the nose). *Istinshāq* and *istinthār* combined basically determine the completion of the cleaning of the nose.

Again, there are some that consider it to be an obligation because it is a part of the face, and there are a number of *aḥādīth* [regarding washing the nose]. The Prophet ﷺ said that when a person wakes up, the *Shayṭān* is in the nostrils[2].

Is that a spiritual meaning, a physical dirt aspect, or a general idea? I don't know, you guys should know better because you guys have AC all over the place. I think with AC [the nose] dries more at night-time, or maybe it's just still air or that you breath more at night-time.

Saliva flows deeply so the mouth becomes dry because they are breathing more through the mouth. Some people aren't able to block the nose. If you have a blocked nose, then you are going to really have a dry mouth because you are not going to be able to breathe through your nose at all; therefore, you are breathing through your mouth all the way through the night. You can imagine with air going in and out, the mouth becomes very dry.

Now reverse the scenario if your mouth is closed. You're breathing through your nose, your nasal tissues becomes dry as the air is flowing through there and not through the mouth then you are going to have a nose which is dirtier in the morning.

Maybe that's the indication of the Prophet ﷺ to the washing of the nose, and Allah ﷻ knows best - it could be something else. Anyway, the point is that this an obligation. Shaykh al-ʻUthaymīn رحمه الله said that *istinthār* itself is *Sunnah.* To actually blow out water from the nose is a *Sunnah*. He continues that there is no doubt that if you want to properly clean your nose, you have to combine these two processes. We are not trying

[2] *Ṣaḥīḥ al-Bukhāri*, Book of the Beginning of Creation, Chapter: When One of You Rises from Sleep, *ḥadīth* no. 104

to belittle the action; we want to recommend it, but we have to go back to the academic point: is it an obligation?

The answer is that it is not an obligation. I am very sensitive – if any water goes anywhere near up my nose, I am sneezing for the next ten minutes. Other people get sinus issues, they have illnesses, and all kinds of crazy stuff. Some people are very sensitive. It's a *raḥmah* from Allāh ﷻ that it is actually a *Sunnah* act according to our position. The point is, though, that it's good for those who are able to do it. If they are to do it, should they exaggerate? The answer is yes, but as the *ʿulamāʾ* said, they should exaggerate in it except when they are fasting:

وبالغْ في الاستنشاق إلا أن تكونَ صائماً

"Exaggerate in al-istinshāq except when you are fasting."[3]

Obviously when you sniff some water up in a way (with exaggeration), it goes down and you swallow it [because] it's the same route. This is because of the *ḥadīth* of Laqīṭ ibn Ṣabirah ﵁, [which states that you should] exaggerate in the process of cleaning the mouth and the nose, except if you are fasting. Shaykh al-ʿUthaymīn ﵀ also said that if you do have problems with your nose, then you don't need to. Therefore, the minimum that we expect from *al-istinshāq* is that at least the nostrils are cleaned.

Washing the Face

The next statement is:

يَغْسلَ وجْهَهُ

and washes his face

As Shaykh al-ʿUthaymīn ﵀ says:

الوجه ما تحصُلُ به المواجهةُ

[3] *Jāmiʿ al-Tirmidhi*, Book of Fasting, Chapter: What Has Been Related about It Being Disliked to Take Excessive Amounts of Water into the Nose (*Al-Istinshāq*) When Fasting, *ḥadīth* no. 788

The *wajh* is anything which is facing. Basically, it is the face, and it's the most honorable aspect of the body. By the way, the face itself is honorable and the concept of facing is also honorable, because the opposite is very disrespectful. If someone speaks to you and you turn your back on them, it's like that person wants to disrespect you. That's the way you disrespect someone.

It has been narrated in *al-Adab al-Mufrad,* in [the book of] *adab* in *Ṣaḥīḥ al-Bukhāri,* and in many of the books and the key codes of conduct that when *al-Nabi* ﷺ would speak to someone, he would always turn to them and face them[4]. This is the way that he ﷺ would honour people. Therefore, we know that anything which is facing is someone showing you respect. We can take that further to *ṣalāh* as well but we'll leave that there.

We need to wash the face; it's an obligation. What is the face? Let's define it. It is from the hairline - the normal hair line. The reason why [we're mentioning that it's the] normal hairline is because we have *al-afraʿ* and *al-anzaʿ*. We have a bald person, we have a person who has a fringe that comes down very low, and we have some people who have tie their hair back very tight. They really want to get that thing into a ponytail or bun. There are literally hairs that are popping out because it's so tight. That's why some people didn't like to use the word hairline, because it can move, it's subjective, and when you're talking about the hairline, you're talking about a normal person or you just say 'the top of the forehead'.

There's the top of the forehead from the top side, then going down, we have *al-liḥyayn*. The beard is called the *liḥyah* or *liḥah*. It's called a *liḥyah,* because it's on the *liḥyayn* (the jawbone), so the beard is on the *liḥyayn.* That's why some people say it's permissible to shave the cheeks, because there is no bone under there.

Side Benefit: The Beard & Cosmetic Surgery

A lot of the *fiqh,* when it comes to determining of the beard and so on, does go back to what a *liḥyah* actually is. It does seem that the correct position is that everything that is on the face is *liḥyah,* unless it was abnormal, like if there was a hair growing [too far up the face]. It would be permissible for me to cut that or shave it. You know that there is a difference in *sharīʿah* between shaving and cutting.

If this is a very long beard, it's permissible for me to cut it here, absolutely. According to the mass majority of scholars, what's impermissible is for me to shave it, and it's a correct position. Cutting or making it neat, there's space for that. We can argue that it's *Sunnah* to leave it longer, but to make it short, there's space for that amongst the understanding and actions of the Companions ﷺ, the position of the scholars,

[4] *Al-Adab al-Mufrad*, Book of Dealing with People Cheerfully, Chapter: When He Faced Someone, He Faced Them Completely, *ḥadīth* no. 17

especially from the sides and so on and so forth. This is permissible. The issue of shaving is the major problem. That's the first principle.

The second principle is that there is difference to ruling in areas where it's normal and not normal. For example, we talk about the ruling concerning the unibrow. We know it's impermissible, according to the majority, to shave and shape the eyebrows by plucking, trimming, etc. The correct ruling is that it's permissible [to pluck any hair between the eyebrows] because it's not normal. When one thinks of the *ḥājib* (which is the eyebrow), one does not refer to this position [between the eyes]. Anything which happens here, whether it is the cutting, plucking, trimming, shaving, is not going under the normal ruling; it's now a ruling from the abnormal. This is all a part of the Chapter of Cosmetic Surgery.

The *fiqh* of cosmetics and cosmetic surgery, is a massive one. We were discussing some of this until late last night. For example, the majority of scholars consider cosmetic or plastic surgery to be impermissible (*ḥarām*) - and correctly so - because Allāh ﷻ says in the Qurʾān that the changing of the creation of Allāh is from *Shayṭān*.[5] The changing of the creation is meant to be of the understanding that you've got a face and you aren't happy with it.

The idea of cosmetic surgery is to remove an abnormality. For example, when you have a growth on the cheek, that can be removed because you are taking something away to go back to normal. I think it is called restorative surgery. I am not sure of the name, but it comes under the Chapter of Cosmetics and it would be acceptable and permissible.

Ṭāwūs was one of the *Imāms* of the *tābiʿīn,* and his opinion was next level. I just want to show you the breadth of Islamic scholarship. He said that the meaning of the actual changing of the creation which Allāh ﷻ prohibits is when you make yourself uglier. That is what Shayṭān boasts about.

The first thing to take from this position is that plastic surgery, nose jobs, etc. would be permissible because you could just justify to yourself that many people like big lips and men like big noses or small noses or whatever, and then you go and do it. This is the most important lesson to learn - that some scholars would allow that.

The interesting point for me is that I actually realise now what he means. He means those people that stretch their earlobes and they stick big circles in it - that kind of nonsense. That's just crazy, isn't it? I don't know what the reason is; they think it's cool and hip, and it's part and parcel of the culture. They really come out looking ugly and freaked out.

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[5] *Sūratʾl-Nisāʾ*, 4:119 – *""And I will mislead them, and I will arouse in them [sinful] desires, and I will command them so they will slit the ears of cattle, and I will command them so they will change the creation of Allāh." And whoever takes Satan as an ally instead of Allāh has certainly sustained a clear loss."*

The point is that people are doing it because they consider it to be a fashion, that's the problem actually.

When you allow subjectivity to enter, then anyone could determine and define what is beautiful to me and beautiful to my partner. That's why it's dangerous to go with this opinion and it's better to just assume that anything which is non-corrective is impermissible.

FACIAL HAIR IN *WUḌŪ'*

The Shaykh ﷺ says,

ويَغْسِلَ وَجْهَه من مَنابِتِ شَعَرِ الرأسِ إلى ما انْحَدَرَ من اللَّحْيَيْنِ والذَّقَنِ طُولًا

One should wash the face from the hairline to underneath the two jawbones and chin lengthwise.

We are now going to talk about hair. That's easy, obviously. The face is one thing, but actual hair on the face - what aspect does that include? We covered that in a lot of detail - go back to the notes. We did say that when the hair is of different types, you either see the skin underneath or you don't. We said that if you can see the skin underneath, then you have to wash it so that the hair and the skin get washed.

When the hair is thick or long enough that you can't see the skin, then the obligation is to wash the outsides of it. Even that discussion has two aspects - there's washing the top part (which is on the face) and then [the part of the beard which hangs down].

ما استرسل من اللَّحيين

This is what we call *al-istirsāl,* [meaning] that which is coming down or descending from the ends of the jawbone. For these parts, Shaykh al-'Uthaymīn ﷺ says that because Allāh ﷻ says that it's the face which is washed, the only thing which is obligatory to wash is that which is actually on the face. Therefore, anything which comes off of the face has its separate ruling.

He continues [by saying]:

وقد ذكر ابنُ رجب هذا في «القواعد»

In *al-Qawāʿid,* Ibn Rajab ﷺ said, 'Anything which is originating from the face and hanging down is also obligatory to wash. Shaykh al-ʿUthaymīn ﷺ said that whatever the debate is, it is no doubt that it is safer and more rightful that anything which comes down from the jawbones or the chin should also be washed. That washing is only for that which is facing. That would mean that I wouldn't need to wash the back part of it and so on.

Which is why (in my opinion) the correct position is that a person would wash the face, wash the beard, and then run the fingers through the beard. We discussed this concept of *taḥlīl* (combing the beard in lesson 10 - 12) as being a good action, and it's not required three times. To actually comb the beard itself is something which is good and a *Sunnah* of the Prophet ﷺ. We should maintain that.

[Regarding the statement] 'From the ear to the ear', Shaykh al-ʿUthaymīn ﷺ also mentions that the white part - the one which is in between the ear and the sideburns where hair doesn't really grow - is also a part of the face. Shaykh al-ʿUthaymīn ﷺ is basically saying that you have to wash up until there. It has to go up right until the edge. He says that the evidence for that is because it's part of the face; it's part of that which is apparent. Again, he repeats 'you would wash the entire face both sides and all hair which is thin. You would wash the face and then anything else with is apparent.' As for the thick hair which is out, you don't need to go behind and in and so on - it's an external facing aspect.

He defines it on page 212 [by saying], 'thin/light hair is when you can see the skin, and thick hair is when you can't see what's behind it'. He continues [by saying] that we need to make sure we do emphasize the washing of certain hair on the face. He mentions that the eyebrows need to be wet when you wash the face.

The eyebrows need to be wet. Now that has considerations for people who wear false eye lashes.

The eyelashes, the eyebrows, the sideburns, and soul patch (small patch of facial hair just below the lower lip and above the chin) all need to be washed completely. The soul patch is an obligation to wash (not just wipe), and that comes under the ruling of washing completely.

Shaykh al-ʿUthaymīn ﷺ also mentions [with regards to] the ruling about any hair that hangs down, whatever length, that you will continue to wet it and go through it.

Washing the Hands & Arms

Then he washes his hands up to and including the elbows.

Last week we discussed the Arabic use of the word *ilā* which means "to". Now Allāh ﷻ in the Qur'ān says "wash your hands to the elbows":

﴿إِلَى الْمَرَافِقِ﴾ [*Sūrat'l Mā'idah*, 5:6]

We discussed the Arabic application of the word *ilā. D*oes the word *ilā* mean "up and to the edge"? Or "up to and including", meaning to the actual thing that you mentioned? If you say "up to the elbow" does that mean that the elbow is included or not? We had a big discussion on the Arabic language using the Qur'ān and the *Sunnah*. What did we conclude? We concluded that *Ahl'l-Sunnah,* the majority of the scholars (the *fuqahā'*) basically say that when you use the word *ilā* in this manner, it is always including the thing. Actually, the word *ilā* changes to the Arabic meaning of the word *ma'a* meaning "with, including, along with it".

The reason I mention this point now is that when I am translating it into English, I am translating it by meaning so that you understand. I have written it "up to and including the elbow", but Imam al-Ḥajjāwi رحمه الله has used *ma'a* in the Arabic text.

Even though in the *āyah* in the Qur'ān, Allāh ﷻ says *ila'l-marāfiq*. Shaykh al-'Uthaymīn رحمه الله wants to make a point on this and he wants to use this as a lesson to teach the people.

With that said, I think it is true that it is a soul patch. So you and the French have been vindicated. This has been confirmed and maybe this is what they do in Barcelona but we have not heard from Barcelona yet. He thinks he can blag it in Barcelona as well. *Māshā'Allāh*, lots of love to Danish. We miss you brother.

So Shaykh al-'Uthaymīn رحمه الله says:

وقوله: «مع المرفقين»، تعبير المؤلِّف مخالفٌ لظاهر قوله تعالى: ﴿وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ﴾ [المائدة: 6] لأن المعروف عند العلماء أن ابتداء الغاية داخل لا انتهاؤها

The wording of our author "with the elbows" is different from the wording of Allāh ﷻ "up to the elbows". He says that is okay, according to the scholars. Shaykh mentions that the reason we are having this discussion is because of our topic which we discussed last week. The reason the author has gotten rid of this discussion is that he does not want the reader to sit there and figure out what *'ilā* means. [He, Imām al-Ḥajjāwi رحمه الله thinks] "I am going to save the reader from this entire discussion. I will change the word that Allāh ﷻ uses and I will put the word *maʿa,* because when Allāh ﷻ uses *'ilā*, he means *maʿa"*.

So that is why the author [Imām al-Ḥajjāwi رحمه الله] did that and this is something permissible. This is an evidence that shows that if you want to change a word in the *āyah* for a reason, then that is permissible. But what's the condition? It's not that you can't change the meaning because that was done in this example. The condition is that when you change it, the person does not believe that that change is part of the Qurʾān. The person shouldn't be in any confusion of someone having made a change to the *Qurʾān*, or that there was a mistake in the Qurʾān. So if you change it and it is clear that you changed the real word in the *āyah* and it's not confusing, then it is permissible.

We discussed the different *āyāt* which establish the word *ilā*, to mean "with". Shaykh al-ʿUthaymīn رحمه الله gives us another example and he says:

لكنهم قالوا: «إلى» في الآية بمعنى «مع»، وجعلوا نظير هذا قوله تعالى: ﴿وَلاَ تَأْكُلُوا أَمْوَالَهُمْ إِلَى أَمْوَالِكُمْ﴾ [النساء: 2] أي: مع أموالكم. ولكن هذا التنظير فيه نظرٌ؛ فإن الآية في المال، ليست كالآية في الغسل

Shaykh says that the *āyah* says (if it's literally translated), "don't eat your wealth to their wealth". So they say *ilā* means "to" in this example, but Shaykh al-ʿUthaymīn رحمه الله says, "I am not sure if this is a good example because if you read the entire *āyah*, it says '*wa ātuʾl-yatāmā amwālahum'*". This means give the orphans their wealth. You have been put in charge of the wealth of an orphan because he's young. So now you are dealing with their finances and will do what is in their best interest.

Of course, you see this concept repeated in *Sūratʾl-Nisāʾ* quite often because they have been given money and they are defenceless. This money is a *fitnah* for you because you have access to someone's money and you may take a bigger cut [portion]. You will start taking a bigger cut and you may even look for your own interests. You may even invest it and build up credit for yourself.

If a person says, "I'd like you to invest some money with me". That's the most honest

person there could be, and he says “invest some money with me" - let's say 100,000 *dirham*. And you go and you use the orphan's money to invest with him. You know you don't steal any money or take a cut, but you have put yourself in a line of credit with this guy, haven't you? This guy that you've gone and invested with, you've actually got some kind of relationship with now. That's happened as a result of you abusing the other guy's (orphan's) money not your own. The point I’m making is that it's very tempting that when you have money and freedom and power of someone else's money and you don't have comeback and you can do what you want, you can abuse it.

So Allāh ﷻ says:

﴿وَلَا تَتَبَدَّلُوا الْخَبِيثَ بِالطَّيِّبِ ۖ وَلَا تَأْكُلُوا أَمْوَالَهُمْ إِلَىٰ أَمْوَالِكُمْ ۚ ﴿٢﴾﴾

“...and do not substitute the defective [of your own] for the good [of theirs]. And do not consume their properties into your own. [Sūrat’l-Nisā’, 4:2]”

Allāh ﷻ has given you an opportunity to help someone, and what you're doing is just making it worse. You've got an opportunity and you invest their money, and actually you're the one who's taking benefit from it. That benefit can be as I just mentioned or actually physically stealing it.

So this is what the *āyah* says. *Ilā,* here, is basically you abusing that money at the same time. Meaning you're treating it as if it's your own money. You think ‘I'll just take a cut here because it's my money. I'll take this and if I make a loss, well, it's my money.’ It's this kind of attitude to someone else's *amānah*. Even in our culture, when some says it's an *amānah*, it's always now someone else has to look after it. So once you break that barrier between you and what you consider to be an *amānah*, you start to lose *iḥtimām* and you say, "Well, it's like mine". You know when you throw something and you don't care about it because it's yours? If it were someone else’s, you wouldn’t throw it out.

It's being added to your money – *ilā amwālikum* (to your money). We know that the word “to” here means “along with” (*maʿa*) your money, so we can establish that the word *ilā* does actually completely mean “with”, or “including”.

Here's a question - Allāh ﷻ says, wash your hands *ilaʾl-marāfiq*. The word *ilā* has to be there because if the word *ilā* was not there and *marāfiq* (elbows) was not there, it could only be the hands. The word *aydi* (hand), the plural of *yadd*, in the Qurʾān only ever means "hand". Once you put *marāfiq* in and you establish the word *ilā,* then you know now that there an extension of the meaning of the word “hand”.

Now if the word *ilā* is there, what does that suggest to you about what the beginning point is? Like it's now time for me to wash my arm [during the process of *wuḍū'*]. What do we know from the *Sunnah*? We wash it three times and the right arm comes before the left.

Now let's ask another question. Where do you start washing the arm? Firstly, let me make it clear - to wash the arm means from the fingertips to and including the elbow. So the question now is: at what point do you start? We could start at the fingertips.

When a tap turns on and the spout is right above your elbow, the natural movement is to start from the middle, so you just transfer your arm across, and then you can bring it back. The water actually starts towards your wrist. It's natural for your hand to get a good grip of something and then start the process.

We've got three scenarios:

- To start washing from the fingertips,
- To start from the middle of the forearm (*wasaṭ'l-dhirāʿah*),
- To start from the actual elbow.

These are the three positions. What does the *āyah* suggest? Generally, in language, "up to" means that is the end; therefore it's going to be the opposite, which is the beginning. Shaykh ʿUthaymīn رحمه الله says that even though there's no evidence, if you did it, it's good.

Shaykh ʿUthaymīn رحمه الله is very careful about *bidʿah,* which i*s* very good because *wallāhi* it's a disease and it can creep in so easily.

Then he asks the question, "what if someone says you've got to start washing from your fingers?" He doesn't say it's obligatory, but says that this is the way it should be done. What would we say to this person? We'll ask him to present his evidence, and he won't be able to show us any proof from the *Sunnah*, but he will from the manner he is reading the *āyah*. Do you think that's enough for him to come down really hard on it?

Shaykh al-ʿUthaymīn رحمه الله puts in brackets that it's better (*afḍal*) to start from the fingers. That statement "better" means that he knows a better way to worship Allāh ﷻ. When you make that statement in an act of worship, that means you are bringing something new, which means you are potentially either establishing *Sunnah* or the opposite which is *bidʿah*.

Shaykh al-ʿUthaymīn رحمه الله wants to say to you that when you wash your hands, you wash it how you want, it doesn't matter where you start from, because if a person wants to come and say you need to start from your fingers, because the *āyah* says *ila'l-marāfiq* , then that's fair enough.

Wiping the Head & Ears

Just to finish off, the *muʾallif* says: then he wipes his entire head including the ears a single time.

Of course, this is not washing. When hair gets wet and it stays wet and it drips water down to the body… it's just a disaster. So *alḥamdulillāh* t's just the wiping which is required.

He says including the ears.
The ears have been established in three ways. The evidence for wiping the ears is because whenever the Prophet ﷺ would wipe the head, he would wipe the ears as well.

The second evidence is because Allāh ﷻ has said to wipe the head and the ears are part of the head. So even if the Prophet ﷺ had not done it and shown it in his *Sunnah*, just by Allāh ﷻ telling us to wipe the head, then the ears are included because the ears are part of the head.

Spiritual Benefits

This is the third one that Shaykh al-ʿUthaymīn رحمه الله mentions (and may Allāh ﷻ reward him for this point, because it is nice that he brings a spiritual, metaphysical point in). He says the ears are the tools of hearing and it is from the secret wisdoms of Allāh ﷻ when it comes to *wuḍūʾ* – and we mustn't forget at any stage that *wuḍūʾ* is a spiritual act, an act of *ʿibādah*, and something which is rewarded – what cannot be denied is that we are almost physically purifying our ears from the filth and *ḥarām* that is heard, and that is one of the functions of *wuḍūʾ*.

We know that the Prophet ﷺ has told us in a number of *aḥādīth* that both the prayer and the *wuḍūʾ* act as expiators and cleansers of the minor sins. Every time you pray, and then the next prayer comes, the sins in-between [each prayer] are expiated[6]. Likewise, when a person makes *wuḍūʾ,* the minor sins are expiated[7].

In another narration, [it says that] with the drops of water that come off of the body, the sins are dropping off of the body[8]. These are very powerful spiritual tools that are

[6] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: The Five Prayers And The Friday Prayer To The Next Friday Prayer And Ramaḍān To The Next Ramaḍān Are An Expiation For What Happened In Between (Of Sins) Provided One Avoid The Major Sins, *ḥadīth* no. 17
[7] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: How To Perform Ablution, *ḥadīth* no. 6
[8] *Sunan Ibn Mājah*, Book of Purification and it's Sunnah, Chapter: The Exiting Of Sins Due To Ablution, *ḥadīth* no. 283

part of our day. That is why it is *Sunnah*. When we spoke last week about *tajdīd'l-wuḍū'* (the concept of renewing ones *wuḍū'*), it is a very big part of our religion. It is not a case of, "I've got *wuḍū'* so I don't need to make it". It is, "I've got *wuḍū'*, but I want to make it again because I want to purify myself".

Actually, look back in the books of the *Salaf*. You'll see many of the times, they made *wuḍū'* from the things that they heard. When people were walking around and they met some kind of *Rāfiḍah* who starts busting some kind of lines, it's a case of "Mate, do you want to shut up now? I need to go and make *wuḍū'* because you've literally just insulted my ears with all the *kufr* and *bidʿah* you just mentioned". You will see many of the *Salaf* doing that. That is the kind of the filth you might hear from a *dīni* point of view.

Look at the metaphysical aspect of water and the metaphysical nature of *wuḍū'* being drawn out and touching areas that cool you down. Even from a *ḥadīth* point of view, we all know that when you are angry, go and make *wuḍū'* – this *ḥadīth* is not rigorously authenticated[9].

There are many people that consider this *ḥadīth* to not be authentic. A lot of people made it like this is a definite thing to do. It is not necessarily, but at the same time this is not life and death. This *ḥadīth* it is not a *ḥadīth* of *ʿaqīdah*. It is a *ḥadīth* of general action and when we do think about *Shayṭān*, we do associate heat with *Shayṭān* and fire and *Jahannam* and so on. And he does incite people, he inflames their passion, he makes them boiling angry.

The roots of anger are associated with heat. Water is associated with calm. Earth is associated with cold, calm, *tayammum* and *turāb*, and Ādam ﷺ is from *turāb*. When you look at the Qur'ān in this holistic fashion, you will be able to see some kind of relationships with our surroundings and the elements and so on.

Therefore, when a person gets very angry and he goes and makes *wuḍū'*, he is kind of purifying himself away *Shayṭān.* When *Shayṭān* speaks nonsense, then part of it is to be cleaned of it.

This goes back to what I mentioned last week; when we make *wuḍū'*, it has got to be more than just a mechanical kind of action. It's got to be the fact that we know the purification is so very important in our *dīn*. We know that Allāh ﷻ does not allow us to stand for prayer except that we are in a blessed state. We know that the angels make *duʿā'* for the person who is in *wuḍū'.* We know that making *wuḍū'* in difficulty (like in the winter, with cold water even when hot water is available) and putting yourself through that *mushaqqah* is actually a rewarded action.

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[9] *Sunan Abi Dāwūd*, Book of General Behavior, Chapter: What Should Be Said at the Time of Anger, *ḥadīth* no. 12

We know that angels will testify for that person, we know that Allāh ﷻ will turn that water and that action into some kind of shining. They will come *ghurran muḥajjalīn,* as we mentioned a number of times - shinning and bright as evidence on their faces, their foreheads for when they washed higher, their chins and their shanks which they washed higher, and the forearms. When a person washes and goes higher, they will be coming glowing and shining. There is a very strong metaphysical, spiritual aspect to *wuḍū'* that we mustn't forget once we are going through all the academia and so on and so forth.

Q & A

Q: Would having the top of the outside of the ear bone pierced be permissible?

A: For a woman, this is part of beautification, meaning a *zīnah*. If someone is thick enough to think that looks beautiful, then *tafaḍal*. This is part of the ʿ*urf*. To stick something in there and to make it like that, (gauges or plugs which stretch the earlobe) they stretch it or whatever, what is that? That's part of changing *khalq* Allāh. That is what we call to be the major changing.

Q: What if someone was wearing waterproof mascara or makeup on the eyelids?

A: That is something that we've mentioned. We said that waterproof makeup is to be removed. We mentioned that in last week's lessons. Waterproof makeup and lipstick and so on is to be removed. The concession that we gave was that after the process of removing said makeup… I gave the example of lipstick. When you have lipstick which is waterproof, then you rub it off. If you rub it off, it does not necessarily mean that all the colour goes. Some of the colour remains and some kinds of strands or shade will remain. But that second or third layer of the lipstick is not the impermeable part. Normally, it is the full on last part that goes on which is the impermeable part. If we rubbed away with a tissue, we will leave enough 'rawness' or whatever it is, even though the colour is there to still allow the water to penetrate to the lips. The lips must be wetted.

The same ruling goes for mascara and anything else – that outward layers of impermeability need to be removed, and if what is left underneath is still there a little bit but it does wet the eyebrow (meaning that a person tries their best but there are still bits and pieces left there of that mascara), then that is okay, because we understand that the major barrier has been removed. Anything which is insignificant, [is excused].

Q: Does the ring analogy mean the same for earrings? Would one have to remove it?

A: No, one does not have to remove the earrings. One does not need to remove the nose ring. One does not need to remove the ring. It is good to make sure if it is nice and simple to get the area wet, but nothing else is required more than that. Actually, the earring and all these kinds of things are pretty much covering what is inside it anyway. I think they should remove those which are clip-ons. There are earrings which are like a stud, or they are hanging. If it is hanging, it does not affect anything, but if it is one of those big plates and is covering the whole part, that is a joke, isn't it? Get rid of that.

Q: With respect to the wiping of the head, if you have long hair, what is the understanding?

A: We said the wiping of the head itself from the back to the front and back again is sufficient, or from the front to the back and back again. This is a complete *Sunnah.* We said that there is a discussion and some of the *ʻulamāʼ* said you start from the back and wipe to the front, and this is permissible as well. More than that, we say to you that it means all directions are allowed. My personal position is that any manner of wiping the head is permissible, and the person should use that in order to help them with the way that their hair is. For example, some people have hair that goes down and doing it one way messes it all up. Some people have long hair - you would go along the length of hair. That's it. You do not have to wipe or touch every single strand.

Q: Can we wipe over the *ḥijāb*?

A: We will go over this. The section of wiping over the *imāmah* is coming, and this includes the turban and the *ḥijāb*. In my personal opinion, I do believe it is permissible for a woman to wipe underneath her *ḥijāb* without removing it and some part of the head is covered. In my opinion, that needs to be supplemented with the wiping of the *ḥijāb* as well.

There is a mistake that people make. The Prophet ﷺ was wearing a turban once. The turban crosses over and has a tuffed up bit, and he wiped over the turban where the hair is. That is why the Shāfiʻi school consider the wiping of the entire head a requirement - they said there is proof that one part of the head is sufficient.

This principle is what I cover in the next lesson and the weekend after and that is the ruling when it comes to a limb in a plaster, a cast, and a cut, and a wound. For the *ḥijāb*, I believe it is permissible. The scholars like to have a reason, and it is safer to require a reason. I think that being outside is enough of a reason. I think a risk of someone being in the bathroom, and somebody walking past or opening the door or walking by or something - that is enough of a reason. For someone who is outside, it is permissible for them to wipe over their hijab and at home, it should be something that is avoided because it is not like the *khuff* like wiping over the socks which does not have any restrictions ever.

Some people say you should only wipe over socks if you really have to, but there is no evidence for that.

20. Obligations of *Wuḍū'* XII

The text [we are covering today] is on page 3 of the notes:

ثم يَغْسِلَ رِجليهِ مع الكَعْبَيْنِ

then he washes his feet up to and including the ankles.

The Arabic continues,

ويَغْسِلُ الأَقْطَعُ بَقِيَّةَ الْمَفروضِ، فإنْ قُطِعَ من الْمَفْصِلِ غَسَلَ رأسَ العَضُدِ منه، ثم يَرفَعَ نَظَرَه إلى السماءِ ويقولَ ما وَرَدَ، وتُباحُ مَعونتُه وتَنشيفُ أعضائِه

If there is a limb which has been cut, the remaining obligatory aspect of it is washed. If the limb has been cut from the joint, one washes the head of that upper arm (or joint).

Then one raises his gaze to the sky and invocates with that which has been narrated.

It is permissible to assist one (with their wuḍū') and (it is permissible) to dry one's limbs.

Washing the Feet

That's the text in the *matn* of Zād *al-Mustaqni'* by Imām al-Ḥajjāwi ﵀. Shaykh al-'Uthaymīn ﵀ says,

قوله: «ثم يغسل رجليه مع الكعبين» ، الكلامُ على قوله: «مع الكعبين» كالكلام على قوله: «مع المرفقين»، وكلمة «مع» ليس فيها مخالفةٌ للقرآن؛

As for Imām al-Ḥajjāwi's statement, "then he washes his feet up to and including the ankles," first of all, we will say *ma'a'l-ka'bayn.* We'll say the same thing as we said for *ma'a'l-mirfaqayn* - that the *ma'a* is not trying to be different than what it says in the Qur'ān.

Allāh ﷻ says in the Qurʾān, *ilaʾl-kaʿbayn* and *ilaʾl-marāfiq* (i.e He ﷻ uses the word *ilā* instead of *maʿa*). *Ilaʾl-ka'bayn* means up to and including the ankles. The word *ilā* means "with", "including", "all of it together". In the text, Imām al Ḥajjāwi رحمه الله is saying *maʿa* (with, up until and including the ankles as well). If you use the word *ilā,* then you have to put in a process and say *ilā* means "with" because of this reason and that, etc. He's cutting all of that out and uses *maʿā.* He says this is from the *āyah*, and also from the *ḥadīth* of Abu Hurayrah رضي الله عنه :

أنه توضَّأ فغسل ذراعيه حتى أشرع في العَضُد، ورجليه حتى أشرع في السَّاق، وقال: هكذا رأيتُ النبيَّ صلّى الله عليه وسلّم يفعلُ

He made *wuḍūʾ*, then washed his arms, *hattā ashraʾa fiʾl-ʿaḍad* - until he was ready to get to the upper arm. *ʿAḍud* in Arabic is the upper arm. The *ʿaḍud* means it's gone right into the upper arm, past the elbow. In the same narration, *wa rijlayhi hattā ashraʿa fiʾl-sāq* - he washed until *ashraʿa* which means he has gone into the shin.

Even when washing the feet, you wouldn't let the water get up to the foot [and then] just rub the ankle. You play the water right up to the ankle bone, and then you use your hand right above the ankle, right off into the starting point of the shin and may be a couple of inches into the shin. That's a kind of thing that we are talking about, a couple of inches in all the time.

And when [Abu Hurayrah رضي الله عنه] did that, he said "That's exactly how I saw Messenger of Allāh ﷺ do his *wuḍūʾ".* This is the desire to become from *ghurran muḥajjalīn,* those people who will be denoted by their bright shining spots. That *ḥadīth* is narrated by Muslim[1].

وعلى هذا فالكعبان داخلان في الغسل وهما: العظمان الناتئان في أسفل السَّاق

He [Shaykh al-ʿUthaymīn رحمه الله] says that therefore, we can conclude that washing the feet must include the ankles and bones, and also the bones of the sides.

And Shaykh al-ʿUthaymīn رحمه الله says,

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[1] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: Virtues of *Wuḍūʾ* and the Shining Parts from the traces of *Wuḍūʾ*, *ḥadīth* no. 47

فيجبُ غسلُهما وهذا الذي أجمع عليه أهل السُّنَّة لقوله تعالى: ﴿فاغْسِلُواْ وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُواْ بِرُؤُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَينِ﴾

It's an obligation to wash (the feet), and it's a matter of *ijmāʿ* (consensus) of *Ahl'l-Sunnah.*

Have you noticed again, we have talked about this before, how the language is very different? It's a very theological language. "This is the consensus of the People of Sunnah", which is basically indicating that the people of *bidʿah* are not involved in this. He says that because Allāh ﷻ says in *Sūrat'l-Mā'idah* (verse 6):

"Wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles"

We talked about this. This was about three or four lessons ago and I went into detail talking about the difference between *arjulakum* and *arjulikum.*

Arjulakum is the one which is the widespread *qirā'ah*. Shaykh al-ʿUthaymīn رحمه الله says that the *qirā'ah bi naṣāb* (that which is with *fatḥah*) is connected to *wujūhakum,* (your faces). What is the action to do with the faces? To wash. Allah ﷻ says, *faghsilū wujūhakum* (wash your faces) and only the next time that *fatḥah* comes is *wa arjulakum,* so therefore *arjulakum* (your feet) is connected to the verb of wash. We described that in detail.

The Shaykh رحمه الله says,

وهذه قراءة سَبْعيَّة

This is the seven authentic, established recitations of the Qur'ān. There is a difference between a *qirā'ah* and the *riwāyah*. For example, the normal Qur'ān is recited by the Paks, Arabs and the majority of the world. We recite the *Hafṣ ʿan ʿĀṣim.*

ʿĀṣim is the *qirā'ah* and the *riwāyah* is *Ḥafṣ*. The *riwāyat* are more than the *qirā'āt*. There are seven authentic *qirā'āt* as we discussed in the last lesson.

He continues [by saying],

وأما قراءة «وأرْجُلِكُمْ» بالجرِّ، وهي سَبْعِيَّةٌ أيضاً، فتُخرَّج على ثلاثة أوجه

We should say that when you recite with a *kasrah* (*arjulikum*), this is also an authentic *qirāʾah* according to all the seven *Imāms*. You would find it in seven of the *qirāʾāt* as well – it is *mutawātir*, established and no doubt about it. Therefore, we have both options - *arjulakum* and *arjulikum*. He says that we get three things out of this.

I will just summarize what the Shaykh رحمه الله says.

There are three points to notice here when you have the recitation with a *kasrah*.

The first one is that *arjulikum* with the *kasrah* indicates that it is being connected with something very close to it in the sentence, which has also got a *kasrah.* In this case, it is *ruʾūsikum* (your heads), and this command to do something with your heads before is to make a *masḥ*. Allāh ﷻ says in *Sūrat'l-Māʾidah* (verse 6):

﴿وَامْسَحُوا بِرُؤُوسِكُمْ ۝٦﴾

"Wipe your heads"

In Arabic grammar, you are trying to work out why it is that a certain letter has a particular diacritical mark or the intonation, '*a*', '*i*', '*u*' (i.e. *fatḥah, kasrah* ḍammah). When you are trying to identify what the reason is or what it is that has caused that, the verb that has caused that or what the grammatical structure which has caused that is, you actually have to go back into the sentence and find it. Normally, you would identify that by finding the closest word which has the same structure.

When it comes to *arjulikum,* as we start going back word by word in the *āyah*, *ruʾūsikum* is the one we find. When we look at why *ruʾūsikum* has been turned into *majrūr* (which means the last letter of the noun takes a *kasrah*), we find that it is because it has letter *bāʾ* before it and it is connected to the wiping. Therefore, we know the reason that it is *arjulikum* is because of the verb for wiping.

In the other *qirāʾah,* we did the same for *arjulakum* (trying to find out why it has a *fatḥah*). Why does it have a *fatḥah* when the word before it is *ruʾūsikum?* We [look further back and skip] *ruʾūsikum,* and we come to *faghsilū wujūhakum* and we realize that it's connected to the verb for washing.

The first point was to do with how to identify and understand why it is that a word is actually <u>*majrūr*</u>*.* In Arabic, the word *majrūr* means that it has the *kasrah* on it - the 'iy' sound. The second point is:

أن قراءة النَّصب دلَّت على وجوب غسل الرِّجلين

He says when we have the *fatḥah* on it (meaning *arjulakum*), then this indicates that it is an obligation to wash the feet. As for when it is *qirāʾah* of *jarr* (i.e. it has a *kasrah* – *arjulikum*):

وأما قراءة الجر؛ فمعناها: اجعلوا غسلكم إيَّاها كالمسح، لا يكون غسلاً تتعبون به أنفسكم؛ لأن الإنسان فيما جرت به العادة قد يكثر من غسل الرِّجلين ودلكها؛ لأنَّها هي التي تباشر الأذى، فمقتضى العادة أن يزيد في غسلها، فقُصدَ بالجرِّ فيما يظهر كَسْرُ ما يعتادهُ النَّاسُ من المبالغة في غسل الرِّجلين؛ لأنهما اللتان تلاقيان الأذى

I don't think there's an actual point being made. *Allāhu aʿlam*. I read this before and I didn't appreciate what was being said before and I don't appreciate it any more now either. Anyway, I don't think there's a major point there but I might have to look at it and see what the major point being made is there.

Wiping Over Footwear

Let's move on to point three. Shaykh al-ʿUthaymin رحمه الله says, that the third point to take from the fact that we have *arjulikum* as opposed to *arjulakum* is that they are two *qirāʾāt*, both of them have been revealed, and each of them refer to a specific scenario of the foot. He's basically saying,

وللرِّجل حالان

For the foot, we have two possible states it can be in. Either it is covered or it is uncovered.

If it is uncovered (meaning naked, no sock or anything like that), then you must wash it - that's what the *āyah* is saying. It is basically saying that your foot's uncovered, it's there right in front of you, so you have to wash it.

If your foot is covered, it is covered either by a *khuff* (which is a solid leather flexible sock and covers the entire foot and it reaches above the ankles) or anything other than that, like a sock. He says that when that happens, then it is an obligation to wipe that foot by the command of wiping.

Let me summarize point two: the Shaykh : said that when Allāh ﷻ said *arjulakum*, it shows that it is an obligation to wash the feet. In the same way, when it becomes *arjulikum*, this ruling doesn't change. It becomes an obligation also to wipe the foot, then he took that point beyond its necessary meaning, in my opinion. That is the point he wants to make. The second point here is that just as washing them is obligatory, if you have something covering it, then wiping also becomes obligatory.

The third point is to explain that each recitation (*arjulakum* and *arjulikum*), is for two specific scenarios of the foot - either for washing or for wiping. Therefore, he says that this is the wisdom that Allāh ﷻ sent down in these two recitations - to make it easier for us and to allow us to be in control.

We said last time, *subḥān Allah*, just how convenient is to be able to wipe over our socks. Obviously we're going to be talking about that in a lot of detail in the coming section. The two different *qirā'āt* cover both the wiping and the washing, and make it obligatory in each case. He says the *Sunnah* of the Prophet ﷺ has established that. Meaning that he himself ﷺ used to wipe over his foot and he also used to wash it.

Therefore to conclude, he says the *āyah* itself is basically just indicating that one wipes over the leather socks. This is similar to what we talked about in *Sūrat'l-Fātiḥah. M**ā**liki yawmi'l-dīn* and *M**a**liki* - the difference between the Owner and the King, each one by themselves is deficient. Having both options there and combining them in *Allāh* ﷻ makes Him Supreme and Perfect.

Likewise, when it comes to washing the feet, it is one of those things that, *Subḥān Allāh*, is a major mission. This is because we are walking on them, when they get wet they get dirty more easily, and so on and so forth. Moreover, we are in difficult scenarios, travelling, and we can get wet feet and it is a disaster. There's nothing worse in the world than going in the *wuḍū'* area with your socks on and it's soaked. *Alḥamdulillāh,* the two options are basically there to allow us to do our *wuḍū'* in the easiest way.

Washing an Dismembered Limb

Then the Shaykh (al-Ḥajjāwi) says,

وَيَغْسِلُ الأَقْطَعُ بَقِيَّةَ الْمَفروضِ

If there is a limb which has been cut, the remaining obligatory aspect of it is washed.

Shaykh al-'Uthaymīn رحمه الله says that what Imām al-Ḥajjāwi رحمه الله means is that the one who has had his hand chopped off or he has had his hand severed or whatever, something

has happened to him. Basically he is saying that you only wash the actual part of what you've got. You wouldn't wash the hand if you can't, you wash only what you have.

He gives an example to make it easier. Let's say you have an accident. We are not talking about the *sharīʿah* punishment here, by the way, because it couldn't happen in a *sharīʿah*, it's not permissible to cut the hand right there in the middle. Let's say a person had an accident, and he's got half of his forearm.

Let's just assume that I've got my hand cut off [in the middle of my forearm]. You might think because I am missing this much, [to compensate, I might have to make up for the missing limb by washing way past the elbow]. If you start here, you might think that I have to now make up for this distance up here. Shaykh al-ʿUthaymīn رحمه الله is saying that if you start here, you still go up to your elbow, including the elbow - you don't compensate for this chopped off part. You don't compensate by going higher. It's not about distance, it's about what you have. That's basically how I can put it.

Shaykh says that because the *ʿaḍud* (the upper arm) is not a place to wash the arm. Indeed, what you wash is what you have. That is the obligation, and that's the only thing you have which is obligated.

Allāh ﷻ says in *Sūrat'l-Taghābun* (verse 16):

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ ﴿١٦﴾﴾

"Fear Allāh as much as you possibly can…"

This is the most that you can do.

Not only is that obligation to wash that limb gone, but you don't have to make up for it in another place. The Shaykh رحمه الله says that if the limb has been cut from the joint, then one washes the head of that upper arm or joint.

What that means is that if I had my hand cut off for whatever reason, it would heal into a stump. I have to wash the entire stump, just like I wash my fingers.

He says that likewise, if I have my forearm taken off completely, then I have got the joint, and it will heal. Likewise, I still have to wash this head. That's what he is saying. If I have a stump [right at the elbow], I have only got that as an arm, so I would have to wash that. That's an obligation. If you know anyone who has that, you can tell them now that if they have just that, then they wash their part.

We have covered previously that it is an obligation to wash the hand right up to the elbow and the head of the upper arm, which is the joint. If this whole arm was gone, and the joint for the upper arm is there, then it is an obligation to wash.

He basically said that if you have your arm cut off here right across the bicep, it's amputated or something like that, then there's no washing it at all because you're above the elbow.

Then he says that this is exactly the same for the foot as well. If you have a stump where the ankle was, then you would wash the stump. And if it was less than the ankle, you would wash less. If your foot was cut above the ankle, then there will be no washing whatsoever.

The Shaykh ﷺ says that if you have your ears, for example, and half of one is cut off, then you would wash the top part of the ear that's gone. You must wipe (this part), and that's it.

He says if the entire ear is gone—which, *subḥānAllāh,* I have seen, actually. I think especially in burn victims, the cartilage is very weak or thin, and burns easily. For people who have been in fires, they lose their ears easily or quickly. He says that he would still have the ear whole, wouldn't you? We believe that the only obligation is to put the finger inside the ear, and that would suffice.

Dhikr at the End of *Wuḍū'*

Now, we move on to the next statement:

ثم يرفعُ بصرَهُ إلى السَّماءِ ويقولُ ما وَرَدَ

Then he raises his gaze to the sky, and he invocates that which has been narrated.

This is interesting. Shaykh al-'Uthaymīn ﷺ says that this is a *Sunnah* in *ṣaḥḥa'l-ḥadīth,* [meaning] this is the action of the Prophet ﷺ, as long as the *ḥadīth* used in what has been narrated is authentic. Of course, it then becomes a *Sunnah*.

وهو ما رُويَ أن النبيَّ صلّى الله عليه وسلّم قال

That is what has been narrated from the Prophet ﷺ because he said,

من توضَّأ فأحسن الوُضُوء، ثم رفع نظره إلى السَّماء فقال: أشهد أن لا إله إلا الله؛ وحده لا شريك له، وأشهد أن محمداً عبده ورسوله، فُتحت له أبواب الجنَّة الثمانية، يدخل من أيِّها شاء

The *Nabī* ﷺ said, *"Whoever makes wuḍū' and perfects it then he looks up to the sky and says ash-hadu an lā ilāha illā Allāh la sharīka lahū wa ash-hadu anna Muḥammadan ᶜabduhu wa rasūluh, then all of the eight gates to paradise would be open for him and he can enter from anyone that he wishes."*[2]

This is the *ḥadīth*. Shaykh al-ʿUthaymīn رحمه الله says that in this chain, there's someone who is *majhūl*.

وفي سنده مجهولٌ، والمجهولُ لا يُعلم حاله: هل هو حافظ، أو عدل، أو ليس كذلك، وإذا كان في السند مجهولٌ حُكِمَ بضعف الحديث

Majhūl basically comes from *jahl,* and *jahl* means to be ignorant. *Majhūl* is the thing which is unknown. Let me tell you out this from a *ḥadīth* point of few. If the chain is absolutely authentic all the way to the Companion, then it doesn't matter because all the Companions of the Prophet ﷺ - all of them, without exception - are considered *thiqah* (meaning they are considered to be trustworthy). They don't lie or have an agenda or anything like that. Therefore, even though they are unknown, it doesn't matter. The whole point of an unknown narrator being problematic is that you don't know if the guy is a good guy or a bad guy. You don't know whether he's an *Imām,* a *ḥāfiẓ* of *ḥadīth,* whether he doesn't know anything, whether he's John around the corner or Muḥammad the doorkeeper or Imām Sufyān al-Thawri رحمه الله or Imām Aḥmad Ibn Ḥanbal رحمه الله - you just don't know.

But if you've got a few set of people, every one of them are scholars, you know that one of them definitely said it, and all of them are perfect [or trustworthy], it doesn't actually matter who the individual is. We would say that one of them said it, therefore it's authentic. I want you to know that when it comes to Companions, the principle in *ḥadīth* sciences is that even if any one of them is unknown (*majhūl*), it's no problem. But when we talk about there being a *majhūl* in the *sanad* [an unknown person in the chain], we are always referring to someone down the chain - never towards the Companions.

Therefore, Shaykh al-ʿUthaymīn رحمه الله said that when you find someone *majhūl* in the chain, then this is a sign of weakness. Therefore, we have to rule on the *ḥadīth* that it is weak. Let's have a quick look at the *sanad*.

It has been narrated by Imām Aḥmad رحمه الله and by Imām Abu Dāwūd رحمه الله in his Book of Purification, Chapter of What a Person Should Say When He Makes *Wuḍū'.* It's being

[2] *Sunan Ibn Mājah*, Book of Purification and its Sunnah, Chapter: What Is Said After Ablution, *ḥadīth* no. 419

narrated by Ibn al-Sunni and it's all being narrated via the way of Abu ʿAqīl from his cousin and ʿUqbah bin ʿĀmir and ʿUmar ﷺ.

و عن ابن عم ابي عقيل هذا ابهم ولم يسمى

This chain basically is Abū ʿAqīl, who is narrating from his cousin, who is narrating from ʿUqbah bin ʿĀmir ﷺ, a *ṣaḥābi* who is narrating from *Sayyidina* ʿUmar ibn al-Khaṭṭāb ﷺ. The problem here is the cousin; we don't know who he is at all, so therefore we are not able to give a ruling on it.

ʿAli ibn al-Madīnī said this *ḥadīth* is *ḥasan* (acceptable, fair *ḥadīth*). That is a big statement because ʿAli ibn al-Madīni is the teacher and shaykh of Imām al-Bukhārī. He is from the major *muḥaddithīn,* but he is not just a *muḥaddith* - he is *nāqiḍ.* He is from the *ḥadīth* critics of the very highest level. Much higher than the *muḥaddith,* he has the ability to be able to look at *aḥādīth* and criticize them just by smelling them. He's next level.

Shaykh al-Islam ibn Ḥajar ʿAsqalāni رحمه الله said:

هذا حديث حسن من هذا الوجه

He says that from the way this has been narrated, this *ḥadīth* is *ḥasan inshāʾAllāh*.

He says it's ḥasan as it is, because we can identify this cousin. We are not sure which it is, but pretty much all of his cousins were okay.

He says we know who the cousins of Abū ʿAqīl were but the problem is that they are not all the same, of course. They are all good men, all righteous practicing men, but some of them were basic kind of guys. Since we don't know which one of his cousins were the ones who narrated it, then we are just going to have to unfortunately assume the lowest common denominator, meaning the weakest or poorest of them. He says even if we did that, this would actually make the *ḥadīth ḥasan* (acceptable).

He says the shame is that if it wasn't for this unknown situation, this *ḥadīth* would be according to the editions of Imām al-Bukhāri in his *Ṣaḥīḥ* (meaning this *ḥadīth* could be from the most authentic of *aḥādīth*). Why does he say that? He says that because,

لأنه أخرج لجميع رواته

Imām al-Bukhāri's book (*Ṣaḥīḥ al-Bukhāri*) is next level for many reasons. One of the reasons is that not only are the *aḥādīth* super authentic and the pillars of our religion, but we also look to the men of Bukhāri.

When you quote a *ḥadīth* and it sources *Bukhāri*, everyone is humbled. Likewise, if you come across a guy and we say he is one of the men of Bukhāri, it means that he is one of the guys that al-Bukhāri uses to narrate his *ḥadīth* from. We know just how meticulous Imām al-Bukhāri was. The people have had to have met each other, lived in the same time and city, they've had to have established meetings, high quality in religion and knowledge, etc. and they can't have been known to lie before or to deceive. All of the things you expect - the very highest integrity and quality of an individual, and every single possible condition you can put in a person, Imām al-Bukhāri has gone through all of that before he includes him into his *Ṣaḥīḥ*.

That's why if he hadn't done that, then we wouldn't trust in the *Ṣaḥīḥ*. But because we know that he's done that, everyone closes their eyes and takes any *ḥadīth* from *al-Bukhāri* and we believe in it. We don't even need to read it or understand it; we believe in it. There's that quality and respect that is earned.

So when a person is narrating *ḥadīth* from *al-Bukhāri*, he's called one of the men of al-Bukhāri. Ibn Ḥajr رحمه الله says 'Uqbah bin 'Āmir رضي الله عنه, 'Umar bin al-Khaṭṭāb رضي الله عنه, and Abī 'Aqīl are all *ruwā'* (narrators) of *al-Bukhāri*. If it wasn't just for him that we don't know, then this *ḥadīth* would've passed all of his conditions as well, which is a good statement, *wallāhi*.

Back to what Shaykh al-'Uthaymīn رحمه الله says,

و الفقها – رحمهم الله – بَنَوا هذا الحكمَ على هذا الحديث

The *fuqahā'* are not the *muḥaddithīn*. The *fuqahā'* are jurists; they are the people of *fiqh*. Their specialty is to look at a *ḥadīth* and look at a piece of information and understand its deep consequences, correlations, causality, the relationships and trying to work out the principles. They are able to dive into it and seek and derive amazing points. That's the skill of the *fuqahā'*.

They give legal rulings and are able to find solutions, whereas the *muḥaddithīn* are specialists in narration. They specialise in knowing facts and figures, they can memorize people's names and who they met and who they didn't, who is a student of whom, who considered him to be weak, and they remember the incidents and statements of criticisms against the person so that he is rejected, etc.

They are two separate skills. It's very rare that you'll find someone who combines the skill of being a *faqīh* from the *fuqahā'* and a *muḥaddith* from the *muḥaddithīn* in the

same person. Al-Bukhāri was one of them. He is from the *fuqahāʾ* (and some people won't like that I said that) and of course he is a *muḥaddith*. In principle, you're not able to combine the two skills.

The *muḥaddithīn* are going to be more for accuracy. They're going to be focused on authenticity and they want to know their sources, whereas with the *fuqahāʾ*, the authenticity isn't taken into consideration as much, as long as we got the basic principles. For them, it's about ruling, supporting evidences, and supporting their opinion in establishing things.

The *fuqahāʾ* have a different agenda, focus and priorities. Having said that, you will often find that the *fuqahāʾ* turn a blind eye – not intentionally – and say the *ḥadīth* is not that weak. It's good enough for them. And they use this *ḥadīth* and say that there's no real problem against it.

The *kalimatʾl-shahādah* is something which is established, it's not bringing any new information, and it's not a super weak *ḥadīth*. It doesn't have someone who has fabricated a narration in the chain. This is not *ḍaʿīf jiddan,* then.

Looking Up at the Sky

They are also saying that what is being said is (also) not something which is against the principles of *sharīʿah*. Of course, Shaykh al-ʿUthaymīn رحمه الله will never miss an opportunity to establish the *ʿaqīdah* of *Ahlʾl-Sunnah*. He says that even in this narration, the *fuqahāʾ* said, "Look, there is an evidence for the proof that Allāh ﷻ is above the heavens." This is a very serious matter, of course. If you are looking up to the skies that is because this is our *fiṭrah* when we look towards Allāh ﷻ. We can't see Him; He sees us. He is above His throne in a manner which befits His Majesty. That is not just rhetoric by the way, some kind of cliché line which you memorize when you are studying *ʿAqīdah* 101 - that is actually what we believe. Allāh ﷻ says:

﴿ثُمَّ اسْتَوَىٰ عَلَى الْعَرْشِ ﴿٥٤﴾﴾

***"…Then He established Himself above the Throne…"* (7:54)**

He is the One who did *istiwā ʿalaʾl-ʿarsh* which means he established Himself <u>above</u> the Throne" in a manner which befits Him. That (*al-ʿarsh*) is where He Himself has established His Own Majesty. He is the One Who sends down the rain; comes down to the *al-samāʾl-dunyāʾ* (the first heaven – above the earth). He is the One to Whom everything goes up (*ilayhi* – up to Him). *Isrāʾ* - the *miʿrāj* (the Ascension)! This is not *ʿaqīdah* lesson, but the evidence is for Allāh ﷻ being above the heavens, and not being part of the creation.

The deviant Sūfis, some of them believe that (there are different levels of this belief and [there is] variation) He is everywhere while others believe that He is all in one with the creation and all this kind of pantheistic non-sense.

But Allāh ﷻ, according to *Ahl'l-Sunnah wa'l-Jamāʿah*, is above His Throne; above the Heavens and High. This is called the *ʿulūw* (The Highness of Allāh ﷻ). *Al-ʿaliyu'l-kabīr* (The High; The Magnificent)! The concept of *ʿulūw* is [for Allāh ﷻ] to be above the Heavens.

I just want to say that that statement itself is not good enough nor authentic enough for us to use after *wuḍū',* but the idea has still been established. Even in a weak *ḥadīth*, the people know and the *ʿulamā'* know the basic principle that Allāh ﷻ is High (*al-ʿulūw*).

WORDING OF THE *DHIKR*

Shaykh رحمه الله says:

ويقول ما وَرَد وهو حديث عمر رضي الله عنه: **أشهد أن لا إله إلا الله، وأشهد أنَّ محمداً عبده ورسوله، اللهم اجعلني من التَّوابين، واجعلني من المتطهِّرين، فإِنَّ من أسبغ الوُضُوء ثم قال هذا الذِّكر؛ فُتِحَتْ له أبوابُ الجنَّة الثَّمانية، يدخل من أيّها شاء**

But he should say that which has been narrated authentically. ʿUmar ibn al-Khaṭṭāb رضي الله عنه narrates that the Prophet ﷺ said: "*Ash-hadu anna lā ilāha illā Allāh, wa ash-hadu anna Muḥammadan ʿabduhu wa rasuluh. Allāhumma ijʿalni min al-tawwābīn, wa ijʿ alni min al-mutaṭahhirīn.* Whoever says this and has perfected his *wuḍū'* will be able to enter from any of the eight gates of Paradise; let him choose what he wishes."[3]

This narration is different to the previous one and it is more authentic. It's been narrated by Imām Muslim in the *Book of Purification: The Recommended Dhikr at the End of Wuḍū'.*

What's fascinating is that even though this *ḥadīth* has been narrated in *Muslim*, there is some discussion amongst the scholars about what is the actual truth about the complete narration. Listen to this. Number one, this *ḥadīth* has been narrated in *Ṣaḥīḥ Muslim* as only:

[3] *Jāmiʿ al-Tirmidhi*, Book of Purification, Chapter: What Is Said After Ablution, *ḥadīth* no. 55

أشهد أن لا إله إلا الله، وأشهد أن محمدا عبده ورسوله.

This is what has been narrated in Muslim.[4]

اللهم اجعلني من التَّوابين، واجعلني من المتطهِّرين

This is not part of the *ḥadīth* in Muslim.

Imām al-Tirmidhi رحمه الله says that the chain of this *ḥadīth* has some issues. Ibn Ḥajar رحمه الله says, this *ziyādah* (increase or addition) of *Allāhumma-jʿalnī min al-tawwābīn wa-jʿalnī min al-mutaṭahhirīn* (O Allāh, make me from the people that repent; O Allāh, make me from the people that purify) is not actually part of the original narration. It has not been established. Ibn Ḥajar رحمه الله concludes that frankly, this increased narration has only been related by one way and it is going against all other narrations that preserved it as only,

أشهد أن لا إله إلا الله، وأشهد أن محمدا عبده و رسوله

He says - and this is the fascinating part - if you actually study the chain which has the full *Allāhumma-jʿalnī min al-tawwābīn wa-jʿalnī min al-mutaṭahhirīn* part as well, there is actually a break in the chain. In fact, there is a double break in the chain. Therefore, this has to be considered weak.

We can only really depend upon the portion in Muslim. The *muḥaqqiq* carries on [by saying that] there is supporting evidence, though. There is another supporting narration which is narrated by Ibn al-Sunni, but in that narration, we have a person called Abu Saʿd al-Baqqāl, and this person is weak.

We have another narration of this *ḥadīth* as well, with another root. This is what has been narrated by Imām al-Ṭabarāni in a book called *Al-Awsaṭ* and this is via the way of al-Aʿmash, Sālim ibn Abī al-Jaʿad, and Thawbān. Ibn Ḥajar رحمه الله said these three that are connected, Sālim ibn Abi al-Jaʿad never heard any narration from Thawbān. Basically, Ibn Ḥajar رحمه الله is saying that we don't have the evidences to establish this *ziyādah* (increase) authentically at all.

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[4] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: The Recommended Remembrance at the End of Ablution, *ḥadīth* no. 20

A long time ago *subḥānAllah*, about 11 or 12 years ago we did a research into the *adhkār baʿd'l-wuḍūʾ* (words of remembrance after *wuḍūʾ*). I want to find that because I'm sure that I rewrote that some time ago and I want to release it maybe on the mailing list, so that we can go through that *dhikr*, just like a little departure [from what we're currently doing]. It'll be good to step away from the legal *fiqh* side.

Q & A

Q: What is a *muḥaqqiq*?

A: A *muḥaqqiq* is a person who does *taḥqīq*. *Taḥqīq* comes from the *fiʿl* (verb) *ḥaqqaqa*, *yuḥaqqiqu*, *taḥqīqan*. *Fa huwa muḥaqqiqun* – the one who finds the truth. *Ḥaqq* is the original word. *Ḥaqqaqa* is the one who establishes the truth and authenticity. So the *muḥaqqiq* is the one who authenticates something.

The job of the *muḥaqqiq* is either to establish the statements of the scholars to establish exactly what the ruling is, or he will identify sources which by themselves establish the authenticity of something. These words, the one who does the *ʿināyah* , the one who does *taḥqīq*, the one who does *takhrīj* - these are all synonymous terms sometimes, though they can differ.

Sometimes the *muḥaqqiq* will solely making a *ḍabṭ* of the text. What does that mean? You know that these books, i.e. the classic texts and manuscripts are written in rough hand writing and there's no *tashkīl* (*fatḥah, ḍammah, kasrah*) and so what the *muḥaqqiq* has to do is the find the manuscripts and he has to find more than one. He finds the manuscripts in this library, gets them from this house, he has to get five or six manuscripts, put them together and then he compares each page and then he types it out or writes it out neatly.

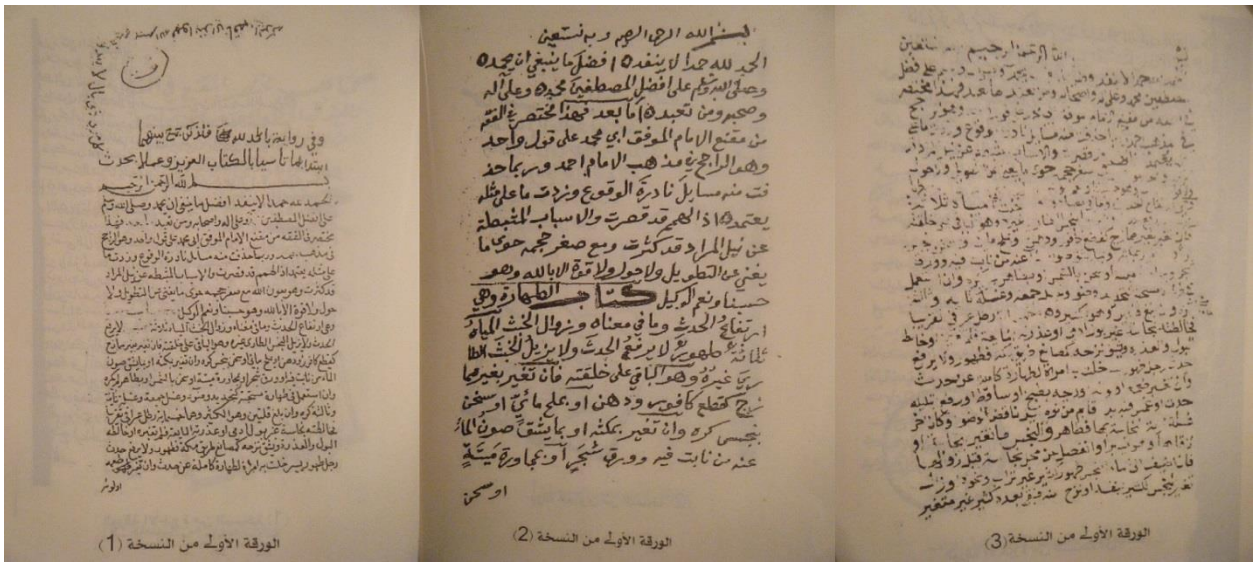

Figure 1 : Three manuscripts of the first page of *Zād'l-Mustaqniʿ*

He's comparing because there's always differences between the manuscripts, like a little change in words here and there. In one there's a *hādhihī*, and the other it's *hādhā*, in one it says *lam* and the other *lama,* etc. You have to look carefully is there a *fatḥah* missing, is there an *alif* missing, etc. because it changes the meaning. So this is called making *taḥqīq*. What he does is that he authenticates the scripts, effectively translates old style handwritten Arabic to a modern style, clean writing in a book.

The *muḥaqqiq* will also put references in for *āyāt* of Qurʾān. The *muḥaqqiq* will also annotate certain words, put *kasrah*, *fatḥah*, on it to make it easier for the reader. You will see, for example, in this one, if you look there it says:

الرِّجْل

You can see if you look closely that there is a *kasrah* under the *shaddah*, *al-rijl*. The reason that it is there is because it might be that you might read it as *rajul*, which means man. If you did not know Arabic, you might say *rajul,* but a person who knows Arabic knows that that would read as *al-rijl*.

That *kasrah* and *shaddah* is there to basically help someone who is not so great at Arabic. He needs a little bit of help to decipher what it is, so he puts a little *kasrah* in. That *kasrah* (or other diacritics) is only going to go in those words that you can pronounce in a number of ways. Whereas if there is a word like *hādha,* you will never find any *fatḥah* or *kasrah* on *hādhā*, because there is no other use of the word *hādhā*. It is only ever going to be *hādhā* when you see *hā dhā and alif*, it is always going to be *hādhā*. You do not need to add anything.

In other words, what he (the *muḥaqqiq*) will do if he comes across a difficult word which might have two or three different ways in pronouncing it, he will add diacritical marks*.* This is also the job of the *muḥaqqiq*. All of this job is called *taḥqīq.*

You will find that when you go by a book like *al-Sharḥʾl-Mumtiʿ*, there's different versions of this. We like this one because this *taḥqīq*, but I cannot remember who the name of the *muḥaqqiq* is. Anyway, the *muʾassasa* (the foundation) itself has taken responsibility for it, but I do not know who the *muḥaqqiq* is. I mean this is not a very difficult job.

Remember this is for you own information, this book was audio this was never written. This was Shaykh al-ʿUthaymīn رحمه الله teaching in the lesson and like our transcribing team, they basically wrote it all down.

When the transcribing team sends me the text, they have done their own *taḥqīq* to it. They will add all the diacritical marks, any confusion, any footnotes, they will add references of *ḥadīth* in Arabic, the *ḥadīth* reference in English, the Qurʾān *āyāt* in Arabic, translation, etc. It is much more detailed than my actual speech. This book is exactly the same. This is what Shaykh al-ʿUthaymīn رحمه الله did, and the notes that you

have this is my own version. I will receive it, give it a double-check, add a couple of references, etc. I am the final *muḥaqqiq*. It is a lot easier. When you are doing it from an old manuscript, it is a much more difficult job, so you have that title: *muḥaqqiq.*

Q: Is it not the case that there are more than seven authentic *qirāʾāt*? But Ibn Mujāhid compiled a list of seven of them, in order to match it with the number of *aḥruf*?

A: The answer is yes and no. Yes, of course there are more than seven. The established *qirāʾāt* are ten, and with the *shādh* ones, there are fourteen.

The science of *qirāʾah* is a very detailed one. When there are different *riwāyāt*, then there's even more (*qirāʾāt*). When there are different narrations, then there are even more (*qirāʾāt*) but the seven are the seven famous ones. They are the seven well-known ones and that's why they are called the *sabaʿiyyah*. That's all for now.

Q: Why would the author Imām al-Ḥajjāwi رحمه الله have felt the need to make the point about when your limb is cut as that seems obvious? Is this point made quite commonly in others books of *fiqh*?

A: Good question. Why would the Shaykh رحمه الله feel the need to talk about things like this? First of all, the part of the limb is mentioned in other books. Number two, you think it is obvious and it is. We are intelligent people but I honestly don't think that it's as obvious as you think and the bow-joint one is a very unobvious point. You may think this is crazy, but if I had only half a limb, I could imagine doing the whole arm.

In fact, as a principle in *fiqh,* nothing is left to chance, and that is good.

Q: Do we consider the opinions of the *fuqahāʾ* over the *ʿulamāʾ* of the *muḥaddithīn*?

A: So the *ʿulamāʾ* is a general term and the *ʿulamāʾ* means the scholars. So the *ʿulamāʾ* is anyone who has knowledge and the *fuqahāʾ* is a very specific term, which is applied to someone who is a scholar. What is his specialty? Well, he is a *muḥaddith* and that is how it would be used or else he is a *faqīh*.

When it comes to which one (*faqīh* or *muḥaddith*) is given precedence, then it depends on the field being discussed. When it comes to *fiqh*, we give the precedence or accept the expertise of the *faqīh*. It's like a hospital and you have a consultant ENT and a consultant Physician and they will consult with one another. One of them will make the decision or one of them will have a stronger view because that is his specialty. So it depends upon the operation or the field.

This is where I think the lesson should have been cut. This is because I will now bring you to a *ḥadīth* study of the *duʿāʾ*. The *fuqahāʾ* are lax with that – actually, I won't say

that they are lax. That makes it look like they don't know *ḥadīth.* They know, but their concern is not with that. It isn't their concern because they have seen someone authenticate it and that's enough.

They don't want to waste valuable time going into it and studying it again and again. If they did, they would find many mistakes and problems. So they know they have got the *muḥaddithīn* to deal with that and so sometimes they trust them. Sometimes the *muḥaddithīn* get it wrong and give them the wrong quality *ḥadīth*.

Q: Do we have to actually look up to the sky or can this be done in a room? Because surely we don't do *wuḍūʾ* and then go out? The *ḥadīth* about the *duʿāʾ* post-*wuḍūʾ* mentions looking up to the sky and I thought we were not supposed to look up to the sky when making *duʿāʾ*? Are we (allowed to look at the sky) and what about (looking up) during *dhikr*? Do we point the index finger to the sky while reciting the end *duʿāʾ*? Is the *duʿāʾ* after *wuḍūʾ* a *duʿāʾ* and a *dhikr*? Does this mean that we say it as a *dhikr* only without adhering to the etiquette of *duʿāʾ* such as *ḥamd, istighfār, ṣalawāt* before asking from Allah ﷻ?

A: Excellent questions. They will be dealt with next week *in shāʾAllāh*. But just for now, I would like to quickly make a statement that authentically, we will see that this *ḥadīth* was considered to be weak and this is the only one that really establishes looking up to the sky. So no, there is no looking up to the sky in the *duʿāʾ* and *dhikr* that we make afterwards.

The statement that Shaykh al-ʿUthaymīn رحمه الله was just making use of the weak *ḥadīth* to say "Hey, you see that? Even in a weak *ḥadīth* we talk about Allāh ﷻ being high." It is just a side point, so this makes our *ʿaqīdah* so much more stronger to know that when people want to make it out like you can't restrict Allāh ﷻ to one place, and it is restricting Him, etc. it is obviously nonsense because nobody restricts Allāh ﷻ to anything. We only say about Allāh ﷻ what He said Himself. Allāh ﷻ is above the Heavens - that is it. We do not say He is like this, sitting like that, and all that nonsense. That is *bidʿah* to think like that, and we will cover the rest of it next week.

Q: Does the Ḥanbali *fiqh* take narrations with unknown Companions as *ṣaḥīḥ*?

A: Well as far as I know, all of the *ḥadīth* scholars consider the *ḥadīth* to not be affected if it has a Companion who is unknown (majhūl) in the chain. As long as the rest of the chain is authentic (*thiqah*), then it is accepted. I would be very surprised if there is any scholar that would [not accept a *ḥadīth* for this reason]. Allāhu aʿlam, but I am talking *muḥaddithīn* and *fuqahāʾ*. I am saying this is part and parcel of the basic principles of *ḥadīth.*

Q: Shaykh, you mentioned how excellent Imām Bukhāri's methodology is, but recently there have been talks of people re-visiting *Bukhāri* and saying there were actually a

lot of mistakes. This really worries me, because if we are not going to trust Bukhāri, then who will we trust? If it is the elders, parents and company who are saying this sort of thing, how do we advise them that they should not disregard Bukhāri's books of *ḥadīth?*

A: *Jazākumallāhu khayr,* that is a good point. I do not think it is that common, but there is a certain group of deviants who do not even consider *ḥadīth.* Of course, we are not talking about them. The issue here is that some people believe that the *aḥādīth* in *Bukhāri* need to be looked at again, in terms of modern scientific discovery, or because it doesn't make sense to them. These people are deviants, of course, and right on the edge of *kufr* itself when a *ḥadīth* is established and they do not believe it because of their *ʿaql.*

This is a really dangerous place to be. It is different from a scholar who looks at one *ḥadīth* and is convinced that one of these narrators is not authentic. He has the proof to not consider this narrator as authentic, and that is an academic discussion. The majority of these laypeople have no idea when they say they do not accept *ḥadīth* from Bukhāri and whatever.

The brother asked how we deal with this people. The way you deal with these people is to see whether they accept *ʿulamāʾ* or scholarly principles. You give them the introduction of Ibn Ḥajr al-ʿAsqalāni's Fatḥ al-Bāri, and you'll see the entire introduction is a slap-down of anyone who considers it to be a weak *ḥadīth* in *Bukhāri*. It's academic, proper, has all the rules, all the proofs, and all the evidences.

Whenever you upset these people, they are not of that calibre. There are modern day scholars and even speakers that we know who speak in this area that made mistakes. For example, the *ḥadīth* in *Bukhāri* about Allah ﷻ said that the sun prostates between the *ʿarsh* of *al-Raḥmān* everyday, then someone says "That's not possible because we see the sun sitting here and rising over there, and sets and rises here and sets over there, so at what point is it resting or prostrating under the *ʿarsh* of Allāh? That doesn't make sense because what I am seeing makes sense and therefore this *ḥadīth* is not authentic."

This is a methodology of deviancy. The people of *Sunnah*, *Ahlʾl-Sunnah waʾl-Jamāʿah*, all of the sects, *madh-habs*, all of the different *ʿaqīdah* groups, even Salafis, Ashʿaris, everyone, came to a point of consensus that if a *ḥadīth* is authentic then it goes. That's if the *ḥadīth* doesn't contradict anything from the Qurʾān or anything like that or something which is authentic. If the *ḥadīth* has the narrators all established, all of them are absolutely superb, *thiqah*, trustworthy and proper people, then it is impossible to reject that *ḥadīth*.

A *ḥadīth* that is clear knowledge from Allāh ﷻ is thus a divinely revealed knowledge. The people who are rejecting this *ḥadīth* did it because their *ʿaql* can't handle it. This is deviancy, *aʿūdhu billāh*. These people need to be advised that the *ʿaql* is subservient to the *naql*; the *naql* is a test. What has been narrated is a *naql*, and the *ʿaql* is this, and

this is a deviancy put on the top of the ʿ*aql*. The text itself is on top of the ʿ*aql*. Meaning that your ʿ*aql* is subservient to the text which has established its authenticity to be divine in origin, from Allāh ﷻ. Whether you understand it or not is your problem, it's your deficiency, and you have to increase your own knowledge and work on your own problem.

If you ask me if this *ḥadīth* is *ṣaḥīḥ*, it is *ṣaḥīḥ* as I am saying here right now. You know the wonderful thing about being Muslim is that *alḥamdulillāh* my *īmān* knows that as long as I have established this *ḥadīth* as from the Prophet ﷺ, [it's true]. I know it, as stated by *Sayyidina* Abu Bakr al-Siddīq. People went up to him saying this and that, then he replied "I believe this man went all the way to Heavens in one night. Are you kidding me? I don't care what Prophet ﷺ tells me, I am accepting it, as long as it is authentic." How it happens, either figuratively, rhetorically, etc. - that doesn't matter. If I have found the real reason to go investigate and give an explanation for it, I would. And Allāh knows best. This is a very dangerous thing.

Alhamdulillah it is not too much. The only thing of course is that the people who normally do that have an agenda because they need to be able to discredit either a book or discredit a narrator like Abu Hurayrah or ʿAbdullāh ibn ʿAmr al-ʿĀṣ.

The whole topical issue is feminism or secular feminists. What is really interesting about this movement (and why they are deviants of course) is that they reject statements of the Prophet ﷺ which talk about women. For example, women leadership and women who don't lead the prayer, etc. – whatever it is.

The point is, those secular feminists who deny these concepts deny it because they don't believe in it, because the West has blown their mind, basically. And now they realize that that's not going to go, and it's not going to roll with the Muslims. So what is going to roll with the Muslims? Ah, academic discussion. Try and create a strong argument, try and establish something. This is what we discussed in Al-Adab Al-Mufrad, Series One.

What they do is they will look at a certain Companion, try and dig up as much dirt as possible on that individual, and if they are able to discredit him by saying, "He was punished," "He was considered to be a liar," "The other Companions said he was not allowed to relate narrations," – Oh hello, guess who narrated that *ḥadīth* about women not being in leadership? Oh, it was Abdullah ibn ʿAmr al-ʿĀṣ ؓ, or X, or it was Y, so how can you say that *ḥādīth* to us? This is how they do it.

They do their pseudo-intellectual nonsense. They try to create these things. They create the hypothesis and the conclusion for themselves, and then they try to find some way to prove it. This is the modern kind of way of Islamic Feminism which has secular roots. That's a very common thing. So there are groups with agendas. The scientific group are those that do not care about this and that whatever, they just care about what they can understand and what they can't understand, so they will deny other Bukhāri *aḥādīth*. Everyone has their own little game.

Q: Musa Furber says that the *duʿāʾ* is "*ash-hadu an lā ilāha illā Allāh , wa ash-hadu anna Muḥammadan rasūlullāh"* and not "'*abduhu wa rasūluh*"

A: I agree. I agree and that is what I will be putting out next week *inshāʾAllāh*. Not only that - I also don't believe that the *shahādah* is part of it. It's *ash-hadu an lā ilāh illā Allāh wa anna Muhammadan rasūlullāh*. This is actually a detailed study. There is a lot of difference between the *ʿulamāʾ* regarding exactly what is said. As I said, I will expand upon that next week.

Q: Regarding wiping the hair - a woman would like to beautify her hair for her husband on her wedding night and her marriage generally and doesn't want to continue to use water to ruin her hairstyle. Is it okay if she takes the Shāfiʿi way of making *wuḍūʾ* by wetting three strands of hair at the back of her head, instead of wetting her whole head? If she can, would she do the *wuḍūʾ* the way she was taught; Ḥanafi, Ḥanbali, etc., but just wipe her head in the Shāfiʿi way, or does she now have to do all of her *wuḍūʾ* in the Shāfiʿi way with all the rules from the Shāfiʿi school?

A: Personally, I don't believe the opinion to just wipe on three hairs is acceptable. I believe the head has to be wiped. The only exception for wiping the head, I believe, is if it is covered with something. If it's covered, you can wipe over the cover. Therefore, unfortunately my dear sister, and any other sister who is getting herself ready for the big night, you will need to just pray first, basically. Pray first and make sure you don't need to make *wuḍūʾ* again. Yeah I don't know, man. You're going to have to wipe. Just don't use so much water, that's all. You can wet your hands and just allow the water to drip. We say the *Sunnah* is to have a little bit of water to be dripping, but if not, we said take it easy. You don't have to ruin your perm or whatever.

21. Obligations of *Wuḍū'* XIII

This is the final lesson on *wuḍū'* from a textual point of view; we are currently on the final page, page 3. The text we will be covering today:

ثم يَرفَعَ نَظَرَه إلى السماءِ ويقولَ ما وَرَدَ، وتُباحُ مَعونتُه وتَنشيفُ أعضائِه

Then one raises his gaze to the sky and invocates with that which has been narrated. It is permissible to assist one (with their *wuḍū'*) and (it is permissible) to dry one's limbs.

Adhkār Which Have Been Narrated

On page 219 of the commentary, Shaykh al-'Uthaymīn ﵀ says [regarding] "that which has been narrated: what has been narrated? What is the *Sunnah* to say after you have made *wuḍū'*? Well, the answer to that is what has been narrated by 'Umar ﵁, which is:

أشهد أن لا إله إلا الله، وأشهد أن محمداً عبده ورسوله، اللهم اجعلني من التَّوابين، واجعلني من المتطهِّرين. فإنَّ من أسبغ الوُضُوء ثم قال هذا الذِّكر؛ فُتِحَتْ له أبوابُ الجنَّة الثَّمانية، يدخل من أيّها شاء.

"Whoever makes wuḍū' and perfects it then he looks up to the sky and says ash-hadu an lā ilāha illā Allāh wa ash-hadu anna Muḥammadan ᶜabduhu wa rasūluh; Allahumma j'alni min al-tawwabīn, wa j'alni min al-mutaṭahhirīn, then all of the eight gates to paradise would be open for him and he can enter from anyone that he wishes."[1]

We talked about this *ḥadīth* last week and what I want to say to you is that there is a number of discussions [about this *ḥadīth*'s authenticity].

The actual narration in *Ṣaḥīḥ Muslim* (which is the *aṣl* - the original *du'ā')* is the *ḥadīth* of 'Umar ibn al-Khaṭṭāb ﵁, as narrated by Imām Muslim:

[1] *Sunan Ibn Mājah*, Book of Purification and its Sunnah, Chapter: What Is Said After Ablution, *ḥadīth* no. 419

أشهد أن لا إله إلا الله، وأشهد أنَّ محمداً عبده ورسوله

The reason I make that point is because in the narration of Imām Aḥmad and Imām Abu Dāwūd, there's a slight difference:

أشهد أن لا إله إلا الله؛ وحده لا شريك له، وأشهد أن محمداً عبده ورسوله

I just want to identify three different versions of this *shahādah.* The first one is this one (as mentioned above) which is narrated by Imām Aḥmad and Abu Dāwūd. The second one would be:

أشهد أن لا إله إلا الله، وأشهد أنَّ محمداً عبده ورسوله

That statement is the statement in *Ṣaḥīḥ Muslim.*[2] That is the purest and simplest of *Saḥiḥ Muslim.* It has also been authentically narrated - and it's the position of our Shaykh and also the position of a number of *muḥaqqiqīn,* and the more modern and contemporary scholars - that the correct statement is:

أشهد أن لا إله إلا الله، وأنَّ محمداً عبده ورسوله

Which means that there is no need to repeat the *shahādah* again; you've already beared witness. This could be translated as "I bear witness that there is nothing worthy of worship except Allāh, and that Muḥammad is His final servant and Messenger", whereas the one in *Saḥīḥ Muslim* means, "I bear witness that there's nothing worthy of worship except Allāh, and I bear witness that Muḥammad is the final servant and messenger". The difference between them is minute, and I'm very happy for the class position to be the *riwāyah* of Imām Muslim, which of course is very authentic and well preserved. That's what we will go with:

أشهد أن لا إله إلا الله، وأشهد أنَّ محمداً عبده ورسوله

[2] *Ṣaḥīḥ Muslim*, Book of Purification, Chapter: *Al-Dhikr* which is Recommended Following *Wuḍū'*, *ḥadīth* no. 234

The next statement I want you to know is this,

اللهم اجعلني من التَّوابين، واجعلني من المتطهِّرين،

"O Allāh, make me from those who are continuously repenting; O Allāh, make me from those who purify themselves."

This is a *duʿāʾ* which, *subḥānAllāh*, has been narrated by Imām al-Tirmidhi. It's very interesting that Ibn Ḥajr al-ʿAsqalāni considered this portion which is an increase in the *ḥadīth* of *Sayyidina* ʿUmar ﷺ, to be weak.

Shaykh al-Albāni ﷺ from the modern day *ḥadīth* scholars, actually considered this to be authentic. That is the position of a few of the *ḥadīth* scholars - that this extension is authentic. Shaykh ʿUthaymīn ﷺ is happy with this. In his Q&A sessions, he always used to consider this *ḥadīth* and its increase to be authentic. That is the position of the Saudi ʿ*ulamāʾ* in general.

That is something that I am personally happy with. I am happy with it - not only from a textual point of view (from its chain), but I am also happy with it in terms of its *tanāsub,* (i.e. its applicability or its suitability).

SubḥānAllāh the *wuḍūʾ* has two functions. It's a ritual purification, which is different from a physical purification, as we used to go on about so much before. If we wanted to really be [physically] purified, we would use a waterfall's worth of water and lots of soap to become very clean. This is not about that; this is a really minimal [amount of] water, so this is a ritual purification where you do something for the sake of Allāh ﷻ. That is one of its functions - to purify yourself for actions of worship.

The other one is to have your sins forgiven. The *wuḍūʾ* itself is a tool, just like the prayer is. The *wuḍūʾ* itself is a way of expiating your minor sins. You will find that when you go in to do *wuḍūʾ*, you come out a new person. Think about that from a contextual point of view; not only are you washing yourself, but you are doing it in a very specific way. If you did take my advice to slow down and stop every few seconds and just think about what you are doing, look at the limbs you are washing, and think about the purification that is going on, you will realise that it does actually have an intensely spiritual impact. It is a purification process. I would like you to be able to connect to that.

The renewal of the *shahādah* - which is definitely authentic - doesn't require any kind of interpretation. You making the *shahādatayn* each time is a renewal. You do not

become a *kāfir* by going a couple of hours without *wuḍū'*, but this renewal of your *shahādah* is a renewal of your own personal self.

You should be thinking 'I purified myself for the sake of Allāh ﷻ and I'm a new person as a result of it. I'm like feeling like a new Muslim'. At the same time, you are also in a position where you are looking at yourself and thinking as the *Nabi* ﷺ did, in a long *ḥādīth* in *Ṣaḥīḥ Muslim* from the *ḥādīth* of 'Amr ibn 'Abasa ؓ,

مَا مِنْكُمْ رَجُلٌ يُقَرِّبُ وَضُوءَهُ فَيَتَمَضْمَضُ وَيَسْتَنْشِقُ فَيَنْتَثِرُ إِلا خَرَّتْ خَطَايَا وَجْهِهِ وَفِيهِ وَخَيَاشِيمِهِ، ثُمَّ إِذَا غَسَلَ وَجْهَهُ كَمَا أَمَرَهُ اللَّهُ إِلا خَرَّتْ خَطَايَا وَجْهِهِ مِنْ أَطْرَافِ لِحْيَتِهِ مَعَ الْمَاءِ، ثُمَّ يَغْسِلُ يَدَيْهِ إِلَى الْمِرْفَقَيْنِ إِلا خَرَّتْ خَطَايَا يَدَيْهِ مِنْ أَنَامِلِهِ مَعَ الْمَاءِ، ثُمَّ يَمْسَحُ رَأْسَهُ إِلا خَرَّتْ خَطَايَا رَأْسِهِ مِنْ أَطْرَافِ شَعْرِهِ مَعَ الْمَاءِ، ثُمَّ يَغْسِلُ قَدَمَيْهِ إِلَى الْكَعْبَيْنِ إِلا خَرَّتْ خَطَايَا رِجْلَيْهِ مِنْ أَنَامِلِهِ مَعَ الْمَاءِ، فَإِنْ هُوَ قَامَ فَصَلَّى فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ وَمَجَّدَهُ بِالَّذِي هُوَ لَهُ أَهْلٌ وَفَرَّغَ قَلْبَهُ لِلَّهِ إِلا انْصَرَفَ مِنْ خَطِيئَتِهِ كَهَيْئَتِهِ يَوْمَ وَلَدَتْهُ أُمُّهُ.

It's a very beautiful *ḥādīth. Al-Nabi* ﷺ said, ***"None of you will go forward and make his wuḍū', rinses his mouth, snuffs up water and blows it, except that his sins of his face, his mouth and nostrils will exit through this action of his. When he washes his face as Allah has commanded him, the sins of his face fall out from the end of his beard with water. Then (when) he washes his forearms up to the elbows, the sins of his arms fall out along with water from his finger-tips. He will not wipe his head except that the sins will drop from his head from every single hair along with the water. And he will not wash his feet up until and including the ankles, except that his sins will drop from his feet and from his toes with every drop of water."***[3]

The dropping of sins is actually pertinent because it's going to be backed up later at the very end (in the final statement). This act of *wuḍū'* is a purification. It cools down someone who is angry or not feeling right. We know water does that. It cools you down as it is a cleansing process physically as well. There is no doubt about that.

It's a ritual purification. It's an ablution. If you understand the word ablution, you understand that it's a spiritual purification where, by your intention, you prepare to worship Allāh ﷻ. You come out of it renewed and you make this *du'ā'*, which is reaffirming your faith almost as a new Muslim. You recognize that your sins have been released as a result of that action.

[3] *Ṣaḥīḥ Muslim,* Book of the Travellers' Prayer and Shortening Thereof, Chapter: How 'Amr ibn 'Abasa Became Muslim

You ask Allāh ﷻ to accept that from you and you say "O Allāh, make me from *al-tawwābīn*" - from those people are not just *tāʾib* (the one who makes repentance), but those who constantly go back to make *tawbah* all the time. "And make me from those who are *mutaṭahhirīn"* – those who are constantly purifying themselves as well, giving you this longevity.

What's even more beautiful is another narration which is narrated by Imām al-Ḥākim in his *Mustadrak* and it's also narrated by Imām al-Nasāʾī in his small book, *ʿAmal al-Yawm waʾl-Laylah* (The Actions of the Day and Night) that al-Nabī ﷺ (and he's narrated in the *ḥadīth*, although it is the narration of the Companion Abu Saʿīd al-Khudri ؓ) said, when you finish the *wuḍūʾ*, you should say,

سُبْحَانَكَ اللَّهُمَّ وَبِحَمْدِكَ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا أَنْتَ، أَسْتَغْفِرُكَ وَ أَتُوبُ إِلَيْكَ

"May you be glorified O Allāh, far removed, transcendent and perfect. You are from the nonsense of this world. You are Supreme. We praise You. I bear witness there's nothing worthy of worship except You. I seek forgiveness form You and I turn to You in repentance."[4]

It's a coming back to Allāh ﷻ. *Tawbah* comes from the word for turning around. By these *duʿāʾs* at the end of his *wuḍūʾ,* a person is emphasising this newness, freshness and a state of *istighfār* and *tawbah*.

All of these *duʿāʾs* have *tanāsub*. The final *duʿāʾ* is something which has been narrated without doubt from Abu Saʿīd al-Khudri ؓ and it's authentic. The discussion and the debate is whether it was a statement of the Prophet ﷺ. Does this have a *ḥukm* (which we call *marfūʿ* or *mawqūf)*? *Mawqūf* means that it stops just at him and that it is just his statement. There's *waqf*; the statement itself stops right at him and it doesn't go higher than him. *Marfūʿ* comes from *rafaʿah*, which means it's raised to the Prophet ﷺ. Most of the time, we can identify whether something is raised or not by the manner of the way the Companion is saying it.

If he's saying something which is related to divine knowledge which doesn't look like he could have come up with it himself, then we give the assumption that it is raised. I want you to know that a number of the *ʿulamāʾ* discussed this. Ibn Ḥajr opined that it is raised and Shaykh al-Albāni did the same - he considers this to be a *ḥadīth* of the Prophet ﷺ and therefore, it is a *Sunnah*. We can conclude that after in the explanation of the statement.

[4] Al-Albani, 'Irwa'ul-Ghalil 1/135 and 2/94,

Mā warad: to state that which has been narrated after *wuḍūʾ.* This is after you finish your feet [and] preferably (to be on the safe side), go outside the bathroom.

As we have said before, the toilet is a toilet which has nothing else [in it other] than a toilet, but we don't really find that anymore in our homes. We have a bathroom which has a toilet in the corner and just by size, you would see that the toilet area maybe occupies ten to twenty percent of the room - no more than that.

[As for the other parts which make up the rest of the bathroom like] water, bath, sink, radiator and tiles, there's nothing intrinsically wrong with these parts. To wash oneself is not [the same as using] a toilet, meaning that to be near the bath or sink doesn't have a negative connotation.

Of course, the problem is that we would still consider that the toilet/lavatory, even if it's still part of the bathroom. Our **class position** is: if you are by the sink and not by the toilet, then you are allowed to make the *duʿāʾ* for entering the bathroom, saying *bismillāh* and even technically speaking by making *duʿāʾ* after *wuḍūʾ* [is allowed].

There's no doubt that it's better to be on the safe side, [which is to] come out of the bathroom and say *'ghufrānak'* ('I seek your forgiveness'). As soon as you come outside [of the bathroom], make your *duʿāʾ*. I am not saying it's my position or insisting on it, but at least it avoids the difference of opinion of the scholars, so we are happy to let go of that one and make *duʿāʾ* outside.

Outside [the bathroom], after you finish your *wuḍūʾ*, you would say,,

أشهد أن لا إله إلا الله، وأشهد أنَّ محمداً عبده ورسوله، اللهم اجعلني من التَّوابين، واجعلني من المتطهِّرين.سُبْحَانَكَ اللَّهُمَّ وَبِحَمْدِكَ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا أَنْتَ، أَسْتَغْفِرُكَ وَ أَتُوبُ إِلَيْك

That would be the complete *duʿāʾ* that has been narrated from the Prophet ﷺ and it is the **taught position of this class** *inshāʾAllāh* as the *duʿāʾ* [to be recited after *wuḍūʾ*].

I also want to mention that there is no authentic narration that establishes any *duʿāʾ* during the *wuḍūʾ;* this is something which we do at home as Paks. We have no basis for that. We have no evidence for that and also we don't have the idea that you must raise your finger when we make the *shahādah* as well. People do that when their *wuḍūʾ* is done, [saying] *'Ash-hadu an lā ilāha illā Allāh'* and so on.

There's no basis or any evidence for that as well. If a person just did it automatically, we can live with that. If however, a person believes that that's what he should do every single time he finishes his *wuḍūʾ*, this would be considered *bidʿah* because that

is associating and regulated the lifting of the finger [with reciting the *shahādah*] and there's no evidence for that.

Shaykh al-ʻUthaymīn ﷺ continues in the same vein. He says that it's clear that the *dhikr* we just mentioned really does fit the *wuḍūʾ*. It fits the *wuḍūʾ* because the *wuḍūʾ* is a *taṭhīr al-badan* (a purification of the body). He makes a really nice point; sometimes when a person goes into *wuḍūʾ,* he may not be focussing on the complete package. It might be that he's looking at dirt, oil, etc. on his hands, so he'll focus on the physical purification and he'll forget the spiritual. He says that then the *wuḍūʾ* itself is a physical purification and the *dhikr* is a spiritual purification – the purification of the heart.

We know that *al-Nabi* ﷺ said that the condition of the heart between the one who makes constant *dhikr* and the one who doesn't is literally like the difference between the man who's dead and the man who's alive.[5] In another narration, it's the difference between a wrecked, ram-shackled, broken down house and a house which is thriving, happy, and joyous. That's the difference between the two.

Using the Same *Dhikr* for *Ghusl* and *Tayammum*

Shaykh al-ʻUthaymīn ﷺ says that it's an interesting point that some of the scholars said that this *dhikr* that we just mentioned is also to be said after the *ghusl* and *tayammum* as well. This is what some of the *ʻulamāʾ* mentioned, and he gives some references - *al-Inṣāf* of the *Ḥanbalis*, and the book which is called *al-Adhkār* (The Remembrances) by Imām al-Nawawi, which is a very famous book and it's probably going to be out in English very soon as well.

It's one of Imām al-Nawawi's statements, that you should say this after [*ghusl* and *tayammum*]. The reason for that is because *ghusl* contains *wuḍūʾ* and more than that - it actually encompasses *wuḍūʾ*. In fact, the proper *Sunnah ghusl* has complete *Sunnah wuḍūʾ* in it and so it makes sense. He also says that when you wash yourself completely (i.e. make *ghusl*), the meanings of the *duʻāʾ* is even more intense. It's a real physical purification – *Allāhummaʾjʻalnī minʾl-mutaṭahhirīn* - and then as for *al-tawwābīn*, a bath is a significant idea.

When a person is about to pray for the first time, for example, they need to have a *ghusl*. You know there's a confusion. I remember when people used to become Muslim, there would be the idea that you need to go have a bath to leave back your previous life. Like [because you are entering] a new life, [you need a bath] and all of sudden just sort of put it on them.

[5] *Ṣaḥīḥ al-Bukhāri,* Book of Invocations, Chapter: The Superiority of Dhikr of Allah ﷻ, *ḥadīth* no. 6407

This is a bit rough, really, because there is no basis for that. If they want to pray, then that requires purification from whatever state they were in before (ex. the state of *janābah* that they had been living in, which they never made intention to lift). There is some discussion about that, but I consider that a new Muslim does not need to make *ghusl* for the fact that they are Muslim now; they have to make *ghusl* for the fact that they are about to pray. To see the bath as a spiritual beginning is a lot easier than to see it as *wuḍū'*.

It makes sense why those scholars applied the *du'ā'* after *wuḍū'* (and after *ghusl* as well). That was their idea. As for the concept of *tayammum*, we do it because *tayammum* is a complete replacement for *wuḍū'*. Allāh ﷻ says in *Sūrat'l-Mā'idah* (verse 6):

﴿وَلَٰكِن يُرِيدُ لِيُطَهِّرَكُمْ ۝٦﴾

"He only wishes to cleanse you…"

Which is the same as *mina'l-mutaṭahhirīn*. The same phrase has been said. Allāh ﷻ is allowing the *tayammum* because He ﷻ wants you to purify yourself. Therefore, we can also see the suitability of making *du'ā'* after *tayammum*.

وهو ظاهر كلام الأكثر

Shaykh al-'Uthaymīn رحمه الله says the majority say that you should restrict these *du'ā's* until after *wuḍū'* only and not after *ghusl* and *tayammum*. He says that this is a stronger opinion for him as well. He says that we don't have a single narration of our *Nabi* ﷺ saying this after *ghusl* or after *tayammum*, despite having done both. He says,

وكلُّ شيء وُجِدَ سَبَبُهُ في عهد النبيِّ صلّى الله عليه وسلّم ولم يمنعْ منه مانع، ولم يفعله، فإنه ليس بمشروع

With every single possibility that could have happened and did happen at the time of the Prophet ﷺ, if there wasn't something preventing it from happening (there wasn't some barrier to it) and he did not do it, then it is not legislated.

You see that there wasn't a *māni'* [something that prevented it], and that is important from an *uṣūl* point of view. If there wasn't a barrier to that happening by some kind of reason and he did not do it, then it is not legislated.

This is actually one of the principles that some people use to identify *bidʿah. W*hat we need to do is look at the action. The action is *ghusl.* Was the Prophet ﷺ able to do *ghusl?* Yes. Did he do *ghusl?* Yes. Let's just assume he [Prophet ﷺ] only did *ghusl* once, ever. Did we ever read in that narration that straight after he finished the *ghusl,* someone started speaking to him and prevented him from saying something? This would be the *māniʿ.* No*.* There isn't anything like that. Did he ever make a statement of *dhikr* after *ghusl*? No. Well, then it is not legislated.

That is the explanation of the *qāʿidah* (maxim). Does that make sense? It is really useful, by the way. It is a fascinating principle in *uṣūl'l-fiqh.* Anything which the Prophet ﷺ could have done, [it was] known to have been around at that time, it was not something which was foreign (something quite normal), we have no reason why he was prevented from doing it, and he didn't do it, then that in itself indicates that it is not legislated.

I just want to say that this is not agreed upon universally. Not all the scholars accept this as a universal principle, but this is *uṣūl'l-fiqh* and different scholars have different tools. However, this is a real gem and a real interesting point that helps scholars make decisions.

Therefore, if you follow this *uṣūl* (principle), you can see that the Prophet ﷺ made *tayammum* many times, he made *ghusl* many times, and there was no evidence showing that he was stopped from saying something. So why did he not say it? [As] he did not say it, it is not legislated.

We can leave that on that point. He says if you are going to have an argument, it would be really difficult to make it for *tayammum* anyway. For *ghusl*, yes, because at least you've got the *wuḍū*ʾ there. We can believe that when a person is making that *dhikr* after the *ghusl*, that person will say, "I'm making a statement for my *wuḍū*ʾ in my *ghusl*. I intended it for the *wuḍū*ʾ in the *ghusl*. I couldn't say it in the bath, so I came out afterwards".

Shaykh al-ʿUthaymīn رحمه الله says, "We will believe that person. We'll take him at face value because that's a fair enough point, but how are you going to make that claim for *tayammum*? It's just not there". That's what Shaykh al-ʿUthaymīn رحمه الله ends with, and I think it's really nice.

Assisting Others with their *Wuḍū*ʾ

Shaykh al-ʿUthaymīn says [regarding Imam al-Ḥajjāwi's statement] that it is permissible to assist another one with their *wuḍū*ʾ that it means the pouring of water, the pushing of water – so there's different levels here.

Obviously, in our time we don't have this because we have taps, but back in the day we needed someone to bring water from a well, warm the water, bring the water in a bucket, and put it next to you. The next level of helping would be to pour the water for you, to make sure you don't have to move and bring it close to you, and so on and so forth.

This has been established as Shaykh al-ʻUthaymīn ﷺ says, "This permissibility does not need an evidence because it is actually the basic principle. Water is poured and there is normally someone pouring it". It doesn't need an actual evidence to establish this. The basic principle, (the *aṣl*) is something which is going to be done normally, so that's fine.

He says, "On the chance that you want the evidence, well the evidence is there in the *ḥadīth* in *Ṣaḥīḥ Muslim*". Mughīrah ibn Shuʻbah ﷺ, the senior companion of the Prophet ﷺ, poured water for the Prophet ﷺ and he made *wuḍū'*. That is narrated in *Ṣaḥīḥ Muslim* in *ḥadīth* number 274.

Shaykh al-ʻUthaymīn ﷺ says, shouldn't we say this is legislated? Shouldn't we say this is something recommended to do (enjoining of good and righteousness and *taqwa*)? Shouldn't we say that it is not good enough to say that this is permissible, and we should actually say that this is legislated? It is *Sunnah*, you should help people.

Shaykh al-ʻUthaymīn ﷺ says that there is no doubt that this is upon *birr* and *taqwa*, but he says that frankly, *wuḍū'* is an individual action and it is something that people should do by themselves. We don't have any evidence from the Prophet ﷺ that whenever he went to make *wuḍū'*, he would request someone to bring and pour him water. If we had that as a side evidence, then we could make that statement and say that this is definitely something that is legislated and required.

Shaykh al-ʻUthaymīn says that some of the *ʻulamā'* said it is disliked to help the person making *wuḍū'* unless there is a need for it, because this is an act of worship.

لأنَّها عبادة ولا ينبغي للإنسان أن يستعينَ بغيره عليها

This is an act of worship and you should not really be asking anyone else for any help. Shaykh al-ʻUthaymīn ﷺ says he is not down with that. The position of the *madh-hab* is my position and I prefer that.

I will tell you something very interesting which is topical, which Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ mentions. He says, "I just want to give some advice on this point, and I thought I would give this advice to myself and to my brothers and sisters

here as well. He says that this helping of the Prophet ﷺ in his *wuḍū'* and pouring water for him is something which is narrated from Mughīrah ibn Shuʿbah ﷺ, from Ḥudhayfah ﷺ, from Anas ibn Mālik ﷺ (especially, of course), and it is narrated in *Bukhāri* and *Muslim*, so it is absolutely *ṣaḥīḥ*[6].

He says that this principle of helping the Prophet ﷺ is without doubt, and this is actually something the people should do for the people of knowledge and the people of excellence. The people of *khayr*, *ahl'l-faḍl*, the elderly, and our parents as well. He says this is because to serve them, is an act of worship.

To make things easy as possible for them is a *qurbatu lillāh* (a getting closer to Allāh ﷻ by serving the creation). He says if a person makes the intention to worship Allāh ﷻ by this act, he will be rewarded handsomely, whether that is in the pouring of the water, or the warming of the water, or to be standing there with a towel or something.

He says, "As for the people who are maybe younger (not so elderly) and they are better than you for some reason (maybe they are a student of knowledge) he says that is something permissible, but I just want to say that people have got to be careful because it creates some kind of superiority, or builds some kind of pride." [He is referring to] young people, inexperienced people, or beginning students of knowledge.

By beginning students of knowledge, I am talking about those who are qualified at the very highest level, those whom Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله is talking about. He is not talking about us here; he is talking about the scholars in the West - that is who he is referring to as students of knowledge.

He says the problem is that when you start to help these people, it starts to affect them, and we have seen that. They can become affected by that. He makes a really beautiful point here, *subḥānAllāh*. He says there is a difference when you help an elderly and young one. The elderly is someone who has more *khushūʿ* in a general principle. They are people who have been there, lived through life, and they actually understand who they are a lot more. They are much more in touch with themselves and they are much closer to death.

They have a lot more gravitas, and a lot of appreciation about things. He says that they are a lot more stable; if there's a thought that "Oh gosh, I'm so special *māshā'Allāh.* Everyone wants to pour water for me," he will smack himself down in a self-deprecating, straightforward way.

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[6] *Ṣaḥīḥ al-Bukhāri*, Book of Ablutions, Chapter: (What is Said Regarding) A Man Who Helps His Companion to Perform Ablution (By Pouring Water For Him), *ḥadīth* no. 182

He says the younger people are not so much like that. Their ego can take over, they can start getting used to it, they can start expect it as the norm, and get insulted [if it doesn't happen regularly].

He advises the people who are young; he says that you need to maybe just calm down. He gives a reminder that is pertinent to myself as well - we do expect younger people to serve elderly people, or younger people to serve those who are older than them. Children, for example, should be the ones putting the slippers out when you leave the *masjid*. You should train your children to do that - getting keys, picking things up, etc. without you having to ask for it. It should be the done thing.

As the Arabs say, and as we always say in our circles, 'The servant of the people is the youngest.' So, if there's a group of people, and there is something to be gotten, it is assumed that the youngest will have to jump up and get it. The youngest people are the servants of the oldest people. That is the general kind of ethos that we want to create.

At the same time, I just want you to know that when people expect others to do things for them, it is going against the *Sunnah* of the Prophet ﷺ. If you want help from the people, you're going away from the *tawakkul* of Allāh ﷻ. So even though we come from a culture where we would serve our teachers, carry their slippers and bags, etc., it's not okay for us to expect that.

That's a very important point. At an individual level, you should be the servant of other people, but once you expect that from other people to yourself, you've tripped over and lost the plot. That's not the *manhaj* of the Companions ؓ, not the *manhaj* of Prophet ﷺ, it's not the *manhaj* of Allāh ﷻ. Allāh ﷻ in so many parts in the Qurʾān says, "I don't ask you for any reward from you for this neither do I claim to be what I am not."

The famous statement our Shaykh always tells us that is narrated in the Bible about Sayyidinā ʿĪsa ؑ is that when we try to do something for him, he would say straight away "I wasn't sent to be served, I was sent to serve." That's important, because that is the perfection of a person's *ikhlāṣ* and the perfection of someone's intention and good deeds. A person is losing his deeds if he just (keeps on) insisting upon people; it weakens the person and brings the person down as well, regardless of whether that person deserves it or not.

Number one I am not stupid and number two, I am not modest. I don't need modesty, if something is there need to be said should be said, something's truth is a truth. Of course the Prophet ﷺ said that whoever defends the honour of his brother and his sister then Allāh ﷻ will defend them.[7]

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[7] *Jāmiʿ al-Tirmidhi,* Volume 4, Chapter: What Has Been Related About Defending The Honour of the Muslim, *ḥadīth* no. 1931

There's no doubt about that and that's something everyone should do, but I am not going to go tell people to do it for me because that is me being pathetic. That is weakness. I remember a statement just recently from some of the Deobandi scholars who had a meeting. They made a statement concerning Islamophobia and things going on [which said], "We were trained and prepared for far worse than this. We were told as part of our education that what we've learned is one thing; prepare yourself to be tested and trialled."

You have to go through difficulties. They said, "Up until now, we've been living our lives teaching, with no difficulties whatsoever. No being imprisoned and harassed, no being sworn out, kicked out, fight in, killed, or anything like that. It is incredibly straightforward and very, very simple and we were trained for far, far worse than that. We were trained to be sworn at, to be refuted, to be cursed, to be hurt, to be this, that, whatever."

That old school kind of *daʿwah* and discipline is something that is very much the *aṣl*. I just want to say to you that when it comes to helping people, even when it comes to *wuḍūʾ* or whatever, I would like to know that the people around me are those that are trying as much as they possibly can. It is incredibly addictive to be surrounded by people like that.

This person here is always there car driving, and whatnot. It is a very bad situation to be in. It makes you very lazy and very dependent. To be honest, I detest it actually. I have to switch off completely sometimes, and that's something that is very debilitating to one's own reputation and one's own feeling.

I want you to know that it is not the *Sunnah* of the Prophet ﷺ and even though he was served[8], he was like that when he told his Companions specific advice. He said to them not to ask anyone for anything. That is not because it is *ḥarām*, but because you preserve your honour like that. *SubḥānAllāh* that was something that I mentioned last week or a couple of days ago and Shaykh Muhammad Mukhtār al-Shanqīṭi رحمه الله finishes his commentary on *the Book of Wuḍūʾ* on that point exactly.

We finish off then with the final statement about drying.

وتَنْشِيفُ أعضائِه

and (it is permissible) to dry one's limbs.

[8] *Ṣaḥīḥ al-Bukhāri,* Book of *Wuḍūʾ,* Chapter: Providing Water at Lavatories (for washing the private parts after answering the call of nature), *ḥadīth* no. 143

Tanshīf refers to the drying of the limbs with a cloth or a towel. He says:

والدَّليل: عدم الدَّليل على المنع

The evidence for this is the lack of evidence against it. The evidence for the permissibility of drying your limbs is the fact that there is no evidence to deny it. There is no evidence, and when you are generally wet, what is the basic thing that you do? You dry, and that is normal human behaviour. Therefore, because it is normal human behaviour, we would need some evidence to stop it.

والأصل الإباحة

The principle in all these things is permissibility. This is not an act of worship and an act of human necessity. It is a human action; therefore, it is not an act of worship. As we know, the principle when it comes to acts of worship is that everything is *ḥarām* until proven *ḥalāl*. As for everything other than the acts of worship, everything is *ḥalāl* until proven *ḥarām.* So drying is something that is permissible.

Shaykh says:

كيف تجيبَ عن حديث ميمونة رضي الله عنها بعد أن ذكرت غُسْلَ النبيِّ صلّى الله عليه وسلّم قالت: «فَنَاولتُهُ ثَوباً فلم يأخُذْهُ، فانطلق وهو يَنْفُضُ يديه.

How we are going to respond to the fact that Maymūnah came to the Prophet ﷺ in *Bukhāri* and presented a *khirqah* to *al-Nabi* ﷺ?

فَنَاوَلْتُهُ ثَوْبًا فَلَمْ يَأْخُذْهُ، فَانْطَلَقَ وَهْوَ يَنْفُضُ يَدَيْهِ.

He came out of having a *ghusl*. His wife Maymūnah described his making of *ghusl*, and she said "Then I came and I gave him a towel and he refused the towel. He used his hands to effectively wipe the water off of himself."[9]

So how do we respond to that? Shaykh al-ʿUthaymīn رحمه الله says, "Frankly, we can say many things to this. Maybe he didn't like that towel, maybe it was dirty, maybe the cloth was harsh, maybe the cloth that was given was very nice and he didn't want to make it wet or wanted to save it for something else."

But is it an evidence to not use it? No. If you really think about it the fact that she brought him that cloth is an evidence within itself that it might have been a norm anyway, because you are not going to bring someone something just like that in one incident.

So Shaykh al-ʿUthaymīn said that the correct opinion is what the author has said - that it is permissible and nothing more than that.

I want to add just two statements in closing. We have a couple of Companions who very clearly dried themselves after *wuḍūʾ*. One of them is Bashīr ibn Abi Masʿūd رضي الله عنه, and he is one of the minor Companions, and also Anas ibn Malik رضي الله عنه, from [the] head of the Companions.

Jabir ibn ʿAbdillāh رضي الله عنه, the big narrator, the big Companion, is one of the very few who actually said to not do it. ʿAbdullāh ibn ʿAbbās رضي الله عنه is somewhere between, in that the same thing happened - people were watching him after he made *wuḍūʾ*, and he didn't dry himself.

I want to say a couple of things to this. Number one, anyone who knows anything about geography and geology and all the rest of it, will know that if you live in Saudi Arabia, there is no need to be drying yourself most of the time. This is because it dries automatically, and the drying process is actually the only cooling kind of thing that you can get at 50 degrees heat. You will love it.

Of course the problem is that it doesn't explain *Fajr*, where it can be very, very cold, and it doesn't explain winter where it can even be even colder. We do not know what kind of time of the year it was, so we cannot have a judgment based on that.

Therefore, we'll just have to take these statements by their face value. It's something which is permissible and we have Companions who did, some who didn't, and nothing that says *ḥarām*.

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[9] *Ṣaḥīḥ al-Bukhāri*, The Book of *Ghusl*, Chapter: The Removing of Water from One's Body with One's Hands after taking the Bath of *Janābah*, *ḥadīth* no. 276

In closing, I will say that the ʻ*ulamāʾ* who did prefer you not using towels did [so] based upon the most clearest of the evidences – that (as we said in the beginning) the Prophet ﷺ has very clearly stated that sins drop off of yourself with every drop of water.

If you know that there are sins which are dropping out of your nostrils and beard when you wash your face, off of the head when you are wiping your hair, off of your feet, and so on and so forth, then surely the more drops that drop off, the more sins are going away.

The more it goes away from itself naturally, the more cleansing the spiritual process is. So if you are using a towel to dry that water up, the question is being asked: are you not minimizing the effacing of the sins? *Allāhu aʻlam*. It is a statement and that is what Shaykh Muhammad Mukhtar al Shinqīṭi رحمه الله said. He himself prefers that a person doesn't dry, and that is his argument for it. Allāh ﷻ knows best, and that is the end of the chapter on *wuḍū*ʾ.

Q & A

Q: By that logic, the more drops that drop off, the more sins are forgiven. People should be taking baths so that you have loads of drops; you are going to be using loads of water.

A: That is saying that if we are going to employ that logic in the idea of not using a towel to maximize the amount of drops coming off, then people would stop making *wuḍū*ʾ and bathe a lot more and use a lot more water to ensure more drops coming off. I think that that is a good point.

Q: You could get more water off with a towel than you could just dropping away.

A: Could you get more water off with a towel than you could just dropping away? Yes you can, if you understand that the sins are removed by the drying. However, what the *ḥadīth* seems to intimate is that the sins are dropping off. So you soaking up the sin or the water is not like it dropping off. Who is to know about the exact nature of that?

The Prophet ﷺ said that whoever shakes the hand of his brother, the sins fall off that person.[10] Another *ḥadīth* narrated by Ibn Ḥibbān in his *Ṣaḥīḥ*, says that when a person goes into *rukūʿ*, the sins fall off of his shoulders.[11] There is this idea in some other *aḥādīth* which aren't so strong, which have analogies which involve leaves falling off a person and so on. If you look at the way leaves shed and water drops, there is clearly an idea there. There is a picture being made up.

Is that picture, just trying to make it super clear to the people the nature of sins falling, though? Is it an emphasis or an exaggeration in language? Quite possibly. Scholars would take it in a metaphorical sense, and that is an acceptable interpretation.

What is really refreshing for me about the traditions of the scholars is that they would look at something like that, have a real good think about it, argue about it, have a debate and discussion, and then just be very happy to allow drops to come off.

Let me give you one of my statements which I made many years ago, when someone said I shouldn't; "I'm happy to look at my fingers and allow these water droplets to drop off and see them as sins because I also believe there are two angels sitting on my shoulders as well".

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[10] *Riyāḍ al-Ṣāliḥīn*, Book of Greetings, *ḥadīth* no. 887
[11] *Ṣaḥīḥ Ibn Ḥibbān*, *ḥadīth* no. 1769

We don't live in this kind of temporal, logic-based, rational kind of manifest of a world. We believe in incredible things and its nice, *wallāhi*. It's refreshing for the believer to be able to look at his hand and think these are sins falling off, because we just don't know the nature [of these things], and Allāh ﷻ has created this life as one of many hidden aspects.

As we studied in *Fiqh of Death*, the unseen world is actually more real than the seen world. That is something which I find very profound when you think about it. Every reminder is about bring[ing] you back to reality, and that reality is Allāh ﷻ and the Last Day - both are two key aspects of unseen matters.

Q: The three different variations of the *duʿāʾ*, does it matter for the layman which one he uses?

A: Yes it does matter for the layman, we tell the layman that he should stick to:

أشهد أن لا إله إلا الله، وأشهد أنَّ محمداً عبده ورسوله

That's the *aṣl*, that's the basic principle *duʿāʾ* narrated by *Ṣaḥīḥ Muslim*, and you can't go wrong with it.

Q: On the subject of minor sins which can be expiated, I have read that some scholars do not differentiate between minors sins and major sins.

A: That's a very weak opinion. That's refuted by the Qurʾān and by the *Sunnah.* That's just not true. Anyone who studies the Qurʾān and *Sunnah* at any depth will see the Prophet ﷺ allowing certain actions of *ʿibādah* to expiate other actions. And when we study those actions themselves, there were sins which were not considered major sins - which have been identified in other *aḥādīth*. The seven deadly sins or the *kabāʾir* are indicated in the individual *aḥādīth*. It is a position, but it is a weak position and majority of the scholars are of the opinion that there are minor and major sins.

Q: Is there a book that you would recommend that would differentiate and explain?

A: *al-Kabāʾir* by Imām al-Dhahabi (The Major Sins) is the only book that I know of. I don't know of any book that describes or discusses this. There is an article I wrote about it once.

The answer is also in a full detailed discussion in *Adab al-Mufrad* season one. Two or three hours on that on iTunes, and type in Prophetic Guidance or something like that.

Q: So you mentioned being on the safe side with respect to making *dhikr* outside the bathroom. With every difference of opinion, there is a safe side. Some scholars say it's allowed and some say it's not, so do you always stick on the safe side?

A: It's a good question. First of all, there isn't always a safe side, but if you look carefully enough and you are intelligent enough, there is always an opinion which encompasses other opinions, and maybe wants you to do a little bit more. That's what I would define as the safe side. And I believe that for the layman, it is important to always apply this approach of safe side to everything in his *dīn.*

At the same time, there is negativity behind safe side politics or practice. It makes someone lazy and not academically sharp. We are people of *dalīl,* we are people of evidence, and we are people of scientific enquiry. We are people who have been gifted by this wonderful gift of intelligence/intellect. It is what differentiates us and also makes us amazing, and it's what Allāh ﷻ has given us and allowed us to really take benefit from the Qurʾān.

So I believe that it's okay in the meantime, but it should only be really applying by those who know when they are stuck. As for the layman, he should be using it when he is not sure.

For the scholarly people and for the student of knowledge (and they are of a certain position), they are absolutely certain, and that's what they should follow. That's what they should teach and give the confidence of an opinion, and it shouldn't be that he should use cop-out, but it is always there in the background.

A person believes something, like I give the example that I don't believe that *zakāh* has to be paid on women's gold jewellery at home, even if they only wear [it] on Eid or they only wear rarely. That's the position of Imām al-Shafīʿi, and it's not the dominant position in the world. The Saudi, Salafi, Albani and the Ḥanafi position (which covers the whole world basically) is that you do pay *zakāh* on your jewellery - and I don't believe that it is, but I still do pay it because it costs me nothing.

So sometimes it's good to do something on the safe side, especially when it involves an extra act of *ʿibādah* or charity or something like that. And Allāh ﷻ knows best.

23. The Chapter of Wiping Over the Footwear I

Making the Religion Easy

This chapter is interesting for those who are employed. For the working people, this is the most important chapter of their entire lives. Actually, this chapter was relevant in ancient times and now has taken a whole new connotation in our modern times. The time of travel, the time of pressure and being a minority versus a majority [are all factors that come up] living with non-Muslims. Frankly, as I mentioned to you guys over the last couple of weeks or months, the Muslim countries [from back home] are all generally hot countries. You would have to be insane to be wiping over anything.

Actually, [back home] it is a great moment when you go to make *wuḍū*ʾ and you cool everything down. By the time you wash your feet and you go to your *chappal* [sandal], your feet are dry anyway. Of course, that was not the weather all the time and it used to get cold and it used to be a hassle. Wiping over the socks is something we are going to talk about a lot and this is a beautiful chapter.

There is so much interesting [material] and a lot of *fiqh* and a lot of controversy. There are a lot of controversial differences to discuss from the early times, and a lot of differences to discuss from the modern times. [This is] because of the people's fear of applying it and the fear that it is not legislated. [They are not sure] whether it should be used or it is only used in certain times and there are so many issues around it. It is essential, [to know this issue] as a modern minority in the west, whether you are working or you are studying.

Studying is probably even more relevant, especially as we are trying to push Islām so much more into our youth. We are trying to make sure that people go into secondary school practicing. I guess 10 or 20 years ago, we were happy to have someone come out of school practicing, or we would try to have them practicing before university. Then 10 years ago, there was an effort on the colleges before university. Now over the last 5 years, there has been some pressure on the kids to go into secondary school practicing, and correctly so. Now the current kind of focus is on young children. That's why we have the rights of Islamic education, public schools, and home schooling - because people are saying we need to get to these kids early.

We need to get their minds on the right [path] early. If you want your child to be practicing in a modern day scenario, it is not very easy to get the children to go against their teacher's decisions.

They need every *rukhṣah* (concession) possible. They need every concession that we can find for them. For example, the combining of *Ẓuhr* and *ʿAṣr* for children for whom it's impossible to leave a lesson in the winter time for *ʿAṣr*. Their lunch break is for half an hour, and *ʿAṣr* is only there for about an hour and a half. At a time where private companies can deal with religious practices easily because they are happy and comfortable with you and they know you are confident and you will finish your work on time, teachers and the education system are very edgy at the moment about personalisation, evangelisation, and any kind of *daʿwah* movement by any people.

The point is that we need to be very careful concerning our children and make sure we make this *dīn* easy for them, as much as possible. These school authorities are very careful about allowing anything overtly religious, and so yes we will let them do the combining of the prayers on an individual basis because we do not believe that combining the prayer should be done on a legitimate legislated mass basis. That is something unacceptable in the *dīn*.

As an individual concession for people who have some difficulty or have a need, then we will give that all the time. That is why the Prophet ﷺ combined the prayer. [The *ḥadīth* of] ʿAbdullāh Ibn ʿAbbās in *Ṣaḥīḥ Muslim* said: "I saw the Prophet ﷺ combining the prayer, and there was no war, and there was no rain," (which are the two reasons for combining the prayer) and then the Companion said to ʿAbdullāh Ibn ʿAbbās, "So what did he mean by that? Why did he combine the prayer?" He is at home, was not travelling, he is in Madīnah, so the normal reasons for combining the prayer are travel, rain, or war - and it wasn't [for any of those reasons]. Then they said to ʿAbdullāh Ibn ʿAbbās "Why did he do that?" He said, "It was because he wanted to lift the difficulty from his nation." If we need it, then we will use it. We live our life as per normal, but if that case occurs, you have that exam, you have that operation, you have that work or one-off scenario, then it is there for you, and we utilize it.

Giving concessions is something which is not selling out in the religion, and we must understand that and we will cover that in this chapter as well.

The *rukhṣah,* plural *rukhāṣ* (concessions) - *rukhṣah* is a mercy from Allāh ﷻ and is like a charity. We shouldn't be Jewish about it. By Jewish, I mean that they were people who are hard-core upon themselves; they made the *ḥalāl ḥarām* and they thought that they could be more religious than the religion itself. That is something which is not our approach.

We are a nation which is below the Jews in that craziness and above the Christians in their non-sense. Their approach to the religion is that everything is love, and anything goes. We are in between these two (the middle nation). It's important because this is a chapter of concession and it's one that we will allow people to use. As adults, we enjoy it so much, as well. We have this discussion about the most common questions I get asked, and this is definitely one of them: can I wipe over this and that?

You have got the new notes. I will go over some really interesting grammatical points in the Arabic language, where I don't want to say there are mistakes, but they have been printed with mistakes. I spent some time looking at them and it's interesting that Shaykh al-ʻUthaymīn رحمه الله also mentions them as well.

We will just take it page by page. The *mu'allif* Imām al-Ḥajjāwi رحمه الله said,

بابُ مَسْحِ الْخُفَّيْن يَجوزُ يومًا وليلةً، ولِمُسافِرٍ ثلاثةً بلياليها من حَدَثٍ بعدَ لُبْسٍ على: طاهِرٍ مُباحٍ ساتِرٍ للمفروضِ يَثْبُتُ بنفسِه

Wiping over footwear is permissible for a time-period of 24 hours, and 72 hours for a traveller, starting from the moment one becomes ritually impure after wearing it, on the condition that it (the footwear) is:

1. ritually pure
2. lawful (something which is permissible)
3. covering the area which is obligatory (to wash in *wuḍū'*)
4. stays in place by itself

من خُفٍّ وجَوْرَبٍ صَفيقٍ ونحوِهما، وعلى عِمامةٍ لرَجُلٍ مُحَنَّكَةٍ أو ذاتِ ذُؤابةٍ، وعلى خُمُرِ نساءٍ مُدَارَةٍ تحتَ حُلُوقِهِنَّ، في حَدَثٍ أَصْغَرَ،

During minor ritual impurity, one can wipe over:

1. leather socks, thick socks, and anything similar to them
2. a man's turban which loops under the neck, or possessing tails
3. female headscarves which wrap around the neck

وجَبيرةٍ لم تَتَجاوَزْ قَدْرَ الحاجةِ، ولو في أَكبرَ، إلى حَلِّها إذا لبِس ذلك بعدَ كمالِ الطهارةِ.

During major impurity, one can also wipe over a splint/bandage that covers the minimum area necessary (area of the wound), only until it is no longer needed (i.e. until it's healed).

(All of the above is upon the condition that they are worn) after the completion of ritual purification).

You will find in some of your texts that it will say *ḥillihā* and it needs to be *ḥallihā*. I've corrected it in the one I've given to you, but those who are already using existing texts, you need to check for this mistake.

ومَن مَسَحَ في سَفَرٍ ثم أقامَ أو عَكَسَ أو شَكَّ في ابتدائِه فمَسْحَ مُقيمٍ، وإن أَحْدَثَ ثم سافرَ قبلَ مَسْحِه فمَسْحَ مسافرٍ،

If one wipes while they were travelling and then becomes resident, or wipes while they were resident and then becomes a traveler, or was unsure when/how he started, then he wipes like a resident.

If one becomes ritually impure and then travels before he actually wipes (then he has broken his *wuḍū'* but doesn't touch his socks), his wiping period will continue like that of a traveler.

ولا يَمْسَحُ قلانسَ ولفافةً ولا ما يَسْقُطُ من القَدَمِ أو يُرَى منه بعضُه،

One is not to wipe over:

1. hats
2. a cloth which is wrapped around the foot
3. something which will fall off the foot by itself
4. that which allows part of the foot to be seen

فإن لَبِسَ خُفًّا على خُفٍّ قبلَ الْحَدَثِ فالحكْمُ للفَوقَانِيِّ،

If one leather sock is worn on top of a second one – before ritual impurity - the (wiping) rules apply according to the one on top.

ويَمْسَحُ أكثرَ العمامةِ وظاهرَ قَدَمِ الْخُفِّ من أصابعِه إلى ساقِه دونَ أسفَلِه وعَقِبِه، وعلى جميعِ الْجَبيرةِ

One must wipe over:

1. the majority of a turban
2. the top of the foot from the toes to the shin - not the sole or the ankle
3. the entirety of a splint.

ومتى ظَهَرَ بعضُ مَحَلِّ الفرْضِ بعدَ الْحَدَثِ أو تَمَّتْ مُدَّتُه استأْنَفَ الطهارةَ.

After one becomes ritually impure, if a part of what is obligatory (to wash) becomes visible or the time-period (for wiping) expires, one will need to renew his purification.

After you become ritually impure (when you break your *wuḍū'*), if a part of what is obligatory to wash becomes visible (underneath your sock) or the time period for wiping expires, you will need to renew your purification.

Those are eight very interesting pages because we will be going against every single one of those positions. This is the Ḥanbali *madh-hab*. You'll find that the reason why I say this is such an interesting discussion and chapter is because there is so much evidence to counter all of these points.

Wiping

Let's start the chapter then - The Wiping of *al-Khuffayn*. This has to do with *wuḍū'*. We have just done all the obligatory aspects and the *Sunnah* aspects of *wuḍū'*. We've [also] just done all the washing and the wiping [aspects], and we've just finished the feet. Not only have we finished explaining that you are able to wash the feet, but also - using the Quran - potentially wipe the feet as well. Therefore, if we are going to wipe the feet, what are the rules concerning the wiping of the feet? That's the leather socks.

The *fuqahā'* normally start talking about wiping of something, then they will say "Let's talk about other things that we are allowed to wipe in *wuḍū'*," ex. the turban, women's headscarf, and the bandage or splint. That's the connection. That's the reason why they talk about it.

The Khuffayn

Let's look at the word *khuff*. *Al-khuffayn* is the *manṣūb* version of *al-khuffān*. *Al-khuffān* means two *khuffs*. The word *khuff* basically means a leather sock. It is that which is worn over the foot, made of leather. It is understood that not only does it cover the foot in its entirety, but above the ankle as well. That is understood in the definition of *khuff*.

We have to add the word ankle to make it very clear in your mind. If you say 'socks' (by itself), it's not good enough for you to assume that 'socks' means something which is definitely going to cover the ankle; whereas with the word *khuff* (even though it means socks), it is assumed that it's covering the ankle, and significantly so. It's not just covering, but going way above. That's because we have a number of different terms which we are going to come to in this chapter, one of which is *al-maqtū'* (that which has been cut).

According to a number of scholars, even that *khuff* which has been cut is considered to be on or above the ankle. Some people said it's called *maqtū'* because it's cut underneath the ankle. Actually, you will find a number of the *'ulamā'* said that even

when it's cut, it's on or just above the ankle, which will give you an indication of just how [much] the *khuff* covers the ankle. It really is meant to go right up your shank (shin).

It really is a longish kind of sock, a solid one [made of] leather. That is what is understood by the word *khuff*. It's understood in its classical use back then that it was generally solid, it was something which covered the skin, you wouldn't be able to see the skin underneath it, you wouldn't generally expect water to seep through because it was leather, and it was strong to walk on. These are cultural consideration which affect the *fiqh* rulings in this chapter, which is one the reasons why the scholars differed over so many things.

Shaykh ﷺ says that the *khuff* is definitely something which is made of leather. However, in this chapter, we do talk about other things which are connected to it which can also be made of cotton and wool and are thick enough [for wiping to be considered acceptable]. Actually, as Shaykh says, [it can be] anything which you put on your foot and you genuinely feel your foot start to become warm as a result.

[The Arabic word for] when you warm something is *taskhīn*. Something which is *sākhin* is something which is warm or hot. The verb *sakhkhana*, *yusakhkhinu*, *taskhīnan* means to warm something. Generally, if you were to put on one of those Gore-Tex or one of those fluffy kind of socks, you'd know that it's genuinely warming up your feet very quickly. We don't use it much here, but in the States and Canada and Northern Europe, they're crazy for that kind of stuff because it's freezing. It gets really cold.

Wiping Over Other Garments

Al-Nabi ﷺ, in a very interesting *ḥadīth,* [did the following]:

بعث النبيُّ صلّى الله عليه وسلّم سريةً وأمرهم أن يمسحوا على العصائب والتَّسَاخين

The Prophet ﷺ sent a military unit out and he told them that to wipe over their ʿaṣāʾib and tasākhīn.

Al-ʿaṣāʾib basically means turbans or head coverings, and *al-tasākhīn* is the plural of *taskhīn*. What he ﷺ was saying is to wipe over the things which keep your feet warm, which is basically socks. His use of a word which is so general allows us confidently to not restrict it just to something made out of leather.

Just his own use of the word shows this kind of general *ʿillah*, which is something

protecting the foot, keeping the foot warm, etc. Then at the same time, it's something which is a product, is wearable, and complete - that it what we are going to wipe over. Therefore, this is an indication immediately from the *ḥadīth* and *Sunnah* point of view that there is more to this chapter in terms of wiping, other than being a leather sock.

Of course this is a controversial point because this *ḥadīth* has been narrated by Imām Aḥmad ﵀ (look at the footnotes) and Abū Dāwūd in the Book of Purification in the chapter of wiping over the *ʿimāmah*, *ḥadīth* no. 146. This *ḥadīth* is on the authority of Rāshid bin Saʿd from al-Thawbān and he said,

بعث رسولُ الله صلّى الله عليه وسلّم سريةً، فأصابهم البردُ، فلما قَدِموا على رسول الله صلّى الله عليه وسلّم أمرَهم أن يمسحوا على العصائب والتَّسَاخين

(Sunan Abi Dāwūd, Book of Purification, Chapter of Wiping Over the *ʿImāmah*, *ḥadīth* no. 146)

The Messenger of Allāh ﷺ had sent a military unit out, and they got hit by the cold weather so they asked the Prophet ﷺ "What shall we do?" He ﷺ said 'I want you to recognize that you taking off your socks is going to be problem, taking off your clothes each time for *wuḍūʾ* would be a problem, so wipe over your turbans,' (and we will talk about this later as well). We are talking about turbans which aren't straight on, straight off, job easy. We are talking turbans which are like the Touareg or North African kind – all over, covering the face. I want you to imagine that. Now taking that off is not easy; likewise, [permission was given for] that which is keeping the feet warm as well. So wipe over the *al-ʿaṣāʾib* and the *al-tasākhīn*.

What did Imām Aḥmad ﵀ say about this *ḥadīth*? He said:

لا ينبغي أن يكونَ راشدٌ سمع من ثوبان، لأنه مات قديماً

It is not acceptable that Rāshid narrates this *ḥadīth* that he said that he heard from Thawbān, because Thawbān died way before any possibility of meeting him.

He was someone who immediately criticized this *ḥadīth*, even though he is the one who narrated it. He criticized the *ḥadīth* and considered it weak because of that, but actually a number of scholars (one of them Ibn Abdul-Hādi ﵀ and one of the most

important scholars of *ḥadīth* Imam Al-Zaylaʿi رحمه الله [1]) said, commenting on Imām Aḥmad's statement, "to be honest, I've got something to say about this statement – it is not entirely correct".

He said that if you look back historically, you will find that the fact that they were alive at the same time is more than probable. Actually, despite Imām Aḥmad's criticism of him, he was considered to be trustworthy, and a correct narrator by the king of the *muḥaddithīn*, Ibn Maʿīn (the teacher of Imām al-Bukhāri and Abū Ḥātim Al-Rāzi, who is another major *muḥaddith* and scholar).

There are a number of statements there, and the *muḥaqqiq* of this book himself says, "I just want to add that these two narrators - Thawbān and Rāshid - are both from Khims, and they are both from the same town, and roughly the same time. This *ḥadīth* was considered authentic by Imām al Ḥākim, and Imām al-Dhahabi also agreed. In *Siyar Aʿlām al-Nubulāʾ,* Imām al-Dhahabi said, "*Isnāduhu qawīy*" (meaning that this has a strong chain).

This is important because if we make this *ḥadīth* authentic, it adds a very interesting opening dimension to the whole concept of wiping over something. If we accept this "*tasākhīn"* as a concept (anything which is keeping your foot warm and is like a sock), then we're throwing something into the air now. We're now allowing for interpretation. We're allowing for discussion that takes it outside of the classic black leather sock with the zip and whatnot - which, frankly, no one except our brothers from over there wear. People who are employed can't get away with that kind of behaviour.

Its Permissibility

As for the opening statement about the permissibility of wiping over the *khuff,* he says,

والمسح على الخفين جائزٌ باتفاق أهل السُّنَّةِ

[1] Jalal al-Dīn Al-Zaylaʿi رحمه الله is the Ḥanafi *muḥaddith*, and the author of *Naṣb'l-rāyah fi takhrīj al-aḥādith al-hidāyah*. He is one of the major scholars - the one that, in our time, Shaykh Nasir al-dīn Albāni رحمه الله used to respect. It's almost like the *Ḥanafi* school prayed for someone in modern times to come (it was still hundreds of years ago), so Imam Al- Zaylaʿi came and he wrote this book. He wrote this book completely, just basically saying, "I'm going to look at this book *Hidāyah* (which is the famous *Hidāyah fiqh* book that you all know) and all the positions that are there, I'm going to find a *ḥadīth* to back up each *qawl* (statement), and then I'm going to do *takhrīj* of all of these a*ḥādīth* (meaning find all of the sources and show that they're no kids in the park. They can play with the big boys). It's an amazing book, because he is a bona fide *muḥaddith*. He is no joke. Anyway, this is his statement as well.

The wiping over the *khuff* is something which is permissible, according to the consensus of *Ahl'l-Sunnah*. The entire *Sunni* Muslims by their consensus believe it is something which is permissible. We did not say recommended or obligatory; rather, it is something which is permissible (meaning it is lawful, it is part of the religion, and it is therefore something which we should not hold back on). He says,

وخالفَ في ذلك الرَّافضةُ

Whenever you want to find some fools to cause some *fitnah*, then the *Rāfiḍah Shīʿah* in their *sharīʿah* will always come and provide some of the party entertainment. These are people who are from *Ahl'l-Bidʿah* and *Ahl'l-Kufr,* in terms of their statements. We do not make *takfīr* upon them individually, but as a *jamāʿah,* they are off the *dīn* completely.

We know, of course, that they are opposing *Ahl'l-Sunnah* in everything – in their practice, in their *ʿaqīdah*, in their politics, in everything. Anyway, the *Rāfiḍah* themselves did not accept the wiping of the foot and it is for that reason – the fact that they made such a point of going against it, and the fact that *Ahl'l-Sunnah* have agreed upon its' permissibility.

All the *fuqahāʾ* from all backgrounds all agreed that it is permissible to wipe over the leather sock; they therefore brought this issue of *fiqh* into their texts on *ʿaqīdah*. They would literally say that to be a *muʾmin* is to believe in Allāh, the Final Day, to believe in the Messengers, to believe in the Angels and in the Books, and to believe in wiping over the leather socks. Can you believe that? That is from the *ʿaqīdah* of *Ahl'l-Sunnah waʾl-Jamāʿah*. It is actually correct (and rightly so). You are going to see now how strongly it has been established in our religion. He said:

حتى صار شعاراً لهم

This became something which became very clearly known about the *Rāfiḍah*. When you say the word *Rāfiḍah*, you know immediately that they are the people who do not wipe over their socks. *Ahl'l-Sunnah* are so famous for that fact that we are people who wipe over the leather sock. It is actually a distinguishing feature.

Shaykh al-ʿUthaymīn رحمه الله says this ruling concerning the wiping of the socks being permissible is established by the *kitāb,* the *Sunnah*, and the *ijmāʿ* (by the Book of Allāh, the *Sunnah* of the Prophet, and the consensus of all those who are considered

for consensus). [All those who are considered for consensus] is either all of the scholars, or all of the *salaf*, or all of the *ṣaḥābah*. Let's look at the statements in detail.

Shaykh al-ʻUthaymīn رحمه الله says,

أما من الكتاب فقوله تعالى: ﴿وَامْسَحُوا بِرُؤُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ﴾

Now if you look at the text in your book, you'll see that it says in *Sūrat'l-Mā'idah* (verse 6):

"Wipe your heads, wash your feet up to the ankles..."

This is the recitation that we always recite - [the] normal recitation. It was covered a couple of weeks ago that in the other *qirā'āt*, we know that it is to be recited as with a *kasrah,* and when that is recited with the *kasrah*, then it means to wipe over. That is from the Qur'ān, *Surat Al-Mā'idah* (verse 6):

﴿وَامْسَحُوا بِرُؤُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ﴾

"Wipe your heads, wash your feet up to the ankles..."

We discussed [this], and we said that so many of the *mufassirīn* said that this is one of the beautiful mysteries of this *āyah.* It has [been] recited both ways for washing and wiping to represent [that in] real life, we can wash and wipe our feet. That's what the mass majority actually said.

That is a very significant. It's only one voice. The problem is that when that voice belongs to Shaykh al-Islam Ibn Taymiyyah رحمه الله, then we kind of get a little bit worried. You know what I'm saying? He wasn't very happy with this interpretation.

Mas-ḥ is for the head and therefore, it is now *arjulikum* - exactly, it has to be connected to the head. What do we do to the head? We wipe it. That's what the majority are saying. Ibn Taymiyyah رحمه الله (and therefore, the *ʻulamā'*) said, "Ah, but we don't wipe our feet. We wash our feet. So the wiping must refer to a *mas-ḥ*". Ibn Taymiyyah رحمه الله said no. Why? The answer is in the *āyah*. The answer is in the two words after it. Think about it naturally. I find it very interesting.

Ibn Taymiyyah said, "If this was referring to the wiping of the leather socks, who ever said that when you wipe over the leather socks, you wipe to the ankles anyway? You

don't even go near the ankles, in fact." Actually, when you wipe the top of your foot, (and that top of the foot, as you're going to see later, is actually to the shin), it doesn't go to the ankles. It's not to the ankles.

Of course, there was a [another] response. Others said it goes up to the ankles, in line with the ankles, up to the shin, etc. - it doesn't mean touching the ankles themselves.

I just wanted to say that there was a response to this evidence that Shaykh al-ʿUthaymīn mentioned, but it's not important. Even if we are not able to use this *āyah* as an evidence, the second flow of evidence is going to blow your mind, so it doesn't really matter. As Shaykh al-ʿUthaymīn says, "As for the *Sunnah* of *al-Nabi* ﷺ, this issue or practice of the Prophet ﷺ wiping over his socks is something which has been established by absolute consensus, by *tawātur ḥadīth* (meaning there are so many narrations concerning this), it's impossible for it to be a lie. If I give you some statistics, you are going to be amazed.

There is a poem whose author is Imam Shaykh al-Islam al-Dāwūdi. He passed away in the year 402AH, he was from the *muḥaddithīn*, he was from the North African peninsula, and he was a *faqīh* from the *fuqahāʾ* of the Mālikiyyah. He was a major scholar. He wrote this famous poem which Shaykh al-ʿUthaymīn quotes here. You know they would write poems about different issues of the *dīn*, *ʿaqīdah*, and so on.

The two lines from this:

ممَّا تواتر حديثُ مَنْ كَذَب ومَنْ بَنَى لله بيتاً واحتسب
ورؤيةٌ شفاعةٌ والحوض ومسحُ خُفَّين وهذي بعض

Translated:

"From those *ḥadīth* which have reached *tawātur* are the *ḥadīth* of the one who lies
And the one who builds a house for Allāh and expects the reward
And the seeing, the intercession, and the pool
And the wiping over the leather socks, and this is just some of them."

ممَّا تواتر حديثُ مَنْ كَذَب

What are these *ḥadīth* by the way? Who knows this one?

وَمَنْ كَذَبَ عَلَيَّ مُتَعَمِّدًا فَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ النَّارِ

"...And whoever tells a lie against me (intentionally), then (surely) let him occupy his seat in Hell-fire."[2]

This is a *ḥadīth* which is narrated by *tawātur*.

ومَنْ بَنَى لله بيتاً واحتسب

The one who builds the house for the sake of Allāh (meaning a mosque) and expects the reward. There are so many *aḥādīth* about this.

مَنْ بَنَى مَسْجِدًا لِلَّهِ تَعَالَى بَنَى اللَّهُ لَهُ بَيْتًا فِي الْجَنَّةِ

"He who built a mosque for Allāh, the Exalted, Allāh would build for him a house in Paradise."[3]

The one who builds a house, even if it is the place of the huts of a kitten, Allāh will then build him a place in Paradise. This is very interesting. This place "*Qiṭṭah*" – the very small place of even a cat. This is about intention that one is giving up for the sake of Allāh.

مَنْ بَنَى مَسْجِدًا لِلَّهِ كَمَفْحَصِ قَطَاةٍ أَوْ أَصْغَرَ بَنَى اللَّهُ لَهُ بَيْتًا فِي الْجَنَّةِ

"Whoever builds a mosque for the sake of Allāh, like a sparrow's nest for Allāh or even smaller, Allāh will build for him a house in Paradise."[4]

In another narration, (it is mentioned that) whoever builds a place for Allāh that His name is mentioned therein, Allāh will then build for him a house in Paradise.

مَنْ بَنَى مَسْجِدًا يُذْكَرُ فِيهِ اسْمُ اللَّهِ بَنَى اللَّهُ لَهُ بَيْتًا فِي الْجَنَّةِ

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[2] *Ṣaḥīḥ al-Bukhāri*, *ḥadīth* no. 110
[3] *Ṣaḥīḥ Muslim, Book: 5, Chapter: 4, ḥadīth no. 533.*
[4] *Sunan Ibn Mājah, ḥadīth no. 738*

"Whoever builds a mosque in which the Name of Allāh is mentioned, Allāh will build a house for him in Paradise."[5]

Here it is interesting from a *ḥadīth* point of view that you know there are two types of a *ḥadīth mutawātir.* There is a *ḥadīth* which is *mutawātir lafẓī* (absolutely narrated in exact wording each time e.g. a hundred times with the each letter being exactly same), and a *ḥadīth* which is *mutawātir bi'l-maʿnā*.

وَمَنْ كَذَبَ عَلَيَّ مُتَعَمِّدًا فَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ النَّار

"...And whoever tells a lie against me (intentionally), then (surely) let him occupy his seat in Hell-fire."

This was narrated word-for-word so many times. The second one is the example for the second type of *tawātur* - the *tawātur* where the *ḥadīth* changes in its wordings and its different types, but the principle is the same.

"Whoever builds a mosque for the sake of Allāh, Allāh will build for him a house in Paradise".

The rest of the details are irrelevant - this size, that size, mention Allāh's name in there, this, that, whatever – that is all irrelevant. The point is the principle of building a house and expecting the reward. That is the second type of *tawātur.* If you were to add up all these different variations on the principle *ḥadīth,* it reaches a number which is impossible to reproduce in a lie.

ورؤيةٌ

"The seeing" - what is that? This is referring to seeing Allāh as one of the pleasures of Paradise for the believers. This is something that has been narrated by *tawātur.*

شفاعةٌ

The intercession of the Prophet. We believe in the intercession of the Prophet ﷺ, and that is something which is huge, of course.

[5] *Sunan Ibn Mājah, ḥadīth no. 735*

والحوض

What is the *ḥawḍ?* He is referring to the pool or *ḥawḍ* of the *Nabi* ﷺ in the *ākhirah*. Our *Nabi* ﷺ has two types of special water in the *ākhirah* in *Jannah* - he has *al-kawthar* and *al-ḥawḍ. Al-kawthar* is the flowing river which is available as one of the delights of Paradise, and its water is described, its aroma, and how it's filling. Even though the words of sweet, milk, etc. have been used, ultimately its taste, texture, and beauty is that which the heart cannot imagine, the eyes have not seen, and the mouth has not tasted. It is just not possible to describe, but it is beauty.

This type of water is also found in the second type of water, and that is the *ḥawḍ* (the pool of the Prophet ﷺ).This is not a river, even though they said that this is the water that has been given to the *ḥawḍ* or the *ḥawḍ* is filled from there(and there's a difference amongst the scholars). This is a pool. There are so many *aḥādīth* about the *ḥawḍ* in the *Sunnah* of the *Nabi* ﷺ in *Ṣaḥīḥ al-Bukhāri*, in *Muslim*, in *Sunan* everything. [We know] so many different things about where it is, what will happen there, its size, etc.

Nabi ﷺ said the *ḥawḍ* is a month, meaning a month's journey in its width (that's in *Ṣaḥīḥ al-Bukhāri*). Everyone knows is the *ḥadīth* of *bidʿah*. If you do get involved in your *bidʿah* and you're doing all kind of *bidʿah* and whatnot, if there is no other reason to leave your *bidʿah*, this is one reason.

Al-Nabi ﷺ said in *Ṣaḥīḥ al-Bukhāri* (narrated authentically in a number of versions and narrations) that when the people will pass the test of Judgment and they are now proceeding over the *qantarah* (bridge) to get to the final stage, they will stop by the Prophet ﷺ's pool. They will come and the Prophet ﷺ will be there because again, in *Ṣaḥīḥ al-Bukhāri* it says, 'I am going to be the first one to precede every single person to the pool".

He ﷺ said that the believers will be next group of people who will have the ability to drink from that pool, in small amounts. If they drink, they will never get thirsty ever again. From these group of the believers, *subḥānAllāh*, do you know who are the first group of the people? The first group of the believers that will drink from the *ḥawḍ* of the *Nabi* ﷺ are the *ghurran muḥajjalīn. Al-Nabi* ﷺ said those people whose signs of *wuḍūʾ* can be seen for their going above and beyond the obligatory aspects, and they are shining because they went further than the elbows, they went higher, they had lot of concern, and their *wuḍūʾ* was a very alive experience. These will be the first group of the believers that will be there drinking. They will be the first to be recognized and they will be invited to drink. We ask Allāh ﷻ to make us from them. *Ameen*.

SubḥānAllāh, *al-Nabi* ﷺ is a very generous, beautiful man. He is telling all the people to come and drink because they have just gone through the biggest trial ever.
The sun has been brought to the believers. It has burned everyone and it has made them sweat so much according to their sins.

Some will be up to their ankles, and some will be drowning in the sweat. For some, it will come to their knees and hips, and some will be trying to keep their heads afloat, literally. You have gone through the stress of Judgment and now the only thing which is left is to cross the bridge. As the Prophet ﷺ said, the disbelievers, *mujrimīn*, and *fussāq* will be ripped off and it will be very thin and won't be easy to be walked upon.

As for the believers and the different ranks of the believers, this bridge will be the widest bridge possible. People will be walking across, skipping across; other people will just fly across, and so on.

There is still something left but in this in-between period, you're going to want a drink and *al-Nabi* ﷺ is going to invite all these people. The angels that will be there at the *ḥawḍ* they will say, "Ya RasūlAllah, not these people, not these people." RasūlAllah ﷺ will say, "Why? What happened? They're from my *Ummah."* The angels will say, "They are not from your *Ummah*. After you passed away, they started to do things that you hadn't legislated". So they're open Muslims amongst us, looking like us, but doing actions which are not legislated in the religion - *bidʿah,* basically. *Al-Nabi* ﷺ will say, "Away with them; away with them."

Tawātur & An Issue of *ʿAqīdah*

I want to finish off with a few very, very important statements, which are important for you to write down.

Firstly, why is it that we make this an issue of *ʿaqīdah* when wiping over socks is patently an issue of *fiqh?* I want you to know that the reason why it has been made into an issue of *ʿaqīdah* is because it has been established by *tawātur*. Meaning the same principle that would elevate an *āyah* to that of the Qurʾān.

There are so many *aḥādīth* and so many Companions [narrating about this]. Imām Aḥmad said that the *mas-ḥ* of *khuffayn* has forty *aḥādīth* from the Companions of the Prophet ﷺ - just on the wiping of leather socks. Also, Ḥāfiẓ ibn ʿAbdʾl-Barr said the same; he said forty [*aḥādīth* have been narrated from the Companions]. It also has been narrated as seventy, and it also has been narrated as sixty [narrations]. Also, the ten that have been promised Paradise have narrated this *ḥadīth* about the wiping on the leather socks.

Al-Ḥasan al-Baṣri رحمه الله said that seventy Companions of the Prophet ﷺ told me personally that you wipe over the leather socks. This is an issue which has now been

established like the Qurʾān; therefore, the one who rejects the permissibility, knowing that it has been established by *tawātur* has now lead into *kufr*. And the one who rejects it becomes a *kāfir*, because he is rejecting something that is *tawāturan*. That is the statement of Shaykh al-ʿUthaymīn, that's the statement of Shaykh Muḥammad Mukhtār al-Shanqīṭi, and the statement of any *ʿālim* if you believe on the basis of evidence that is *tawāturan* (and this is, of course, a clear source).

It is exactly the same as me giving the *ḥadīth* of Bukhāri and saying that the Prophet ﷺ said this, and you say, 'I don't care. You said that and I don't believe it.' We will know that he loses his religion by statements like that, when he knows that it has been established by the Prophet ﷺ. Whereas if he says, 'I don't think that this is from the Prophet ﷺ. I've got some doubts in its source,' that's a different discussion and that's not *kufr* - a big difference to recognize.

Imām Aḥmad رحمه الله said: Nothing in my heart would ever stop me from thinking that this is something established from the Prophet ﷺ wiping over the socks, because forty Companions of the Prophet ﷺ have done that, and that's why there is a consensus of *Ahl'l-Sunnah* [with regards to] wiping over the socks.

The *ʿulamāʾ* used to mention this. This is similar to another important of consensus that is raising the hands at the beginning of *takbīrat'l-iḥrām*. The scholars differed over *rafʿ al-yadayn* (when you go into *rukūʿ* and you're coming up from it, whether you should raise the hands or not). The scholars differed over that, but none of the *ʿulamāʾ* considered it as an *ijmāʿ* to the very high level of *tawātur.* The raising of the hands at the beginning (*takbīrat'l-iḥrām*) and wiping over the leather socks share that same *tawātur*.

I end with one final statement, because there was a correct result at the very early generations of the Companions. A few Companions didn't consider this to be something from the Prophet ﷺ, and some of them said that this is was not for *ijmāʿ.*

The *ʿulamāʾ* have very easily explained why this happened. It has happened because they themselves never witnessed it, as ʿAbdullāh ibn al-Mubarak said. This is a huge statement of knowledge that he said. He says "Regardless of what you've heard of individual opinions from some minority Companions that you are not allowed to wipe over socks, there is actually no difference whatsoever. For every Companion that there is an authentic narration that he did not wipe over his socks, there is a narration for that person that he did wipe over his socks."

He basically says that therefore, this *ijmāʿ* is a very real one. It's not just the theoretical one of the scholar or *aʾimma* - this is the consensus of the Companions, the *muḥaddithīn*, and of *Ahl'l-Sunnah* that it is permissible to wipe over the leather socks during *wuḍūʾ,* as long as you put that on the conditions that we are going through in the coming weeks *inshāʾAllāh*.

24. The Chapter of Wiping Over the Footwear II

Its Permissibility

Bismillāh, we gave a little introduction to the Chapter of Wiping the Socks last week. Here is a reminder of the first page of the Arabic:

بابُ مَسْحِ الْخُفَّيْنِ

This is the Chapter of Wiping Over the Footwear. and this is the first page of the notes. Imām al-Ḥajjāwi ﷺ says,

يَجُوزُ لمقيمٍ يوماً وليلةً ولمسافرٍ ثلاثةً بلَيَالِيها من حَدَثٍ بَعْدَ لُبْسٍ على طَاهِرٍمُبَاحٍ ساتِرٍ للمفْرُوضِ،يَثْبُتُ بِنَفْسِهِ

Wiping over footwear is permissible for a traveler for the period of 24 and 72 hours. [It is] starting from the moment when one becomes ritually impure i.e. breaks their *wuḍū*' after wearing socks. [This is] on the condition that the footwear itself is ritually pure (*ṭāhir*) and lawful (*mubāḥ*. It [has to be] covering those areas which are obligatory to wash and able stay up by itself.

Shaykh al-'Uthaymīn ﷺ starts immediately with the statement of the author:

يَجُوزُ لمقيمٍ يوماً وليلةً

He says that the author has told us that it is permissible to wipe over the socks in the day and the night. Wiping over footwear is permissible for a time period of 24 hours. What is permissible? Is it one or two things here?

Student: Wiping the footwear.

Ustādh: Right. Wiping the footwear. He is answering if that is permissible or not.

You understand that this is one of the problems you are faced with when someone writes a *matn*. [A *matn* is] a text that, by its nature, needs to be very short, concise and is normally memorized. You memorize it and then you learn the basic rules. You study it with a teacher and you understand all the explanation to it. When it comes to the actual text itself, it is not always self-explanatory. It doesn't always explain what it means [clearly], or what it is referring to.

Is our author saying that the actual wiping of the sock or footwear is permissible or is he saying it is permissible for 24 hours? Shaykh al-ʿUthaymīn ﵀ discusses the point from both sides, and he says that regardless, there is an answer for both. Whether it's for that time period or not, or whether it's for the actual ruling or not, it doesn't matter. What the intention of the author is, though, is something very different.

إن المؤلِّفَ عبَّر بالجواز دفعاً لقول من يقول بالمنع

The most important thing to understand here is the reason why the author said it is permissible. He is saying that in order to respond to those people who said it is impermissible. The reason he started off with permissibility is because he is actually responding to those that said it is impermissible. Shaykh al-ʿUthaymīn says that this does not intrinsically negate that it's not legislated in and of itself. It is *mashrūʿā*. *Mashrūʿā* is an important word that all students of knowledge should know. *Mashrūʿā* means it is legislated by the *shāriʿ.* Who is the *Shāriʿ*? Allāh ﷻ. He is the law maker, the law giver, the law legislator. Any of these words can be used. His law is the *sharīʿah.*

The S*hāriʿ* sends down the *sharīʿah* and when something is legislated and made obligatory upon us, it becomes *mashrūʿā* (it becomes legislated). The legislation, the law, or the system is *sharīʿah*, but that is the entire system. Shaykh al-ʿUthaymīn ﵀ continues on to say,

والعلماءُ يعبِّرون بما يقتضي الإباحة في مقابلة من يقول بالمنع

The scholars are always emphasising the statement of permissibility of something in response to those people who are claiming that it's not permissible. That's something which is important from a technical point of view. And he says,

وإن كان الحكم عندهم ليس مقصوراً على الجواز، بل هو إما واجب، أو مستحبٌّ

This is the key point. He says that the statement of permissibility is said regardless of the actual opinion of the ruling of the action. They may think that the action itself is recommended or obligatory. The action itself may be *Sunnah*, *mustaḥabb,* recommended, or it may be an obligatory action, but for the sake of the text and for the sake of the job that he is doing, he will say that it is permissible, in order to respond to those people who are saying that it is impermissible.

As for the actual ruling about whether it is *mustaḥabb, wājib,* or this, or that, that will come later, as of and when necessary. He gives an interesting example; he says,

ونظيرُ ذلك: قول بعضهم

There is something similar to this, the position of some of the scholars

ولمن أحرم بالحجِّ مفرداً ولم يسقِ الهدي أن يفسخه لعمرة ليكونَ متمتِّعاً

This statement is difficult to translate because the thing he is trying to emphasise is in the Arabic, in the *lām* [of the word] *liman*. Basically, I would translate this as: for those who are in a state of *iḥrām*, to do *Ḥajj mufrad*[1] is okay.

He says that whoever is in a state of *iḥrām* for *Ḥajj al-ifrād* and he has not brought an animal with him, then he should break his *iḥrām,* do *ʿumrah* and become a *mutamattiʿ*, (become someone doing *Ḥajj al-tamattuʿ*). This is what the Prophet ﷺ did, and he imposed that upon ʿAli ﷺ and the majority of the Companions.

When the Prophet ﷺ turned around and said "Who has brought the animals with them?" they all checked and none of them had the animals with them. I think only

[1] There are three types of *Ḥajj - qirān, mufrad* [*ifrād*] and *al-tamattuʿ.* I am not going into details now, but *Ḥajj al-tamattuʿ* is one that we would also do. It's the one where you do *ʿumrah* and then you get changed, you have a period of time, and then you basically take *iḥrām* again).

The *Ḥajj mufrad* [*al-ifrād*] is the hardcore one. Basically, you bring your own animal, and because you have your own sacrificial animal, you enter Makkah and do *ʿumrah,* regardless of what time it is. If you have come for *Ḥajj* and you have got your animal, you will do *ʿumrah* and then you will remain in a state of *iḥrām* all the way through to *Ḥajj,* and then only once you have completed *Ḥajj* do you come out of *iḥrām.* It is the most difficult form of *Ḥajj* and is very rare. That's what *Ḥajj al-ifrād* is.

Ṭalḥa ﷺ and the Prophet ﷺ had an animal, so then he ﷺ said, "Then get changed (meaning 'break your *iḥrām* because you have done your *'umrah'*)". They were really upset and they actually started to argue with the Prophet ﷺ, [saying] "Hold on, you are doing it and we want to be doing it like you. We can see that this is obviously the more difficult one. Don't give us the easy option out; we want to do it properly." The Prophet ﷺ said "Listen, you didn't bring animal, so just come out of it [i.e. the *iḥrām*]".

The point is that this *lām* in the Arabic language,

ولمن أحرم

indicates that a person must come out of *iḥrām*. Actually, the statement of the scholars is [that it is] not an obligation to do that. If a person stayed in *iḥrām* and carried on and did *Ḥajj,* it would be acceptable. When a scholar would explain this, he would say he 'should', even though the *lām* itself indicates obligation.

فالتعبير باللام الدالَّة على الجواز في مقابل من منع ذلك؛ لأنَّ بعض العلماء يقول بعدم الجواز؛ لأن هذا من إبطال العمل.

Normally you would look at the language and you are thinking that he is obligating something. He is actually just saying that something is permissible, and not trying to obligate something. Our conclusion from the first word is that this action is permissible. Shaykh Muḥammad Mukhtār as Shanqīṭi رحمه الله says that in his comment on this statement of *yajūz* (it is permissible),

يجوز فهمنا منه أنه مشروع على سبيل الإباحة ، والتخيير ، فلا الزام فيه للمكلف أي : أنه لا يجب على الانسان أن يمسح على الخفين ، وانما ذلك مباح له ، وجائز ، فإن ترتبت مصالح من قصد إحياء السنه ، ودلالة الناس عليها ؛ فإنه يثاب ويعتبر مندوباً في حقه ، وقد يصل إلى الوجوب إذا توقف بيان هذه السنه على تطبيقها ، وفعلها.

(فهو ليس من الرخص الواجبة)

It's a very interesting and deep statement of the *fuqahā'* which is basically saying it's clear that this action is something which is permissible, yet at the same time, the

ruling of permissibility changes according to the intention and the objective of the one who is doing it.

For example, if someone starts to wipe over his socks in order to teach other people the *Sunnah* and revive the *Sunnah,* then this becomes a recommended action and he will be rewarded handsomely as a result.

As for someone who notices that the people have stopped it completely, and then he brings it back out and teaches them how to do this and teaches them that this is something that is part of the Prophet's ﷺ *Sunnah*, it becomes a *wājib*. To teach people the religion when people are intentionally not practicing it at all, then that is an obligatory piece of knowledge that needs to be taught. To wipe over the sock, as Shaykh Muḥammad Mukhtār ash-Shanqīṭi رحمه الله says, becomes an obligation. The same action of the wiping, its ruling, and the reward differs according to its context. Context is everything.

The Resident & Traveller

If you look at your text, you will see that it says,

يَجُوزُ يوماً وليلةً

If you look at the text of Shaykh al-'Uthaymīn رحمه الله, it says,

يَجُوزُ لمقيمٍ يوماً وليلةً

When you compare the manuscripts - and I did - you will find that half of the manuscripts don't include the word *muqīm*, and the other half do. Regardless of that, it doesn't matter. The word *muqīm* means 'resident'. It doesn't really make a difference if it's there or not there. It's clear to anyone who has any knowledge of *ḥadīth*. Because 24 hours is mentioned, they know that this is referring to a resident. Especially because the next sentence is saying,

and 72 hours for a traveller

This is obviously indicating that it is referring to the resident beforehand. The word is not there in some texts, but its meaning is definitely implied.

We now know that the 24-hour ruling for wiping over the sock or footwear – which we will talk about and its conditions in the next coming weeks – is allowed for 24 hours for the *muqīm*. The word *muqīm* is the one who has taken *iqāmah* (residency). In the Arab world, when you say that you want an *iqāmah*, it means that you want a residency/visa. *Qāmah/yaqūm* is the one who stands.

In the Arabic language, to stand somewhere holds the idea that you are matching your spot. This is me, this is my zone. I stand here and I represent this area and I am establishing myself.

In the *iqāmah,* when we say *'qadqāmatʾl-ṣalāt*, *qadqāmatʾl-ṣalāt,'* that literally translates as 'the prayer has stood up, the prayer has stood up'. Of course the prayer hasn't stood up - it means to establish. *Iqāmah* means to establish something. The *adhān* is to call, and the *iqāmah* is to establish, to set it up, or to get on with. The *iqāmah* is to establish, to settle, to start, to do something of value, and the best word that clarifies it is 'establish'.

If that's the case, then the *muqīm* is a person who goes to an area and establishes himself. The problem has come because the *fuqahāʾ* wanted to describe the state of a person in an area where he's living. Therefore, *al-fuqahāʾ* said that there are three states of a person, [namely]: *al-iqāmah, al-istiṭān and al-safar*.

Al-iqāmah means residence. [As for] *al-istiṭān*, I want you to work it out using your knowledge of the Arabic language. The one who does *al-istiṭān* is called *al-mustawṭin*. Those who are studying Arabic should know that when it comes to a verb that has *alif*, *sīn* and *tāʾ*, this is someone who's seeking something. [It's from the verb form] *istafʿala,* which means to seek something.

What is the person seeking if it's *istiṭān* or if he's a *mustawṭin*? The word [being sought here] is *waṭan*; you can identify it from the verb. The *mustawṭin* is seeking *waṭan*. We'll translate al-*istiṭān* as nationality.

The third one is *safar*, which is a state of travel. The one who is in the state of *safar* is a *musāfir* (a traveller). They recognized three separate, individual states that a person can be in. According to the *fuqahāʾ*, it is vital to identify a person's state when he walks into your gathering.

For example, let's say that there are twenty or thirty of us here on Friday around lunchtime. We say we should do *jumuʿah*, so we look around and think to ourselves, who is the one who can do it best? According to a number of scholars, someone who's a *mustawṭin* is the only one who can do the *khuṭbah* – that's a condition.

According to them, the one who is *muqīm* (resident) can't do the *khuṭbah* and the one who is *musāfir* definitely can't do a *khuṭbah*. That's why it's so important to understand what the status of the person is. This is a really interesting chapter, because it actually applies to so many different areas as well. We're not going to cover

most of those implications, because it comes in the Chapter of the Prayer. However, I do want to introduce the concept to you just as Shaykh al-ʻUthaymīn has done.

Shaykh al-ʻUthaymīn رحمه الله says,

ويُفرِّقون في أحكام هذه الأحوال.

The scholars differed in what rulings they applied to these three states. There's a ruling for the one who is a *musāfir*, and there's separate ruling for the one who *mustawṭin*, and there's a separate ruling for the one who is *muqīm*.

Shaykh al-ʻUthaymīn says straight off the bat that the correct position is that there's only two states:

والصَّحيح: أنَّه ليس هناك إلا استيطان أو سفر

Either you are a *mustawṭin* (a citizen) or you are a traveller. Those are his words, and then he says,

وهذا اختيار شيخ الإسلام

This is the opinion of Shaykh al-Islām ibn Taymiyyah رحمه الله as well. It is a rare opinion. The majority of the scholars did indeed categorize people into three types and not two. It's not just Ibn Taymiyyah رحمه الله and Shaykh al-ʻUthaymīn رحمه الله [that have this opinion], but I want you to know it's the minority opinion.

Now listen to the discussion. He says,

وأن الإقامة باعتبارها قسماً ثالثاً ينفرد بأحكام خاصَّة لا توجد في الكتاب، ولا في السُّنَّة.

Shaykh al-ʻUthaymīn رحمه الله and Ibn Taymiyyah رحمه الله said that the rules of Islām are divided into two - either you are a traveller or you're not. As for there being an intermediary position, there's no evidence for that in the Qurʾān or the *Sunnah*. There's nothing to establish evidence for this third, in between position. He asks, "Where do they get it

from? For the *fuqahāʾ*, *iqāmah* (to establish residency/to be become resident) has a specific meaning,"

والإِقامة عند الفقهاء: هي أن يقيمَ المسافرُ إقامةً تمنع القصْرَ ورُخَصَ السَّفرِ؛ ولا يكون مستوطناً، وعلى هذا فإِنه مقيم، فلا تنعقد به الجمعةُ، ولا تجب عليه؛ أي: بنفسه، ولا يكون خطيباً، ولا إماماً فيها، حتى لو أراد أن يقيم سنتين، أو ثلاثا

Shaykh said that the *fuqahāʾ* understand that the word *iqāmah* and the *muqīm* is basically a state and a person who loses the rights of travel. That's it. It's like they've created a category of people to just be opposite of a traveller. The *muqīm* is the one who cannot shorten his prayer, does not get to enjoy the concessions of travel (ex. combined prayer, *Jumuʿah* not obligatory, no fasting, accepted *duʿāʾ*, wiping over the socks), but he is also not a national.

He is not *mustawṭin* and because of that, *Jumuʿah* is not obligatory upon him. He is not even requested amongst the people to attend the *Jumuʿah* because he is not seen as part of the community. We have obviously lost this because we are all working people, modern, etc., but the point is that *Jumuʿah* is meant to be a very communal thing. It comes from the word *jamʿa*, to gather the people together. The *Jamāʿah* are the people and *Jumuʿah* is the day of gathering. People come together, they pray together, and they get reminded together. That kind of thing is only powerful when people know each other. If there is a guy who does not know anyone, doesn't care for anyone, just wants to come in and out, then you can understand why *Jumuʿah* is not something that is really upon people who are not from the area.

Jumuʿah is something of a community; it keeps the city together. I am not saying that is the *ʿillah* - I am saying that from one of its wisdoms. When you understand this, this is why the *fuqahāʾ* are making this point. They also said that *Jumuʿah* is therefore not obligation upon him, he has not mentioned a *khaṭīb*, he has not mentioned an *imam* and this is regardless if he stays in that area after his travel for two or even three years. According to them (not Shaykh al-ʿUthaymīn),

والمستوطنُ: الذي اتَّخَذَ البلدَ وطناً له

The *mustawṭin* are the people that have taken that land as a country for themselves, meaning that they are committed to it. Shaykh al-ʿUthaymīn رحمه الله makes a criticism here.

The *ḥukm* of the *muqīm*, as it is used in the text when it comes to wiping over the socks, is the same as the ruling on the *ḥukm* of the *mustawṭin*. Whether you consider the guy to be a resident or whether you consider him to be a national – the point is, what is he not? He's not a traveller. Regardless, the 24 hour limit is going to apply to him when it comes to wiping over his socks. The same ruling will be applied to both of them when they want to complete their prayer. When it comes to the fasting; both of them have to fast. The *muqīm,* according to the *fuqahāʾ*, is not the same as the *mustawṭin*, when it comes to the issue of *Jumuʿah* and being the *khaṭīb* and becoming the *Imām* - and I'm sorry but there is no evidence for this whatsoever (and that is what Shaykh al -ʿUthaymīn says).

ولا دليل على هذه المرتبة

There is no evidence for this, that suddenly everything's the same, *muqīm* and *mustawṭin* is the same. Same prayer, same in everything else – suddenly, "you can't pray *Jumuʿah*" or "you don't have to pray *Jumuʿah*" etc. He says there is no evidence for that. This is not something that we go by.

I just want to have a quick chat about this. The reason I want to do so is because actually some of the people did say that Shaykh al-ʿUthaymīn's opinion on this issue here about *iqāmah* and *al-istīṭān* is what affected some of the Saudi scholars when they gave *fatwa* to Saudi students who came to study. These are not rumours - they are true. There were *fatāwa* that were given to Saudi students who came to the West (and I really should've found some and presented it to the class) which allowed them to do *qasr* for years.

I just want to say to you that that is not necessarily this argument. If they were doing *qasr*, that would be them being assumed as *musāfir*, not *muqīm*, because Shaykh al -ʿUthaymīn رحمه الله made it very clear that a person being *muqīm* or *mustawṭin* is the same thing.

I just want to say to you that those *fatāwa* are there. I have not seen anything from Shaykh al -ʿUthaymīn رحمه الله, but I have seen it from some scholars who consider the same argument (basically, there is no such thing as *muqīm*). They take out the *muqīm* category. They say you are either *musāfir* or *mustawṭin*. Shaykh al -ʿUthaymīn رحمه الله is coming to a much softer opinion. He's saying, "That's correct, you are either *musāfir* or you are *mustawṭin*, but the *muqīm* is the *mustawṭin*", whereas the other people have said, "Actually, there is no such thing as a *muqīm*. Either you are a traveller, or you are a full blown, actual resident and citizen.

They give an example. They said if a Saudi student goes to an area and he takes a contract of rent and he only does it for one year, the nature of his activities would

determine how this person sees himself in this country. For example, he moves to a certain area because he puts his children into a school which he sees five years of attendance, or he goes to an area and he does not even bother putting the children into a school because he wants to go straight for private tuition.

So when you actually think about it, there does seem to be a difference between a person who comes and stays for a little while, and a person who comes and commits themselves. Often when a person starts to take utility bills out in his name, this shows permanency and commitment.

When we come to the chapter of travelling in *ṣalāh,* you will realise that a person could be a traveller for six months.

Those who have done *Fiqh* of *Ṣalāh* will know that we've covered this. He does not know whether he's going to be traveling in the next couple of days or not. His mind is always thinking, "Maybe, maybe not - we'll just see how it goes, see what's happening," and this level of uncertainty is clearly a difference from being someone who is permanently settled and also different from someone who's on a six-month visa, but knows that for six months I do need gas, water, electricity, and [to] pay council tax and all the rest, and so he takes out all these bills. But he does it for six months and he knows that he is going to go back.

He does have some kind of pseudo-permanency, yet at the same time, he does want to go back. The *fuqahāʾ* were not off their rocker when they were thinking that people are not all the same category, and that they are different. But the real question is does it actually matter? What matters is how we apply it.

In my opinion, I think that is where Shaykh al-ʿUthaymīn رحمه الله is absolutely spot on, because ultimately this is an issue that really only matters if you're making a differentiation between the *musāfir* and the resident, not between *mustawṭin* and *muqīm*, because the difference between *mustawṭin* and *muqīm* when it comes to their residency is irrelevant.

As long as they are not *musāfir*, then we are going to make them pray full, stay full, do everything full. They pray on time, in the masjid, attend *jumuʿah* in the *masjid*, etc. and therefore to say that *jumuʿah* is not obligatory upon him in the pseudo-category is where there is a difference of opinion, because there is no evidence for it. I have to say that I support this position because it's a good one and that's my position.

In summary, it doesn't matter whether a person who is in an area is a national, whether he has a passport or whether he has a temporary visa or not. Remember, it is tricky to get your head around this if you have not studied the issue of *safar,* because the scholars differed over who is a *musāfir*.

In my position, and the position of the *Ḥanbali* school and the *Shāfiʿi* school is that anyone who stays in a place for more than four days becomes a resident. [This is] after four days, or technically after 20 prayers.

So when you go to an area, and you know that you are going to be praying 21 prayers in that area, you become a resident. You will start praying full from the second you arrive.

According to the *Ḥanafi* school and according to some of the other opinions of the *fuqahāʾ,* it's actually 14 days or 15 days. Meaning if a person goes to a place and he knows that he is there for two weeks, then throughout the entire period he can shorten his prayer. If he needs to, [he can] combine it as well. But then there's another strong voice which says that there is no evidence for four days or fourteen days or any number of days - it's about a person and his psychology, his mentality, and his reality.

You can go and live in an area for one or two months, but the family that you are living with is keeping you trapped in your room, you can't come out to go to fridge to get anything, you have to make phone calls to know if the missus is around or not - this is a prison. This is not life, this is not easy.

That's why Shaykh Kehlan (those who know would have heard him say it before) said a very famous statement of his, "If someone comes and ask me whether they are a traveller or not, the question we ask him is: do you have a fridge?"

He is very much of the third opinion. He doesn't believe in days or distance. He just believes that the *ʿillah* (*sharīʿah* reason) for travelling is purely difficulty and nothing else. This is a strong opinion, meaning that his opinion is that Allāh ﷻ has sent down all these concessions that are linked with travelling because whatever you are going through is causing difficulty.

Therefore, if you have difficulty in your life, then you are able to take the concession. What he says actually has lots of evidence to support it from the Qurʾān, from the *Sunnah*, from the fact that when the rain comes down we combine (not shorten), from the issues of war and how we are allowed to shorten and combine, etc.

[Like in the case of] difficulty, remember the *ḥadīth* in *Muslim* that we mentioned last week - the *ḥadīth* of ʿAbdullāh Ibn ʿAbbās narrating that the Prophet ﷺ combined in Madinah and there was no rain or war. Why did he do that? To lift difficulty off of the people.

There's an understanding that difficulty is a very key factor when it comes to making things easy for people. Whenever you see a concession, normally it's difficulty which is at the root - not necessarily the miles travelled or the days stayed. You can see that this argument is getting stronger and stronger the more we move away from the

Prophetic time because at that time, travelling for three days and doing 48 miles was serious behaviour. It's a whole different time now.

There's a reverse argument to this as well. I don't care if someone comes and show takes me in 48 miles in a huge limousine and they are massaging me all the way, I don't want to be there. I hate travelling. I don't care whether I am enjoying the process - for me, it's being outside my home. I don't want to be outside my home. I just want you to think about that point, because that indicates that none of us actually really know what is the *ʿillah* is and why the concession for travelling has been given. Who says it's about difficulty? Who says that it's something we can't even perceive? We know that the Prophet ﷺ said,

"Travelling is a portion of punishment"

Some people know that, some don't see it. It's a very interesting point.

[With regards to] the issue of the fridge, what the Shaykh is referring to is this holistic opinion which is that travelling is all about [how] free you feel. If you have your own fridge, you are able to go get water whenever you want, drink whenever you want, you have access to your own toilet whenever you want, and you can come and go as you please. You sound pretty settled, whereas when you are like, "It's time to eat" and no one is cooking for you, you have to look in your locale to see who can do delivery, you ask strangers outside the house you are staying at where the closest takeaway is, etc. These are not the statements of the one who's from the area; this sounds like a person is passing through.

This position is a modern position and it's a very strong held one that the *safar* (travelling) is what is considered to be travelling by the people. It's not the distance one travels where the rules and the concession kick in - it's what the people think is travelling, or what the people think is a journey.

For example, Liverpool is about 30 miles [from Manchester]. Who thinks of it as a journey? We have one vote, that's it! Who thinks a trip to Sheffield is a journey? Sheffield is 35 miles [from Manchester], but that is one mission of a 35 miles. You could die three times on Snake's Pass.

That 35 miles is longer, and it is more difficult. When you start putting miles on things, it's an important to discuss what the *ʿillah* really is. Is it the miles, or the difficulty encountered?

When somebody asks me if someone is travelling or not, I have an opinion. Personally, I follow the *Ḥanbali* opinion because it's safer and easier. I don't like to think about things too much - just say 50 miles, okay? Four days? It's fine.

For the people who follow that opinion, they want to know what the perimeter is, and I will say to them that they should ask a taxi driver. When the taxi driver is going on the journey and you say to the taxi driver, "I want to go to X location" and he says, "Okay" and he puts the meter on, that's not a journey. Whereas when you say to the taxi driver, "I want to go to X location" and he says, "That's a set fare". Normally when a person says "set fare", that indicates that it is going out of the bounds of my city, and I am going on a journey.

This is just one way that some people may classify travelling. Now you can see the pros in that and you can see the cons in that. You see how subjective that can be. We will come to that discussion later. Anyway, the point is that as far as we are concerned, the one who is a *mustawṭin* or *muqīm* (for us) is the same. It doesn't matter. They will both wipe over the socks or footwear for 24 hours, whereas the *musāfir* won't.

What's the evidence for 24 hours? Actually the statement is

يوماً وليلة

One day and one night. This is because of the *ḥadīth* of ʻAli ﷺ, where he said:

جعل النبيُّ صَلَّى اللهُ عَلَيْهِ وسَلَّمَ للمقيم يوماً وليلة، وللمسافر ثلاثة أيام بلياليهن

This is the *ḥadīth* of *Muslim*. The Prophet ﷺ made it the day and the night (24 hours) for the *muqīm,* and three days with its nights (i.e. 72 hours) for the *musāfir*.

This *ḥadīth* has been narrated by *Muslim* and Shaykh al-ʻUthaymīn رحمه الله says,

صريحٌ بَيِّنٌ مُفَصَّلٌ

This is a very clear, undoubted text. This makes it clear that anyone who is not travelling - it doesn't matter what we call him, be it *muqīm*, *mustawṭin*, resident, national, chilling, whatever - he is doing 24 hours. And the one who is *musāfir* does 72 hours.

Then Shaykh al-ʻUthaymīn رحمه الله says,

ولمسافر ثلاثةً بلياليها

These three days with its nights (72 hours), does this mean all travelling? According to Shaykh al-ʻUthaymīn رحمه الله - and this is the **taught position** of this class - this actually is all travelling. It doesn't matter whether it's far or near. It doesn't matter whether it is the travelling which allows you to shorten the prayer or it doesn't. Is there a travel that doesn't allow you to shorten the prayer? What is that?

According to the *madh-hab,* there is travelling which is *makrūh.* There is also travel which itself is *ḥarām*. It is a traveling which is *ḥarām* in itself because [you may be] doing it for the sake of a *ḥarām* reason - maybe you're going to steal something. If you're going to London to steal a car, for example, you can't say, "Well I'm going to do *qasr* along the way."

Shaykh al-ʻUthaymīn رحمه الله says that in his opinion (and it's the emotionless opinion), it doesn't matter. If you're travelling, whether its *ḥarām* or *makrūh* or *wājib* or whatever, all travel allows you to wipe over the socks and that is for 72 hours.

Next week we are going to actually define (and it is fascinating), what does this 24 hours mean and what does 72 hours mean? When does it start? Does the 24-hour period start when you're at home? Does it start as soon as you put your socks or shoes on? Is it now a 24 hours countdown? Does that 24-hour period start when you actually made your *wuḍū'?* Finish your *wuḍū'?* Does that 24 hour period start soon as you've made your *wuḍū'* and put your socks on and a couple of hours later you broke your *wuḍū'*, so it starts after you broken your *wuḍū'*? That is what we are going to do.

Q & A

Q: [inaudible]

A: No. As we said, we believe that there is no evidence to show that there is no *Jumuʿah* for someone in between. So as long as a person is not a *musāfir,* he should pray *Jumuʿah*. That is our take on this.

Q: If somebody goes for *ʿumrah* and if they have a family (like a cousin or somebody) and then they stay there for a week or something, and then from there, they go to the *Masjid* for *ʿumrah* and come back and go for *ṣalāh* and come back. Would you consider them as a *muqīm* there?

A: In principle, there are two opinions, you see. There is the opinion that this person is not staying at home, he is at his cousin's, he is moving around, and therefore it is completely acceptable for this one to pray like a *musāfir*, *qaṣr* all the way. Yes, this is completely permissible. I am stricter upon myself. I do not give this as *fatwa* for the people. If I myself am in a place for more than four days, I will actually pray full, but I do not want you to be taking that position. I am saying that in principle, when a person goes to some area and he/she is clearly not at home and living in with a family or something like that, then I think there is no problem with that.

Q: Time does not matter?

A: According to that kind of living condition, no.

Q: What about the speakers who are [visiting a city to give *khuṭbah*]?

A: We are going to come to that issue. That is it actually true - a person who is *musāfir* can't give a *khuṭbah*. We are going to come to that in its right time *inshāʾAllāh*. The contemporary scholars do not consider the one who is *musāfir* to be prohibited from giving a *khuṭbah*. They say there is no evidence to show that.

25. The Chapter of Wiping Over the Footwear III

#HappyMuslims

We are on page 225 (of the *sharḥ*). Before I start, some folks wanted me to comment on a video that has been released yesterday. The reason that I didn't want to talk about it is because it concerns the issue of music and stuff. Every kind of cliché that you can think of when it comes to talking about subjects like music and dancing and things like that - well maybe not so much dancing, that's a bit unfair - but certainly things which make people feel good are literally hidings to nothing. Meaning that you can never win something like that because you're going up against the emotions of people - real emotions, not fake. [This is] real genuine felt happiness and that's why 'hidings to nothing', 'the poisoned chalice' and every other kind of cliché which is from the same genre of clichés [applies here].

Please put your hands up if you have seen the video I am referring to? It's called Happy Muslims or Happy or British Muslims - something like that.

In this gathering, 2:1 easily have not seen the video. I don't want you to see the video; frankly, there's nothing there. It's very easy to describe. It's a song (apparently a popular song) and it's a music video with people dancing, but the unique thing is that it's Muslims who are dancing to the video. [They're] dancing all the way through and it's bearded Muslims, practicing Muslims, and *ḥijābi* Muslims, all just openly dancing.

The reason that people are confused is because there's a perennial problem with music. People are always unsure of what category to put music into. Music is very interesting from a *sharīʿah* point of view, in that everyone knows a few things about it.

Number one: everyone loves music. I don't know of anyone who doesn't love music. Music is very much something which is natural to the soul; that's the nature of music. Genuinely out of millions, you count the people on two hands who do not have any problem whatsoever in not listening to some form of music. The rest of the people are struggling against it; some are very strong in that struggle, some weak, some lax, and so on and so forth. Obviously we're generalizing here.

The second fact that everyone knows about music is that the "majority of the scholars say it's *ḥarām".* When I say "everyone knows," I don't mean these to be the divine truths - I'm saying this is what everyone says.

The third thing which everyone knows and says about music is that there are some scholars that allow it, that there is a valid difference of opinion, that there is a minority opinion - phrases of that type. Would you generally agree with that assessment? Certainly with our generation, that would be the three things.

That's my perception, and my experience. I've had a lot of experience with Muslim communities, with music itself and Muslim communities, with scholars who've said this that and whatever, and this is something I have a vested interest in. I have a background in it, and obviously as a teacher I have a responsibility of putting out what I think to be the correct position, as well as showing you different opinions.

The problem is, by just looking at these three facts alone, you can automatically see that to try and make a major issue out of something with these three facts in the background, that's why you're on a hiding to nothing, that's why you're treading on thin ice and again, all the clichés. As long as there is a difference of opinion, as long as some people say it's allowed, and as long as you can say in university everyone loves this thing, how can it possibly be wrong, and how can it possibly be *ḥarām?* Then you've started to involve a number of dangerous things which come out of this.

I've told you this before, Logical Progression isn't just teaching this text. This is an opportunity to go through things where we can have an *ʿilm*-based look at various issues and break it down to see how Islām is applied to the challenges of our times. This is the challenge of our time. I want to show to you what a scholar would do in trying to deconstruct this argument, and to identify the way that people think in this argument.

First of all, I want to talk about the issue of ignorance. You've heard me explain this many times before, but another time is not harmful as well. Ignorance, (*jahl*) is of two types: *jahl baṣīr,* and *jahl murakkab*. This can basically be translated as simple ignorance, and compounded/complex/complicated ignorance. Simple ignorance is straightforward. Do you know how many prayers there are in a day? No, I don't. Did you know that the *ḥijāb* is an obligation? Sorry, I didn't. Do you know how to get to the mosque? Sorry, I haven't gotten a clue. This is simple ignorance. The guy is asked a question, and he doesn't know, so he says "I don't know." Whether that's embarrassing or not, or *ḥarām* or not is irrelevant. That has a separate connotation, but the point is that it's an honest, sincere type of ignorance.

The second type of ignorance is: yes I do, there are seven types of prayers in a day; yes I do, the *ḥijāb* is not an obligation upon women; yes I do, the mosque is actually if you go down this road, and turn right and turn right again, you find the mosque, but you lead them into the conservative club or some *bakwās*.

There is a big difference between people who make an affirmative or a negative statement on an issue conferring their opinion or their flow on understanding of something, or someone who says I don't know. The first one, *wallāhi*, is a very

praiseworthy position. If you don't know and you say you don't know, this is a *jahl.* If ignorance could be celebrated, this is the ignorance that we would celebrate.

The second type, as I said, is one which is complicated and a real problem. A lot of Muslims, especially on the issue of music, fall into this level of ignorance when they claim something when they don't even understand it.

For example, to say [with regards to music], 'Well, the scholars differed over it,' this person actually has no idea. He has no idea what a scholar is, he is had no idea what *ikhtilāf* is, what difference of opinion is, how to weigh numbers or whether an opinion is considered to be worthy in a particular situation, etc. He doesn't know who the scholars are and if he does, he doesn't know the methodology that they adopted and why they differed. He actually doesn't know at all what it was that they actually stated. He wouldn't be able to recall to you what that statement was, when it was applied, what its context is. Therefore, this is a level of complicated ignorance which is blameworthy.

This is an important lesson that can be applied. This is certainly not something about music; this is a lesson for all of us Muslims. Don't say to a person 'I think this, I think that,' because you are taking upon yourself a huge burden. You are leading yourself astray, which is bad enough; and you are leading others astray, which is even worse.

That's why *al-Nabi* ﷺ said in the *duʿāʾ* of guidance on trying to protect ourselves that there is a difference between the *ḍāl* and the *muḍil*. The *ḍāl* is the one who is misguided; the *muḍil* is the one who misguides others, which is a major issue.

I just want to remind everyone that this is not about music, that's in general. This is the first big error, or the thing that you identify. Second is the emotion and the third is the intellect.

The point about emotion is that the Muslims do not accept the emotional-driven thought. Muslims only accept thought-driven emotion. The difference between the emotional-driven thought and the thought-driven emotion is similar to the *ʿaqīdah* differences between the Christians and the Jews and the Muslims.

The Christians have a thought process, they have a theology, and a creed. But that creed is not based upon evidence, because if they try to establish that on evidence, they don't have any evidence to establish the trinity. This is because it doesn't fit the intellect, it doesn't fit the text, the scripture, and it doesn't fit anything. The only thing it does fit is their notion of love, their notion of 'to understand you can't understand'. Meaning they have an emotional connection to the godhead, this triple system, this tri-part kind of plan. Because that emotional connection has been made and it has blinded them to using their *ʿaql,* the thought which then follows as a result of that is dependent and dominated by the emotions.

You know clichés are irritating, but of course clichés have ultimate truth in them. The most famous cliché of is 'love blinds'. What does 'love blinds' actually mean? I have discussed this a lot previously; it is simply that when a person falls in love, they lose complete control of themselves. Now that level of control or the loss of control differs according to the circumstances. It can be a loss of control in a *ḥalāl* way, meaning it's a relative loss of control where you do childish, silly things with your partner. Or you will fall in love and you would completely lose control. I have met many people like this and I am sure you would have also met many people like this.

An example is when people contact me and say "My daughter has run away with so-and-so."[She ran away] with a friend at school or whatever. This is a boy or girl who has been brought up in a Muslim household with loving parents and [they were] careful and everything [in raising them]. Just imagine this or [something similar] in any scenario where they are willing to throw away everything for a girl or over a boy.

I want you to completely divorce the *ḥalāl* and *ḥarām* out of this. Throw it completely away. Look at it completely from your *'aql* or common sense point of view. Which person, human being, Christian, Jew, or Atheist would throw away something of value for a person they do not know? [Who would throw away something of value] over an emotion or a passion or an incitement or elicit feelings? Which person would do that other than someone who has lost control of their senses?

Which is why the cliché or the statement 'love blinds' is incredibly true. I gave you an example right there and [you can] put that into the hundreds. I can count at least five instance where I have met and tried to speak sense into a girl who said "I don't want to be a Muslim anymore." [This was] because the person whom they had fallen in love with was a non-Muslim and he would say "I don't have any other option. I am not a Muslim male and I will remain a Christian or a Jew. She is a Muslim girl and I am in love."

You didn't understand the [logic of] the previous part [where someone threw away her parents]. What about someone who throws away God? What about someone who throws away their religion? If you think I am just adding rhetoric or exaggeration, let's just keep it to the facts. If you believe me and you trust my statements, I have been with those people to meet them. It is beyond depressing.

Abuzer was saying to me in the car that he felt bad for me when people were saying this and that about me. I said, brother, are you kidding me? They have no idea. I was telling them that when we were young, we used to watch this cartoon. It was called Bat Thing. Who remembers Bat Thing? 'My wings are like a shield of steel'.

You know what I am saying? Your names and your claims mean nothing to me. I have been there and done that. I have been in the fire, man. I have seen all kinds of crazy stuff. People can call me what they want and complain about what they want. When you have been to the depths like I have been and you look at a girl in the face and she says, "I want to be with this man." …we are talking about a practicing woman who

was wearing *ḥijāb* [and she is] about to throw it all away. You think to yourself *subḥānAllāh*. You really think *subḥānAllāh*, this is the emotional point. This is the error and the danger.

Again, this is applied everywhere. In the music argument, you find it very much as well. As I said to you before about the issue of music, this is because a lot of people misunderstand it. The scholars do have to take a major blame for all of this. I won't take the blame for this because I have done the exact opposite and I have been trying to educate people on exactly this point.

As *khaṭībs,* scholars, and *imāms*, we have made a major mistake in this when we go around telling people that music is disgusting, ugly, satanic words of depravity and evil. [When we say this], everyone is thinking "But I like it so much, and it sounds so good."

It's like when you say to the person to lower the gaze. *Subḥānallāh*, I did not plan this. What Shaykh ʿAbdulGhaffār does not do in *ṣalāh* is pick the verses. We don't choose verses [to recite] in this *masjid*. We start from the [beginning of the] Qurʾān and we just go straight through for six months.

If something happens, it is pure coincidence. It's not that something happened and then the verses were read. He's forced to, because we are going non-stop. The verses that were read today about the issue of lowering the gaze were from *Sūratʾl-Aḥzāb* (verse 59):

﴿يَا أَيُّهَا النَّبِيُّ قُل لِّأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِن جَلَابِيبِهِنَّ ۚ ذَٰلِكَ أَدْنَىٰ أَن يُعْرَفْنَ فَلَا يُؤْذَيْنَ ۗ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا ﴿٥٩﴾﴾

"Prophet, tell your wives, your daughters, and women believers to make their outer garments hang low over thema so as to be recognized and not insulted: God is most forgiving, most merciful."

Allāh ﷻ tells the Prophet ﷺ to tell his wives – and it's a general announcement to the women of this nation – to put themselves in a state of clothing where their bodies are not recognized in the way that they are sexually valued for, and that they are not harmed. The harmed is a standard harming that we recognize in a general society. It's controversial if you say that if you dress like this, you make yourself open to whatever. I'm not interested in that argument at all and making that statement. All I want to report on is the facts. Is it true or not that if a person is dressed in a provocative fashion, there are people that will take a greater advantage of that, because they will see that as a come on?

If that's the case, then Allāh ﷻ says to dress in this manner so that you are not harmed and people get a clear signal that you are not that type of woman. I'm not saying that if you dress the other way that you are that type of woman. Maybe you're just naïve. There are a lot of naïve women out there who dress in the most stupid ways, have no idea, and believe that men are all great and wonderful.

On the concept of lowering the gaze, Allāh ﷻ didn't tell us to lower the gaze because the other person is a flaming devil who is going to burn and destroy you. Yet in our *khuṭbahs* and lessons, we seem to make it out that they are whores, when they are essentially beautiful women. You keep telling a person that these women or men are ugly and that they are very bad. It isn't true and it's wrong and you are not doing yourself any favours in trying to explain what the real reward and challenge is for.

I strongly believe we should be honest and say that this woman is beautiful and she's well worthy of being looked at. There are thousands of people looking at her for that very reason, she's making many people very happy, and there are other people who are thinking even worse. Allāh ﷻ recognizes the pleasure that you are gaining from looking at this woman, and Allāh ﷻ is going to reward you more for the pleasure that He will give you for abstaining for His sake. The more we can explain that to people without making the woman evil or the look evil, but rather promoting the fact that for your self-control, impressive discipline, and loyal obedience to the Creator, Allāh ﷻ will reward you handsomely for it.

That is how we have failed in portraying the message, and music is the same. We keep saying that music is this, and that, and it's devils incantations, etc. (which it might very well be, by the way).

If you keep telling people that music is horrible, you keep telling people lies which are just not true. *SubḥānAllāh*, it is very interesting for someone who has travelled all over the world and lived in all of its' different cultures, and every culture has music. People of every society love music. The three countries which come to your mind when it comes to hardcore conservative Islam are: Saudi Arabia, Afghanistan, and Somalia. Saudi Arabia have a mental music scene, honestly. I mean, it's not completely crazy and it is not Rock 'n' Roll, but it is a refined form of duff.

The second one, Somalia – let me tell you something funny about Somalia. Many parts of Muslim Africa have their own mental music, African people generally are so through and through. They have got their music thing going down and there is no doubt about that. Somalis specifically are addicted to Bollywood.

I remember I was in Mauritania, which is the poorest, most *miskīn* country in the entire world. I go there hearing these rumours that this is the country where they memorize the Qurʾān in like, three days. It's *Sunnah* and *Shanāqiṭa* there. I am there lying down and I hear some kind of classic '*qurbāni, qurbāni*...' I am thinking, what the fish is this? I was sleeping on a rooftop, so I went to the edge and I see group of Mauritians with a little TV on and there is a Bollywood movie.

And then [there is] Afghanistan, [which] I can tell you, has a very strong music scene. It has a very heavy drum, you know? When it goes *dum*, the people just lose it. Anyway, the point is that every culture has it, every culture loves it, and everyone has to struggle to leave it. I think we should have a more honest and open approach with people when it comes to this challenge. We [say to people], "We get what you are feeling and we have been there before, but to please Allāh ﷻ is better". That is the emotional aspect, and that is the threat and problem in this argument.

The third aspect is the intellectual one. This is the worst [of the problems], of course. The first two are mistakes and problems, but when a person starts to fall into the third problem, they literally start to value their own understanding above and beyond the divine. This is what the classical scholars used to refer to when they said that [certain people] used to put the *ʿaql* over the *naql*. The *naql* is referred to as the texts [or] the divine scripture, and the *ʿaql* is one's intellect. One's intellect should always be subservient to the text.

That is not to say that the text is not flexible and [that] there are not different interpretations (because there are), but once we have reached the end of interpretation and a statement is said, then that is where our *ʿaql* stops.

It is not a case of where we trying to wriggle over and, of course, everything can be wriggled over. This country and the West are experts at trying to wriggle over this law. That is why you find people who, if they don't believe wearing *ḥijāb* is important or a girl doesn't wear *ḥijāb*, [the response is]: well, the majority of Muslim women do not wear *ḥijāb*.

Even those who wear *ḥijāb* do not wear it properly. They only understand it to be a cloth that covers the head, which has as much to do with *ḥijāb* as *sajdah* has to do with *ṣalāh*. It is a portion of it, and you do not consider one who did the *sajdah* to be one who did the [complete] prayer. Therefore, you do not consider the one who put on the head cover or *khimār* to be in *ḥijāb* when the rest of the body or the actions and so on [are missing]. We are going to come to this later.

Ḥijāb is a state. There is a common misconception among people with the concept of *ḥijāb* and *iḥrām*. People call *iḥrām* the clothes that you put on, or the two cloths. Actually, *iḥrām* is not the cloth. You can put on any cloth or even different colored cloths. This is the scholarly differences on what can be worn or not.

Even the woman, what clothes does she put on [in *iḥrām*]? It is her clothes. The issue is: what is considered *iḥrām*? *Iḥrām* is a state. It is an experience and an intention. It is a feeling and it is like you enter into a zone. It is like, when you enter into your prayer, you are in a new zone. That is why when you make your *niyyah*, you are about to go into *iḥrām* and that is it. It does not matter about the implications or applications of what you are wearing or not.

That comes afterwards, but when you are in the state of *iḥrām*, you cannot speak like this, you cannot cut that, and you cannot hit this. There are a number of restrictions. You cannot cut your nails or your hairs and so you are in a certain state, but because the most dominant state of the *iḥrām* is the two white cloths, we call the two white cloths the *iḥrām*. Likewise, [the same can be said of the] *ḥijāb*.

Ḥijāb is a state and not [a piece of] clothing. A person puts on the *ḥijāb* when she leaves her home. At home, a woman is free. She is not covered, speaking how she wants, running or dancing around or whatever she wants to do. There is behaviour for home and there is behaviour for as soon as you go out into public. This is the law of Allāh ﷻ.

The law of *ḥijāb* means that a person is in a state where they are now controlling their walking, their speaking, the way that their body appears to other people, and the clothes on that entire body (of which one aspect is the headscarf). A lot of people wear headscarf but they might show their arms, which is completely impermissible (by consensus). To show arms, to have very tight leggings, certain extravagant forms of make-up or very strong perfume - all of these things are not a part of a public *ḥijāb* state when you are amongst men who are not related to you. Of course, there is no problem with your make-up, perfume, etc. when you are in *ḥijāb* at a wedding with your friends.

Since the headscarf is the dominant representation of the state of *ḥijāb*, it's been given the name *ḥijāb*. A majority of the Muslim women don't wear *ḥijāb* or don't wear it properly. Some women don't wear it and say "I just can't handle the pressure of people looking at me; I can't deal with it." As a Muslim we can't condone that reaction but we can understand and accept that it is a development issue. We will give that person our full support and love and we'll say to them to keep trying, that we are with you, and we'll do everything to help you.

This is a completely different state to a person who segregates the fact that they are not wearing *ḥijāb*. They question why God would make *ḥijāb* an obligation upon the women.

The second one is a denying and rejecting of the divine scripture and the sacred law. The first one is a full acceptance of the law and it's just someone struggling, just like it is with prayer. We know of so many people who say "You are right, but my clothes are dirty, I'm tired, I keep forgetting, or I'm lazy." We would never condone that, but it's not the same as when someone says "Forget about prayer - it's all about being good in the heart (as long as my heart is clean, nothing else matters)."

These are the major underlying issues. You guys are all students of knowledge and you need to understand these issues when we are trying to explain our response. Don't be fooled by their public persona - they don't know anything about the religion. There is one person there (Dr. Murad) who has studied the religion, but he makes

incredible mistakes and this is one of his mistakes. Other than him, all of the people in there are ignorant.

These are not people of the *masājid*. It's a real reminder to all of us that once you lose your connection with the *masjid*, you fall into a whole different category of Muslim. This is not an issue of judging or condemnation, it's just the reality.

You look at all these people and can see very common traits, and that it is these people who do not keep a regular link with the *masjid*. They are not at the *masjid* every day; they are not *Fajr* and *ʿIshāʾ* people. They are not people who study regularly. They are a people who got out there and project their own ideas of ignorance and what they consider to be Islām up on the other people. So we need to really careful learn the lessons from things like this.

This video is minor, realistically. The representation of this video (which, again, is a famous song) where Muslims are dancing in a very expressive way to that music is a promotion of the music, promotion of the dancing, and is a video which is copying a number of other videos that have been made in the same manner, showing various groups of people.

Now, again, there are underlying reasons for why liberal Muslims or secular Muslims like these pursue this kind of process. We have as negative a PR rating as humanly possible on the negative PR scale, and therefore people have great ideas to go and correct them. I can tell you right now that there are very few as popular negative PR correcting moves than going out there and dancing and singing. Everyone loves that. Non-Muslims go doolally over that, and one thing the video will do is it will have a great impact over non-Muslims. It will; have no doubt about that.

Seeing beards, *ḥijāb*, this, that, whatever, is amazing. It's absolutely great and begs the question 'Do the ends justify the means'? And in *sharīʿah* the ends do not justify the means. We do have a concept of rule of law, the letter of the law, the spirit of the law, which is known as *maqāṣid al-sharīʿah.* Under *maqāṣid al-sharīʿah* (the wider objectives), there is no justification to be going into those actions which are *ḥarām* or considered to be extremely doubtful in order to achieve a good end. There is no limit to that type of methodology where that would actually end.

Whilst saying all of this, I want to make a couple of comments. There are some scholars that considered the prohibition on music to be something which is not *ḥarām.* This actual statement itself is a very rare one. There are more voices that say that musical instruments are not *ḥarām*. There is a difference between the two. Music, the music scene, and people singing and dancing is something which is the complete extreme.

The only two scholars that are worthy of speaking about in our modern times are Shaykh ʿAbdullāh Juday' and Shaykh Yūsuf al-Qaraḍāwi. These are two top scholars in

the world and are the only two, realistically. The rest are not worth mentioning, frankly (and I am being general there, of course. I am sure there are).

There are the only two amongst the plethora that consider music to be something that is permissible. We are talking about a music which is done without any form of lyrics, without any form of suggestiveness, without any sexually implicit kind of meanings, bad words, bad emotions, bad values, or dancing at all.

I would love the people to take this video and show Shaykh ʿAbdullah Juday‘ and let's see whether he is able to move his face quick enough, before Shaykh ʿAbdullah's hand comes out and slaps all his teeth out. To say "Shaykh ʿAbdullah, we used your *fatwa* to establish this video that has women dancing sexually and provocatively…"

Someone said 'what do you mean provocatively?' This is the most stupid thing I have heard my life. When a girl says that, I don't know what I want to do. I want to explode. When a girl says, "There's a difference between dancing provocatively and just dancing," this is a stupid girl. This is a girl who thinks that somehow dancing provocatively means to be a belly dancer, basically. You just throw yourself naked, stick a diamond in your belly, and that's basically provocative dancing.

What women don't understand is that you could [do the simplest dance move] in front of a man and that would be provocative. A man needs zero level of incitement to see you as provocative, suggestive, or sexual. The men worship the female form of body. They require nothing. So if a woman [so much as] lifts her hands up in the air, men are like "*Ya salām.*"

Women are naïve; in fairness to them, they don't understand that you've got to understand the male mind. Women do not understand how men think. They really, really think that men are all super pure. They think when they call you their sister, they actually see you as a sister. I hate that term 'sister', but I like the idea and the reason why the guy brought it in. It has never been used in the history of our Islamic tradition. In all the books I've read, I have never heard any *shaykh* or any author say, "*akh* so-and-so" or "*ukht* so-and-so".

I'm not saying it's a bad thing, but I'm celebrating that the idea in the first place was clearly to create some kind of gap. So if I call you, "sister so-and-so", maybe I'll actually treat you like a sister. Mate, nice try! No guy is treating next girl like a sister.

I'm just saying there's a lot of dynamics going on, which people are either wilfully ignorant of or completely naïve, or just being mischievous and they know fully well what's going on and they're just not willing to accept it. I, personally, am all for creativity. Really, I wish these people would find some nice ways of going out there and doing stuff like that. I am not against it.

I am also not against women being in public and being a part of that PR part. I am very cautious about it, but the reality is that with this society, it's impossible to avoid

something like that. But the reason why scholars don't want women in the public eye is because once that one step is done, then the next step follows, and the next step follows, and you're up to where we are up to now.

People are not even focusing on the men in this video. To be honest, [what they were doing was] as unacceptable as the women. All the women are the *masākīn*, and they are coming out and [being] attacked, which is not really fair, frankly.

I just want to say to you that a lot of the people are going around saying the *ḥadīth* of Bukhāri that prohibits in which the Prophet ﷺ said (paraphrased):

"There will be a people from my Ummah that will make permissible the silk and musical instruments…"

He mentioned *al-maʿāzif* (musical instruments). They say this *ḥadīth* is in *Bukhāri*. I want to say to you that this *ḥadīth* is in Bukhāri, but there is a valid difference of opinion amongst the scholars about whether this *ḥadīth* is what we consider to be a normal *ḥadīth* (*saḥīḥ*, *musnad;* meaning a *ḥadīth* which has a complete *sanad* like a normal *ḥadīth*), or whether this *ḥadīth* is a *ḥadīth muʿallaq* (meaning a *ḥadīth* which has breaks in the chain, and intentionally so by Imām Al-Bukhāri). If they are *muʿallaq,* then they are not technically considered to be an authentic *ḥadīth* unless it has other evidences.

I want to say to you that in general, the argument for this *ḥadīth* to be authentic is overall a good one. However, a number of top scholars (and they've got nothing to do with the *fatwas* of today) consider this *ḥadīth* to be not authentic.

That's a discussion for the *ʿulamāʾ,* but those who allow this kind of thing would say it's not allowed to bring it down to what it is today - to allow a video where women are dancing, women are not covered in that dancing, they forget about hair, they are wearing t-shirts and what not.

The Prophet ﷺ foretold us that this is us just following the Jews and the Christians down their hole. Allāh ﷻ has told us the Jews and the Christians "*lan tarḍā"*…
It's an interesting use of the language which we might cover someday. The phrase "*lan tarḍā"* is the most definitive negation possible. Allāh ﷻ says "They would never, ever, ever be happy with you until you follow their *millah* (way)". I just want you to know that.

This is not our way, for our women to dance to music in a state of undress. *Wallāhi, uqsimu billāh* it's not our way. Whatever my opinion upon this video is, whether it's *ḥarām* or *ḥalāl* or good or bad, I don't want to judge people's hearts. I hope and pray that Allāh ﷻ guides everyone, but I swear by Allāh and the Lord of the Kaʿbah that the Muslim women dancing in a state of undress to music is not our way. It's not the way of any Muslim nation, any Muslim generation, any scholarly class, anyone of any worth, at all. It stops there and that's what I want to say, *wallāhu aʿlam*.

I know that was eating into our time, but I think the lessons to learn from these are important. There's a lot of *uṣūl*. What we just covered is a specific chapter; this chapter is called *uṣūl'l-dīn* (principles of the religion). What I just mentioned is a mixture of things which are specific to *uṣūl'l-fiqh*, and specific to sciences of *ḥadīth* and principles of *ʿaqīdah,* but in general, they come under the principles of the *dīn*.

These are the day-to-day principles which we have in the back of our minds that ensure that we don't make mistakes in all kinds of matters. For example:

- the concept of thought-driven emotion and not emotional-driven thought,
- If you don't know something, then say you don't know; don't make a statement about it that shows that you don't know and are misguiding people. Just say, "I don't know". Don't tell people and become a victim of *jahl murakkab.*
- We are no better than anyone in that video - not because we don't dance or whatever, but everyone is having their own struggle at some level.

Struggle and keep struggling. Struggling is a *jihad* and a rewarded action. It's something Allāh ﷻ praises in a person. As a reminder to me and everyone, Allāh ﷻ will continue to forgive as long as we seek forgiveness. Allāh ﷻ is *al-Tawwāb*, meaning that He knows intrinsically that people will come and will go back. They will regress and come back and fix up and regress. That's the divine system of mercy of Allāh ﷻ that He has given to us.

We should be happy with that, and we know from *uṣūl'l-dīn* that that's a praiseworthy situation to be in. It's a station (a *maqām*) on your way to a higher level to *taqwa*. But it's still *taqwa* [which] allows you to feel guilty. If you are feeling guilty about something or unsure, this is a mercy from Allāh ﷻ, because there are millions of people out there that don't feel guilty at all. Worse than those who don't feel guilty are those who go and justify it - those who go and publicise their sin.

Allāh ﷻ has hidden many things from the people, many things of what they do. The second you go out and make videos and put it in the public and you publicize your own scenario.

Allāh ﷻ has hidden many things of what we do from the people. The second you go out and make videos to the public and publicise your own scenarios (and try to justify them as well, as well as try to make it out that the other people are extremists), then you should know that you are moving into very serious territory. This is much more serious than the dancing or the nakedness or the music, which honestly are one percent on the scale compared the kind of problem that you're about to have here, which is you basing your intellect above the divine will of Allāh ﷻ and the *sharīʿah.*

There are some real interesting principles, and that when you go back and dissect your notes, I hope that you highlight that, and realize that these are valuable things that we learned from our *ʿulamāʾ* and Shaykh al-ʿUthaymīn, who of course even

mentions some of these things later. He has already mentioned one of these or two already.

When the Time Period For Wiping Starts

In the Arabic Imām al Ḥajjāwi رحمه الله says:

بابُ مَسْحِ الْخُفَّيْنِ
يَجوزُ يومًا وليلةً، ولِمُسافِرٍ ثلاثةً بلياليها من حَدَثٍ بعدَ لُبْسٍ

Wiping over footwear is permissible, for a time - 24 hours and 72 hours for a traveler, which is what we did last week - starting from the moment one becomes ritually impure after wearing it.

This is today's sentence. It is fascinating. When did this 24-hour or 72-hour period start?

من حَدَثٍ بعدَ لُبْسٍ

It starts from the moment one becomes ritually impure after wearing it. I repeat that this is the Ḥanbali position. When we talk about *ḥadath*, we talk about ritual impurity - passing wind, going to sleep, etc. One becomes ritually impure after wearing it. This is the Ḥanbali position. Let's see what Shaykh al-ʻUthaymīn says.

He says, at the bottom of page 225,

أنَّ ابتداءَ المدَّةِ سواءٌ كانت يوماً وليلة؛ أم ثلاثة أيَّام، من الحَدَث بعد اللبس

The Ḥanbali *madh-hab* is very clear on this position. It is exactly as it states - the actual time period of the concession of the 24 hours or 72 hours actually only starts once you have broken your *wuḍūʾ*.

Theoretically, let's just say that you've woken up in the morning, you pray *Fajr*, you come back home, and you go to sleep. You have now broken your *wuḍūʾ*. You wake up again, and it's now 8:00 - time for work. You make your *wuḍūʾ* and put on your

khuffs. For the time being, we are going to avoid the use of the word "socks" or "shoes." We are just going to use the word "*khuff*".

We will go into the complexity of what a *khuff* actually is later. You put on your nice and thick leather socks, and then you put on your shoes. You're now off to work.

Now, we have a number of possibilities. We have the *ḥadīth* which says very clearly that we have 24 hours for wiping. So you can imagine now that there are different times that could be chosen. Let's see some options. What could be the first option?

The time he made *wuḍūʾ* was 8:00am. Let's make this complicated, or let's make it more interesting. Let's say the guy finishes *wuḍūʾ* and then he goes to dry up and he's trying to find his clothes and his missus hasn't ironed it.

He doesn't know where they are, he is running to all the drawers in his house, thinking "Where are my clothes?" He finds his clothes, and by the time he has actually put everything on, he puts on his *khuffs* at half past eight.

We've now got two types - we have 8:00 when he made *wuḍūʾ*, 8:30 when he put his *khuffs* on, and let's say he breaks his *wuḍūʾ* at 12:00. At 8:00 that day in the evening when he comes home, he takes off his *khuffayn* as well. We've got four times now.

So what are the options for the 24-hour period to start then? 8:00, 8:30, 12:00, and is 8:00pm even an option? It's not an option because he's got nothing to wipe over. But of course taking the *khuffs* off does have an important ruling. What's that ruling? Does it break the *wuḍūʾ* or not? Because he takes his *khuff* off, does he break his *wuḍūʾ* or not? That's a chapter we will *in shāʾAllāh* be dealing with next week; it's a whole separate category of discussion.

Therefore, Shaykh al-ʿUthaymīn رحمه الله says we can put this into three types; (1) the time of putting them on, (2) the time of doing the *mas-ḥ*, and (3) the time of actually breaking the *wuḍūʾ*. Shaykh says, "As for using the time of putting them on, then the time does not start according to this, and there is no doubt about that in the *madh-hab*."

There is unity in the *madh-hab*, and the reason we say that is because we know that we have different opinions in the *madh-hab*. But the *madh-hab* is unified by the fact that no one in the *madh-hab* actually says the time starts when you actually put them on.

وأما حال الحَدَث فالمذهب

As for the *madh-hab* itself, it is clear - it is when you actually break the *wuḍū'*. The second position is that it starts from the wiping.

لأنَّ الأحاديث: "يمسح المسافرُ على الخفين ثلاث ليال، والمقيم يوماً وليلة"

Shaykh al-'Uthaymin ﷺ says that because in actual fact, the *ḥadīth* says the one who is wiping wipes over for 24 hours and 3 days. Shaykh al-'Uthaymīn says "Hold on - what is the meaning of this *ḥadīth*? Why would we say the issue is not linked to the wiping when the *ḥadīth* says the wiper wipes for 24 hours (or 72 hours if he's a traveller)? Does that statement make sense?" He says "Why we would go back to the issue of wearing? What has the issue of A) wearing and B) breaking *wuḍū'*, have do with this *ḥadīth*?"

The *ḥadīth* says that the one who wipes has 24 hours and 72 hours. That is why it is Shaykh al-'Uthaymīn's opinion that the time period starts from the wipe itself. Shaykh al-'Uthaymīn ﷺ continues to say that if you study the various statements of the *fuqahā'*, you'll see a clue to it in their own statements. He says that the *fuqahā'* themselves said that if there was a resident who put the *khuffayn* on, he breaks his *wuḍū'* (while still at home), then he goes on *safar* (a journey) and whilst on his journey he then wipes on his *khuff* for the first time; all the *fuqahā'* say that his three days and three nights kick in.

Shaykh al-'Uthaymīn ﷺ says if that really is the case (and that's what all the scholars agree on), how can we then say that it was linked to the time that he put it [*khuff*] on? How was it linked to the issue of breaking *wuḍū'*? He says that this is something which has been established by a number of the *fuqahā'* and this is the **class position**, also my personal position and the position of pretty much the majority of contemporary scholars as well. Despite the fact that the *madh-hab* position is that a person's time period will start at the time when he breaks his *wuḍū'*, in actual fact, it's the time when he does his *mas-ḥ*.

In our scenario about the guy who did *wuḍū'* at 8:00, put his *khuff* on at 8:30, he broke his *wuḍū'* at 12:00 and at 3:00 is when he gets a chance to make *wuḍū'*. He then goes home (and doesn't take anything off). What time does his ability to wipe on his *khuff* last until the next day? The answer is 3:00pm. Therefore, the position of 3:00 is clear (24 hours after the first wiping).

Shaykh al-'Uthaymīn ﷺ said we have a person who makes *wuḍū'* at the time of *Ṣalāt'l-Fajr* and he puts on the *khuffayn*. He then remains in his *wuḍū'* until 9:00 when he goes to bathroom, and he does not do *wuḍū'* [right away]. At 12:00, he goes to make *wuḍū'*. According to the *madh-hab,* the 24-hour period started from 9:00am.

According to the position of Shaykh al-ʻUthaymīn رحمه الله and the taught position of *al-Mumtiʻ,* the time period starts from 12:00.

In the next two weeks, we are going to explain in detail how it works if a person starts off as a non-traveller and then he moves into travelling. People generally don't use a big long period when they are home; the long periods really come in useful when you are travelling and you don't get opportunity to change.

It is also said that this is not so much in this country, but in a lot of the Muslim cultures there is this idea that the wiping of the socks only last for the five prayers. It's kind a legend thing and it has no basis, no Islamic evidence, nor any kind of basis other than a so-called true statement. I think it is very clear the position that we are adopting and it's a very generous one. *SubḥānAllāh* it's a very useful one, as it allows the time period to be extended much more than it would have originally have thought.

Q & A

Q: When we have a 24-hour or 72-hour period, doesn't it mean that after the time passes, the *wuḍūʾ* you made was not invalid?

A: The answer to that question for now is that it just means that you can't wipe anymore. We are going to cover that specifically later. Our position is that it doesn't mean that you have broken your *wuḍūʾ* after 24 hours, and suddenly *boom*, the *wuḍūʾ* just left you. We don't have anything like that, *alḥamdulillāh*, like the life forces are drained away or something like that. You have to actively do something to break your *wuḍūʾ*, and taking off the *khuffs* doesn't [break it]. We are going to cover that later, but the time period is solely for the actual permission to keep wiping.

Q: You know the *ḥadīth* that you were saying? The original *ḥadīth* says, 'the one who wipes is the wiper' Is that where we get the evidence for saying that the time starts with the wiping?

A: Correct because it is the *muqīm - yamsaḥuʾl-muqīm.* Literally translated, it means 'the resident wipes for 24 hours and the *musāfir* is 72 hours.' Now the area where we get the ruling from is the wiping. So *al-ʿibrah* (the thing that we give consideration to from a *fiqh* point of view) in this sentence is the wiping and not the time period, not the *wuḍūʾ,* lack of, or presence of. So that is the evidence of that position. That is why the time period starts from the first wipe and not from the moment you break your *wuḍūʾ*.

Q: Does it matter if you take off the socks in between?

A: It does, yes. It is absolutely imperative and it affects the ruling. Taking off the *khuffs* in any period in between breaks it completely. There is now no ability to start using that period. You have to start a new period by new *wuḍūʾ* and then you re-wear it. We will be covering that next week.

Q: Say you are struggling with something, and you continue to do it for like years - do you still get rewarded?

A: Yes you do, and the same argument would be the *ḥadīth* of the one who struggles reciting the Qurʾān and finds it very difficult. This hesitation has a huge amount of reward. But it doesn't therefore take the reward of the *ḥāfiẓ* or *qāriʾ* away. So they all have a very well-defined quality reward. We don't want to diminish the reward of anyone. *Wallāhu aʿlam.*

26. The Chapter of Wiping Over the Footwear IV

I want to cover quite a few pages today. These pages are referring to the conditions on the actual *khuff* itself. On page 1 (of the notes) Imām al-Ḥajjāwi ﷺ says,

يَجوزُ يومًا وليلةً، ولِمُسافِرٍ ثلاثةً بلياليها من حَدَثٍ بعدَ لُبْسٍ على: طاهِرٍ مُباحٍ ساتِرٍ للمفروضِ يَثْبُتُ بنفسِه.

Wiping over footwear is permissible for a time-period of 24 hours, and 72 hours for a traveler, starting from the moment one becomes ritually impure after wearing it.

Our taught position and the position of Shaykh al-ʻUthaymīn ﷺ is that [it starts] from the first moment that you wipe and use *rukhṣah*. We believe this to be a strong and solid opinion. We believe all of them are acceptable, but the evidence is really nice for this position.

That is all upon the condition that the *khuff* is a proper *khuff*. The way the *Ḥanābilah* will describe a *khuff* is by giving you four conditions that it has to fulfill, then you're allowed to wipe on it. They are:

1) ritually pure
2) lawful
3) covering the area which is obligatory (to wash in *wuḍūʾ*)
4) stays in place by itself

The *Khuff* Must be Pure

Let's start with the first condition: what does it mean that it needs to be pure? Purity is of two types. Shaykh al-ʻUthaymīn ﷺ says, "When you say pure, you could refer to something which in and of itself is pure, which we'll call *ṭāhirʾl-ʻayn*." It is intrinsically pure. We're talking about something which is pure, then becomes dirty, then becomes pure - like anything that *najāsah* could fall on and it actually becomes dirty (*mutanajjis*). There's a difference when we say we have *khuff* made out of leather from a cow's hide.

You need to go back and understand that there are a number of matters that need to be assumed before we can say something is pure - even leather. If we take leather, we describe the difference between skin and hide, leather and hide, whether it's been

tanned or not, pre-tanning, post-tanning, etc. We said that tanning gets rid of most impurities. We said that there's difference between an animal whose hide has been tanned and everything, which has been slaughtered but the animal isn't *ḥalāl* to eat. There is a difference between an animal that's *ḥalāl* to eat which has been slaughtered, and there is a difference between an animal which is *ḥalāl* to eat but hasn't been slaughtered and has been found dead and you tan its skin. There is a difference between an animal which is *ḥarām* to eat, *ḥarām* to slaughter, and has been tanned, like the pig. Now, these are details, and you need to study your notes again as a refresher.

Obviously, so many scholars have so many different opinions. If we were to just assume, as some of the *ʿulamāʾ* did, that the skin of the pig is not purified by any means, that itself is a controversial opinion. Then there are some who correctly believe that tanning can do everything and anything because it is the ultimate process.

For them, pig wouldn't be a problem either. Let's go by the opinion of the majority - it's fair to say that the pig can't be purified even by tanning and by chemicals.

That would be the dictionary meaning of something that is *najisʾl-ʿayn* (intrinsically impure). This is what we are referring to when we say *ṭāhir*, meaning it can't be made from a pig because that is intrinsically impure. It doesn't matter how nice it smells or how clean it is - it's intrinsically impure. This is what Shaykh al-ʿUthaymīn رحمه الله says:

والمراد هنا طاهر العين

In this chapter of *fiqh*, we are talking about when something is pure. When we talk about the *khuff* we mean intrinsically impure, such as the skin of a pig. We have a cow, we slaughter it, it's now ready to eat, we save the skin, and then make the *khuff* out of the skin. This is pure, and then some *najāsah* falls on it. Now what the *madh-hab* is saying is that this cannot be used for *mas-ḥ.*

Shaykh al-ʿUthaymīn says that what is really being said is that if you do wipe over it, it can be wiped over but it's got *najāsah* on it.

This is the exact question. Shaykh al-ʿUthaymīn رحمه الله is saying that when they say that it needs to be *ṭāhir,* what is being said? What are they saying? That it won't be valid if you wipe over it? What is the point of this discussion? Think laterally.

Why are we wiping over our socks for? Ease in doing *wuḍūʾ.* Why do you want *wuḍūʾ?* To pray. What's the rule for praying? You and your clothes have to be pure. Now that you've gone all this way, what can we come back and say? Are there any inferences that can be made about a *khuff* that has some *najāsah* on it? You can't pray with it. Can you do the *mas-ḥ* over it? Yes, you can because there is no evidence to show that

something that has *najāsah* on it cannot have the *mas-ḥ* done over it. It makes sense, but Shaykh al-ʻUthaymīn ﷺ says there actually is no evidence to say that you can't wipe over a *khuff* that has *najāsah* on it. Although why on earth would you do that? We know we cannot pray when we got wearing a *khuff* and there is *najāsah* on it. What's the point?

What is the point then of wiping over a *khuff* which is *najis*? To maintain *wuḍūʾ*. Why would you want to maintain your *wuḍūʾ*? The answer is that of course there is more than one action that needs *wuḍūʾ*. Alright, authentically speaking, according to the Qurʾān and *Sunnah* evidences, only *ṣalāh* is something which requires a person to be pure of clothing and pure in *wuḍūʾ*.

There are other things that require *wuḍūʾ* according to many scholars (not *ijmāʿ*). These require *wuḍūʾ* but don't require the condition of not having *najāsah* on your body. For example, reading the Qurʾān or holding the *muṣ-ḥaf*. That's why Shaykh al-ʻUthaymīn ﷺ says,

وفائدة هذا أن يستبيح بهذا الوُضُوء مسَّ المصحف لأنه لا يُشترط للَمْسِ المصحف أن يكون متطهِّراً من النَّجاسة، ولكن يُشترط أن يكون متطهِّراً من الحدث

The benefit of understanding this particular principle is that if a person continues to hold the *muṣ-ḥaf*, the condition is that you are pure from ritual impurity (that you have *wuḍūʾ*). It's not that you are pure from *najāsah* - it's a technical difference. You could have made wuḍūʾ and you have some *najāsah* on your clothes somewhere, but to touch the *muṣḥaf* is something which is allowed (for example, picking it up and putting it somewhere else or turning the pages). The condition to do that (according to a number of the scholars) is you have to be in *wuḍūʾ*. Do you have to have your clothes clean like you do for *ṣalāh,* though? The answer is no. We don't have any evidence for that. That's the benefit of understanding this point.

The Shaykh continues,

أما لو اتَّخذ خُفًّا

Let's take an issue of controversy - something which the scholars differed over. We have an animal which can be slaughtered, so let's go again with the cow. We have a cow which we find dead - it's *maytah* (carrion). It would have been *ḥalāl* if we had killed it through slaughter, but we didn't get to it before it died. If we go back to our studies, we know that's an area of controversy. Then we take the skin of the animal

which has died as carrion and we tan it. It is now *madbūgh* (tanned), so the *dabgh* has been done to it.

Now, we have a *khuff* from this leather. What is the position? He says that there are two positions. If we said that the animal is not purified by this tanning, this is the position of the Ḥanbali *madh-hab.* Even the *maytah* does not become pure by tanning. Therefore, this is not pure, and so it's not permissible to make *mas-ḥ* (wiping) over this particular *khuff* (leather sock). If we say yes, that this animal is okay and its leather is pure because of the tanning, then it's allowed for us to make *mas-ḥ* over this particular sock.

I want you to know why it is that the scholars consider that the *khuff* itself must be pure. The reason for that is because the Prophet ﷺ said[1] to Mughīra ؓ "I am putting into these socks two pure (clean) feet." Mughīra ؓ was watching the Prophet ﷺ put on the *khuff*, and as he is watching this process, the Prophet ﷺ said, "I have put them on, I have put my feet in *ṭāhiratayn* (they are pure)."

By the Prophet ﷺ emphasizing the purity of his feet going into the socks, the idea is that it would be absurdity or paradox if it would be necessary for the feet to be pure but then the thing which the feet are touching (i.e. *khuff*) are impure. That does not make sense.

Also, the reason why this is the evidence of why it needs to be pure is what we mentioned before - that anything which is impure and it gets in contact with water, moisture, or wetness [transfers the *najāsah*]. We said before that *ʿalā sabīl mithāl* (for the purpose of an example), if there was feces which was completely bone dry, and you picked it up and you let it go, your hand is still pure. Unless it has been transferred (meaning that you know that your hand was wet), that is a whole different story.

If there is moisture in the *najāsah* itself (intrinsically), then we know it is a disaster one hundred per cent. That is what confers *najāsah*. Therefore, the scholars said that something which is *najis*, even if it is dry, you would make the thing that is inside (your hand or foot) itself *najis*. Therefore, that is a repetition of the principle in and of itself. This is the evidence for why they need to be pure.

In conclusion, what is our position? The position of Shaykh al-ʿUthaymīn ؒ is: yes, they do need to be pure, but intrinsically pure. They do not necessarily need to be clean when we make the wiping, but if you do wipe over dirty *khuffs,* you cannot pray in them. Make sure you have clean *khuffs* –simple as that. That is the point in respect to that.

[1] This is Shaykh al-ʿUthaymīn ؒ putting this *ḥadīth* forward, as narrated by Imām Abi Dāwūd, and it is a good *ḥadīth* – acceptable.

THE *KHUFFAYN* MUST BE PERMISSIBLE

The second condition is that they are *mubāḥ,* that they are permissible. *Mubāḥ* comes from *ibāḥah* (to make something permissible, to be allowed). This statement has been mentioned to make it clear that something *ḥarām* is not allowed. *Ḥarām* is of two types.

In this scenario, what would *ḥarām* be? So [there is] *ḥarām* in terms of how it came or how we got hold of it. It is *muḥarram li qasbihi* (*ḥaram* in how it was earned, how it was found, or how it was obtained). That is the first type of *ḥaram.*

The second type of *muḥarram* is *li ʿaynihi* or its intrinsic nature. The first example would be something that is stolen or an armed robbery or you trick someone over it. The second one would be *muḥarram li ʿaynihi*. Pigs. But something more obvious than that.

Student: A lion.

That is good, but it's something [that is] easy [to mention], because even the pig one or the lion one, we can debate. Why can we debate them? Because of the *ḥadīth.* Any hide which has been tanned becomes pure. We can always argue with this *ḥadīth* that will never go away. The people who say pig is *ḥarām* or crocodile is *ḥarām* or lion is *ḥarām*, as long as this *ḥadīth* will remain, there will always remain *khilāf* in this issue.

[This is] because it is a very strong and powerful *ḥadīth,* and we covered it in a lot of detail. But something that this *ḥadīth* can't touch is the first type. That is [in the category] of how it is obtained. That is *ḥarām* in how it is obtained. It is an easy one, *muḥarram li ʿaynihi* or *ḥaram* by its very nature.

We said that all skin can be responded to. You are right. We'll go with pig skin, lion skin or whatever. I wanted to give you an answer that can't be responded to - the answer is silk. Silk would be an issue because unless you are wearing it for medical purposes, men are not allowed to wear silk.

Shaykh رحمه الله also says that another example which is way more controversial is that which has pictures on it. By pictures, we mean pictures of animals which are alive, or faces of animate objects such as humans, animals, etc. This is an area of difference because some of the scholars said that you are not allowed to pray in it. Others said that you are allowed to pray in it and your prayer will be accepted, but it's considered a sin. Still others said that pictures which are not treated disrespectfully on clothes because it's the norm are not part of the prohibition. Some also said that it will pose a problem with respect to the angels around. It's a minefield of an area that requires its own lessons.

Shaykh al-ʻUthaymīn ﷺ is very strict on this matter. That's a general Saudi opinion when it comes to pictures, anyway. From a *fiqh* point of view, he won't allow anyone to wipe over anything that has a picture of an animal (e.g. a Lacoste logo on the socks). He'll give a quick solution that you can take the crocodile off, or you thread through the top of the head so that it doesn't look like a head. It's all about it showing its living nature.

Shaykh al-ʻUthaymīn says these are the two points which are being referred to when the scholars say it is *mubāḥ* and not *ḥarām*. The Shaykh himself says that there is no evidence to establish this.

He says:

ولا نعلم دليلاً بيِّنا على ذلك

We don't know any evidence that says that it's not permissible to wipe over something which is *ḥarām.* He says, "But we need to understand is why it is that the scholars said that." Remember we covered in a very early lesson that when it comes to the issues of *fiqh,* the *fuqahāʾ* are lot more cavalier when it comes to issues of law. If they don't find the solution in the Qurʾān and the *Sunnah,* then they use a general principle.

As Shaykh Abdul Ghaffār would say, this is not Qurʾān; this is *fiqh,* and there is flexibility and people are always venturing out there with ideas and concepts, giving their own opinion. That's fine, as long as they accept that it can be refuted at any time as well, and we allow that kind of differences in the opinion

So where is it coming from? If there is no evidence from Qurʾān and the *Sunnah* on this point, then what is there on its standing?

Shaykh al-ʻUthaymīn ﷺ says, "Think about it – the wiping over socks is a *rukhṣah* (concession). How can a concession be given to someone who is doing it sinfully?" He says,

ولأن القول بجواز المسح

Meaning if you are doing a sin and you want a concession based upon a sin (*maʿsiyah*), if someone is going to say that it is permissible to wipe over something *ḥarām,* then by that very statement he is accepting the *ḥarām.* And that is something which is impossible, because it is obligatory to make *inkār* of *ḥarām*.

Because he says,

والمحرَّم يجب إنكاره

It is obligatory to make *inkār* or reject it, and openly refute it and say that it is unacceptable and it can't be done.

Shaykh al-ʻUthaymīn ﵀ says that maybe the scholars even say that you can't wipe over something which is *ḥarām* [because] they took the *qiyās* or the analogy from the prayer of guy who is *musbil* (someone who does *isbāl*).

Isbāl is having your garment below your ankles: this is *isbāl.* The *musbil* is the one who allows it to go under. Everyone knows about this and everybody knows that some say it is *ḥarām,* it's not *ḥarām*, etc.

That is another massive issue which is not part of our study today, it is just giving us an example. I believe that the concept of something like *isbāl* is only prohibited in something like a *thawb*, like [the one] I am wearing. I believe that in a *thawb* or if you have a *ridāʾ* or a *maʻwīz*, which is known as the *lungi* (which in English is known as a sarong).

What is the commonality between them? They are all one piece. This is the position of my own teacher, Shaykh Muḥammad Sālim ﵀. This is his fatwa, that the *isbāl* is only done with things which are hanging and in one piece. So it is a *thawb*, or it's that lower part which is all one. Anything that is like *sirwāl* or trousers, just going underneath the ankles - in our opinion, the prohibition is not relating to that.

This is our technical opinion based upon the *ḥadīth*. Yes, there's the other argument as well, which I personally don't like. This is the famous statement because of *Sayyidina* Abu Bakr al-Ṣiddīq ﵁. His sarong kept slipping and it would go under (fall below the ankles), and he would complain to the Prophet ﷺ because he was worried about the prohibition. There are many *aḥādīth* which are very strict about this and they're all to do with *kibriyāʾ* and *kibr* (being arrogant and proud).

You've got to understand the Arab way. If you remember, we've discussed this in class already. There a big difference and a big cultural shift with the way that we see material and the way that they saw material.

Remember when we we're talking about if one *thawb* is dirty and then you're stuck, and you're trying to find another *thawb* but you have to wash it, and so on? We don't even have that concept because we have *thawbs* [i.e. more than one piece of clothing]. Whereas they used to bury themselves in the same cloth (as a shroud) that they used to eat their food on, which they also used to wear as their new Friday garment. It's a very different concept of clothing.

That's why in *Bukhāri,* there are chapters [discussing whether] it is permissible to pray with one shoulder uncovered or if it permissible to pray with both shoulders uncovered. You reading that today would be thinking 'What on earth is that discussion [all about]? Why on earth would you praying without your shoulders covered?' Well you would if you only had one cloth in your entire house.

Therefore, the exact opposite is to be understood. At that time, lots of cloth and flowing clothes were a sign of richness. People who then wanted to show that off would let it flow behind, like the regal kings.

This is where that whole thing comes from, by the way. We see big king with lots of trains of stuff and the wedding dress on the one special day of the year, with the greatest most expensive, massive trains of cloth. I want you to understand that there is arrogance in it, whereas most people today don't do it because it looks strange in society.

Abu Bakr al-Ṣiddīq's was slipping, so he said, "*Yā* Rasūlullāh, am I in trouble here or what?" The Prophet ﷺ said that it's okay [because] you don't do it out of pride. Obviously a number of the scholars – more contemporary than classical, I must add – said that as long as you're not doing it out of pride, then it's not a problem. That's a fair enough *fatwa* and that's okay. Actually, fundamentally speaking, I don't even believe that it's a problem in the first place, on a pair of trousers, arrogance or no arrogance, because the prohibition doesn't come into that anyway. I just wanted to put that out.

If you did put it below your ankles, this would be called *isbāl*. And the Prophet ﷺ said in a *ḥadīth* (which is what Shaykh al-'Uthaymīn رحمه الله is referring to on the authority of Abu Hurayrah رضي الله عنه):

لا يقبل الله صلاة رجلٍ مسبل إزاره

"Allāh ﷻ does not accept the prayer of the one who allows his izār (lower garment) to go underneath his ankles."[2]

This is a major *ḥadīth,* because "Allāh does not accept" is a lot different than "your prayer is accepted, but you're sinning." Anyway, of course this is a big claim, a big scrutiny and the scrutiny of this *hadith* is that it is weak, and there is no doubt about that.

This *ḥadīth*, Imām al-Nawawi رحمه الله said:

[2] See footnote no. 1 on page 230 of the *sharḥ*.

بل إسناده ضعيف

That this *ḥadīth* is weak. It has three *ʻillal* (hidden faults) which make it weak. I will just quickly mention them to you for your notes.

The first fault is that it has Abu Jaʻfar, and he is *majhūl* (he is someone who is unknown in the Sciences of *Ḥadīth*, in the Science of the Men of *Ḥadith* [ʻIlm al-Rijāl]), as was stated by Ibn Qattān and Imām al-Dhahabi and Imām Ibn Ḥajr. You can find that in *Tahdhīb al-Tahdhīb*.

The second fault is that there are differences in the chain, as Imām al-Bayhaqi said. If we look at al-*Sunan al-Kubrā* by Imām al-Bayhaqi, you will see that there are a number of problems in the chain.

The third problem, as Imām al-Nawawi said, is that Ibn Ḥajr said that there are faults in the direction of the chain. Meaning the nature of the chain itself is not direct through a set number of narrators. Each time the narrators narrated, they were by different narrators, and were not fitting the normal system.

Shaykh al-ʻUthaymīn رحمه الله proceeds on the basis that this *ḥadīth* itself is authentic, and that is why he says:

إن صحَّ الحديثُ فإن المسْبِلَ تبطل صلاتُه

This *ḥadīth* that [states that] the prayer is not accepted from the one who is in a state of *musbil*, this *isbāl* will invalidate his prayer.

Likewise, if a person wears a *ḥarām thawb*, the *qiyās* on this *ḥadīth* [indicates that he] will not have a prayer, because his *thawb* is *ḥarām*. Likewise, a person who has stolen his *khuff* and then he had wiped over his *khuff*, then it itself would not give him *wuḍūʾ* because it is *ḥarām* based upon this *ḥadīth*.

What's our conclusion? My conclusion and the **class position** is that this *ḥadīth* is weak, it is not allowed to be useful evidence, and therefore, we cannot support the principle by using this context.

The prayer of the one who does *isbāl* is not invalidated if he does it. The prayer is acceptable. [As for] the one who wears a *ḥarām khuff,* we will say that his *wuḍūʾ* is valid, but he should not do that. That is the position of the Ḥanbali school, it is the

position of Shaykh Al-ʻUthaymīn رحمه الله, and it needs to be avoided - it's common sense anyway. This is one of those scenarios where the evidences are not super clear from the Qurʾān and *Sunnah*, but it doesn't need to be. This is a basic principle that can stand by itself. So that is the issue of the second condition.

Q & A

Q: How come people are so strict on the issue of jeans or trousers or anything being below the ankle at any time? Forget about the prayer, but at any time? Where is it coming from?

A: The basis for the argument is that they will say that there is no evidence to restrict it to just those things which don't have two legs. That's first of all. I said - as Shaykh Muhammad Sālim al-Udūd al-Shanqīṭi[3] رحمه الله said - every *riwāyah* and every narration of the *ḥadīth* of prohibition mentions something which does not relate to the *sirwāl* (trousers). It is more than just anything, it is a genre of clothing, so it does not apply to jeans in the first place.

The other scholars will respond back and they will say "What you are doing is specifying something which is general. When you specify the general, you need to bring in the evidence to specify." That is an acceptable response, and that is the reason why they say it is to be done across the board.

Then you could throw the other one against them which is, "We won't specify it, but Abu Bakr al-Ṣiddīq رضي الله عنه got a green card because he was not doing it out of arrogance and nor am I. I am doing it because it is the way of the people." And that is a strong argument.

But they will respond to that as well and they will say, "What else is arrogance and pride if it's not exactly what you're doing? You're too ashamed to pull up your trousers, so you not pulling your trousers up is a sign of your pride".

When you get into that kind of discussion, you're not going to solve it, which is why you adopt a position and as I said, my position (based on the Prophet ﷺ always dressing like the people of the place that he used to go) is that this is not *Sunnah* at all, me wearing this [i.e. a *thawb*].

The *Sunnah* for us is to wear the clothes of the people, and there is no direct evidence to show people wearing trousers or suits being just underneath their ankles.

Generally, we would say that when you are in the Muslim countries and you are wearing *thawb*, keep it above the ankle: and this is my position. Even if I was to agree with that position of it being prohibited, I would also say that there is no evidence to specify it for the prayer only, and either you don't accept it or you accept it. It shouldn't be *ḥarām* or not. I mean [it would be] *ḥarām* all the time, not just in prayer.

[3] He is the uncle of Shaykh Muḥammad al-Ḥassan al-Daduw al-Shanqīṭi and he was known to be and has been in the last 100 years the leading grammarian and Arabic language master there has been.

You know you see some people and they come to prayer and they roll it [the hem of their trousers] up, then when they finish prayer then they roll it down – there's no evidence for that either. [It's either] just *ḥarām,* then it's *ḥarām.* So I don't think it's *ḥarām.* And Allāh ﷻ knows best.

27. The Chapter of Wiping Over the Footwear V

What we are doing today is the statement in English on page 1:

Conditions for wiping over footwear are:

1. ritually pure
2. lawful
3. covering the area which is obligatory
4. stays in place by itself

This week we will do number three, which is 'covering the area which is obligatory'. By that, it means that which is obligatory to wash, so the foot has to be covered. We'll also do number four, which is 'stays in place by itself'.

What I actually wanted to do before I move on to the third point is just read what Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله was saying. He mentioned something really nice, which I didn't mention because Shaykh al-'Uthaymīn رحمه الله didn't mention it. It's about some principles and maxims; these are the tools that scholars use to try and understand. Evidence is very easy to find now. You can open the Qur'ān and read any *āyah*. With *aḥādīth*, it's all translated now and you can go to any *āyah* or *ḥadīth*. The big thing with *ḥadīth* is whether it's authentic or not, but there is no problem like that with the Qur'ān. Now all the collections are translated and they have the ruling about if they are authentic or not [included in the text]. Nothing is stopping anyone from going to all the sources directly.

As you've seen in this class, the problem is that you get very confused with not knowing what comes first, what's being cancelled, what the rule details, etc. One of the ways that the scholars used to be able to understand those evidences and create and derive rulings from them was to have a set of principles. There are some universal principles that everyone agrees on. There are other principles which people don't all agree upon. Some *madh-habs* carry them and other *madh-habs* disagree. It sometimes goes to individuals where some individuals are carrying some principles.

These principles, rules, maxims (call them what you like) are useful in getting a broad understanding of what I am to do next with this *ḥadīth*. Last week we said that the *khuff* (whatever you are going to wipe over) needs to be *mubāḥ* (permissible, lawful). We talked about how it can't be stolen or made of pigskin.

I just wanted to mention to you that Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله said, "When the *madh-hab* says it's *mubāḥ*, we basically mean something which has been

stolen or something which is made of silk (if it's being used for men). Therefore, it's not permissible to wipe."

When it comes to *wuḍūʾ,* what does it mean when something is impermissible to wipe? Is the *wuḍūʾ* invalid as well? When we say something is not permissible, what does that mean? Does it mean that the action is invalidated or does it mean that you sin? Remember we've talked about this before. The most common question I get asked during *Ramaḍān* is: "Is the fast valid if I don't pray?" It sounds shocking, but that's the reality of the Muslims out there.

That question certainly goes through the roof when it comes to *Ramaḍān* time. If we look at this issue, it is really interesting. We are just going to assume that you are a major sinner for missing the prayer because of laziness.

It is completely prohibited to not pray just like it is completely prohibited to wear a *ḥarām khuff*. But if we wipe over the *ḥarām khuff*, do we have *wuḍūʾ*? Is our fast accepted if we don't pray *ṣalāh*? Is it the same answer [in both scenarios]? It is absolutely *ḥarām* to not pray. You will be sinful to the nth degree, but in and of itself, it is not one of the conditions to ensure a valid fast. It will be ridiculous, a paradox [and] a joke, but technically, [not praying] still does not affect the fasting. Your fast is a waste of time from its impact and its reward. It is a disaster and we know that.

The real *fiqh* is: let's say that this guy starts practicing next year. Does he have to make up those fasts? That is the question that the *ʿālim* would be asked. When he gives his *fatwā*, he will say no. The fasting that you did at that time does not need to be made up. As for the prayer, he might say to him and [this is] according to the majority of the *imams* [as well], that you have to make up all of your prayers.

According to Ibn Taymiyyah ﷺ and the modern contemporary scholars as well, they say no, he does not need to make up his prayer. He just does [the act of] *tawbah* and that is it. It [*tawbah*] is sufficient and that is my position as well. But do you understand the point there? There is a significant aspect of something *ḥarām* and does it affect the action [it is a part of] significantly? The answer is no, but with the *khuff*, we are saying that yes, it is a problem. That is why Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ says that the person who does *mas-ḥ* on the *ḥarām khuff*, it is not a valid *wuḍūʾ*. His *wuḍūʾ* is also not valid. [His *wuḍūʾ*] is not accepted and this is the position of the Ḥanbali *madh-hab*, he says.

This shows that is not an agreed upon principle. Why? Because he [al-Shanqīṭi] uses a *qāʿidah* [or] a maxim *ʿala al-nahiy*. When you prohibit something, then the action which it is being applied on is *fāsid*. It becomes corrupt, meaning it becomes invalidated, in and of itself. It invalidates the action that is being done. This is a *qāʿidah uṣūliyyah*.

It is something which scholars themselves didn't all agree upon. We are not going to go in all of that detail, that's an issue for *uṣūl al-fiqh*.

Another point: what is the ruling or status of wiping over the socks? What kind of category of action is it? It's a concession. It is not a *Sunnah*, it is not recommended to go out and intentionally wipe over socks, if that makes sense. Remember we are using the definition of *Sunnah,* here, in a different way. We are saying that it's not that you have to go out every single day wiping socks, but if someone was to not wipe on socks and say it's a *bidʿah* or something like that, then it would be *Sunnah*, maybe even obligatory to go and actually do it, to show people that this is what Prophet ﷺ did and to teach them.

We are not talking about that. We are saying what is it in principle? Legally, it's a concession. There is another principle, *qāʿidah fiqhiyyah:*

الرخصة لا تستباح بالمعاصي

It is not permissible to use a concession in *maʾṣiyah* (in sin or in transgression). Therefore, if you were to put on pigskin *khuff*, would it be permissible to wipe over it? You cannot intentionally be in contact with pigskin because this is *najis* and it's not permissible, just like you can't go around just touching pigs, you can't go around picking feces off the floor - intentionally, I mean. It's different if the pig runs into you then you've just got to defend yourself.

It's the same issue, which is revived for me at the moment with the new baby, but it's the issue of when you are holding a baby and you are praying. You believe that the baby has now urinated, wet the nappy, or done number two or worse. These days, the nappies are great, nothing is coming out, generally everything is okay but you can tell. What's the ruling on that? It's not fair to ask what the ruling is because the ʿ*ulamāʾ* differed on this issue. This is a baby, right? You are not touching the *najāsah*, you are not touching the filth. That is something which is one thing you are safe from, which is why a small number of scholars said that it's no problem, and that you should carry on.

The *Ḥanābilah* and Ibn Qudāmah specifically have a position (and it's the position that I hold as well) that the *qiyās* with the baby in a nappy is done with the *qiyās* of - to use a phrase which is very common in parlance – a sack of ****. And don't '#FireAbuEesa' me at the moment.

Would it be permissible for you to pick up a bag full of feces intentionally, for no other reason than to get rid of it, or something like that? The ʿ*ulamāʾ* said no, and the *Ḥanābilah* are very clear on that. They made a *qiyās* from the famous *ḥadīth* from Jibrīl where the Prophet ﷺ was leading the Companions ﷺ, and during the prayer he

took off his *naʿal* (meaning his sandals). The Companions ﷺ saw that in front of him, which is an evidence, by the way, that the issue of looking around in the prayer is not as restricted as people believe. Anyway, the Companions ﷺ noticed that the Prophet ﷺ took off his sandals, and so did they, because they thought this was what he might do.

The Prophet ﷺ later asked them why they took off their sandals, and they said "We saw you do it, *yā* Rasūl Allāh." He said that Jibrīl just came and told me specifically that I had *najāsah* on my *naʿal*, which is why I took them off. He never stopped the prayer, he never repeated the prayer, he just put it down. Which is why we rule on the ruling that it is not permissible to pick something *najis* up, but once you're told that it is *najāsah*, you've got to get rid of it.

Therefore, you're not allowed to pick up a bag of *najāsah*, but if you know that you have *najāsah*, you have to get rid of it. With the baby, if the baby then poos in the prayer, you notice that the baby is now in a state of *najāsah*, then you've got to put the baby down.

How is that connected to what we're talking about? Is it permissible for a man to wipe on a silk *khuff*? No, because the principle is that you are not allowed to use a concession while sinning. Is that absolutely the case? Is there ever a scenario where you would be allowed to wipe over a silk *khuff*? That is something else of significance. The answer is: [it would be allowed] when it is not *maʿsiyah*. *Maʿsiyah* means sin, and it is possible to be wearing the silk or the pigskin when it is not a sin.

For example, you are in the Arctic, you literally lost your finger, you realize that everything is going now, and you are freezing. You find pigskin over there and you put it on because it is more to protect your toes falling off than to worry about the *najāsah.*

In this case, it is permissible [to wear and wipe over], and that is the *fatwā* of Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله. I agree 100% that to wipe over the *khuff* that is *ḥarām* [is allowed] because now it is not *maʿsiyah*. The *rukhṣah* can be taken advantage of.

Covering the Area Which is Obligatory

Now we are talking about covering the obligatory. What does it mean by obligatory (*al-mafrūḍ*)? Meaning the *rijl* (the foot). It must be that we should cover the entire foot. This is the Ḥanbali position. Nothing must be uncovered. There must not be gaps, breaks, holes, etc. because it is not covering the entire obligatory part.

This covering according to the Ḥanbali *madh-hab* is defined in following:

1) Colour: so that you can't see through, it can't be translucent and must be opaque. This is how Ḥanbalis understand the cover, to physically cover the entire area.
2) From the colour point of view, you can't see through it and from a thinness point of view - *khiffatihi*. This also is an aspect of covering. The colour, the opaqueness is an aspect of covering, and its gaps or tears is also a part of the covering.

All of the four *madhāhib* are hardcore on the agreement of the issue, so much so that you will find many statements from them that even a pinhead of a hole is not acceptable and you can't wipe over it.

This is what Shaykh al-ʻUthaymīn ﷺ says,

حتى قال بعض أهل العلم الخَرْقُ بمقدار رأس المخرز

It is especially well-known in the Ḥanbali *madh-hab* that even if there is a tiny hole, the *mas-ḥ* is invalidated. This is according to Ḥanbali scholars.

Shaykh al-ʻUthaymīn ﷺ says, first of all where does that issue of colour/covering the colour come from? That came from the concept of prayer; you are not allowed to pray in a see-through *thawb*, because you can see the *ʻawrah*. Remember, the word *ʻawrah* is that which needs to be covered. Anything which covers the *ʻawrah* means that you can't see the *ʻawrah.*

When you're thinking 'cover', they're thinking you've got to get rid of the skin colour as you need to do when you're praying.

Shaykh al-ʻUthaymīn ﷺ says that that sounds a bit strange, and he finds a position in the *Shāfiʻi* school that is narrated by Imām al-Nawawi ﷺ and the reference is there in *Majmūʻah* (Book One, page 503). He said that the Shāfiʻis said in difference to the Hanbalis, 'Listen, it doesn't matter if you can see through as long as water doesn't get through, that's where the issue is'. This is the **class position** on that. It doesn't matter if whatever you're wearing on your foot is see-through or not. This is the position of the Shāfiʻi *madh-hab*. It is also the position of Shaykh al-ʻUthaymīn ﷺ and he comments on this point,

وليس في السُّنَّة ما يدلُّ على اشتراط ستر الرِّجْل في الخُفِّ

There is nothing in the *Sunnah* to obligate or establish from an evidence point of view that one must cover the foot via the *khuff* from a colour point of view.

He praises the Shāfiʿi school in that.

The second point is about actually covering the entire foot. Now this is the one which is the big controversy. Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ is very strict on this matter, because he is much more of the traditionalist, and he is much more of a Ḥanbali's Ḥanbali, right? Whereas Shaykh al-ʿUthaymīn ﷺ is much more the modern kind of contemporary movement Ḥanbali - he's much more flexible, he uses Ḥanbali principles but is very happy to leave the *madh-hab* at the slightest kind of opportunity, as long as he thinks the evidence is there. Shaykh Muḥammad Mukhtār al-Shanqīṭi ﷺ is much more cautious, if I can be so bold to say that, and I am taking the liberty when I say something like that.

The *madh-hab* will say: you must cover the foot from the toes [until] right above the *kaʿbayn* (meaning the ankles). That must be completely covered. Shaykh al-ʿUthaymīn ﷺ says that there is no actual evidence to suggest that, and his position is controversial. He says that actually for us, the whole idea of a sock on the foot having to cover absolutely everything does not fit with the way that we understand the Companions. He says that we're looking at some Companions who used to wear socks, but they were *fuqarāʾ.*

He says that first of all, when a word is related *muṭlaqan* (meaning in an absolute sense – i.e. wipe over a *khuff*), then Shaykh al-ʿUthaymīn ﷺ says whatever is narrated *muṭlaqan* is to be kept *muṭlaqan*. Meaning that whatever is narrated in an absolute sense must be kept in an absolute sense. You can't then start adding conditions to something which has not been described with conditions. When the *khuff* is mentioned, then anything that passes as a *khuff* or a sock (and we're going to come onto that in a minute) passes well.

For you to say, "it can't have holes," "it's got to be this high," we say bring the evidence that it needs to be like this, that, and so on and so forth. The evidences that the scholars will bring are the evidences known - what people at the time understood to be a *khuff*. And the *khuff* at that time was a leather sock, for example, and it's not conceivable that it was torn.

Shaykh al-ʿUthaymīn ﷺ, and this is Shaykh Ibn Taymiyyah ﷺ's opinion by the way, says no, in fact, it's the exact opposite. What do we actually know? We know that the Companions were mostly *fuqarāʾ*, poor, that these were the kind of people who would make a decision on, "Should I wear this for j*umuʿah* or should I eat my dinner on this?" That's the *ḥadīth* in *Bukhāri*. "Do we use this cloth for our *kafan* or do I need to borrow some?" This is their level of poverty. Don't think the people were like us, with a drawer of socks which they could choose from.

Anyway, he says,

وغالب الفُقراء لا تخلو خفافهم من خُرُوق

When you think of a poor person and you look at their clothes, the *aṣl* of their clothes is that it has cuts, holes, etc., and *al-Nabi* ﷺ never mentioned anything to them, never criticized them, nor corrected them or told them they had to sew the holes. [There are] no narrations. Therefore, this indicates that this is not a correct condition that it needs to cover the foot completely.

This is interesting - what Shaykh al-ʻUthaymīn رحمه الله is using is his understanding (as Ibn Taymiyyah رحمه الله did) of the people that there is no way to say that it must be completely full and completely sound. The obvious point is that it wasn't, and therefore, if they were wiping off on *khuffs* which we are certain had holes in them, then that shows that there is actually no evidence for you to say that you must cover the entire foot 100%. If there is a cut or a hole, it doesn't matter as long as the majority of the foot is covered, so that when a person says the foot is covered and he looks at it from afar, his foot is covered. It doesn't matter whether it's coming underneath the ankle, or above the ankle, or if it has cuts in it.

Now that's a controversial statement because the others are going to respond that you need to bring the evidence which shows that something that has holes in it is allowed, because as far as the word is mentioned, then the word is understood to be sound and complete.

This is not going to be solved when it's going back to such a subjective point. There are some *ʻulamāʾ* who said (*al-Inṣāf*, volume 1, pg. 405) that if your *khuff* is showing some part of obligatory skin that would need to be washed, like underneath the ankles, or a big tear at the front, you would need to wash that. You would wipe over the rest and wash any part of the skin. The reasoning for that is the ruling on the bandage (which we'll come to later). We know that the ruling is that if, due to it being removed, it would cause a problem, then you're allowed to wash the rest of your hand and just wipe over the splint or plaster.

Shaykh al-ʻUthaymīn says no. What happens is that when you have an area which is being covered and it is being wiped upon, any other part on the same area is following the ruling of what's happening in the majority of that area. The area of washing would therefore take the ruling of the area of wiping. If they were cut a bit short, then you would.

He uses an interesting evidence for himself, which is that the Prophet ﷺ would wipe over the *mūq*. The *ḥadīth* is authentic, but the scholars differ over what the *mūq* is. A number of them, especially Shaykh al-ʻUthaymīn, insist that the *mūq* is a type of *khuff*, which is cut from underneath the ankle, almost like an athletic type of *khuff*, if it was made of leather.

The scholars who weren't happy with that said that there's no evidence for that. They believe it to be of different type and material. We're not going to be able to fix this point.

Shaykh Muḥammad Mukhtār al-Shinqīṭī is very critical of this position. The Prophet ﷺ allowed the people to wipe over *al-tassākhīn*, which comes from something which gives warmth. It is understood that the only thing which gives warmth is a thick sock and something which, by its very nature, indicates that. The nature of the people at that time is that they would be walking in these socks and they would need to be thick to be able to handle journeys of three days specifically.

We've got to ask a question here (and this has always been asked of the four schools) that if you are saying that the sock has to be made to walk on for three days, what's the evidence for that? Where's the actual evidence? Does the statement of the Prophet ﷺ given a concession for three days based upon on you having to walk in those [socks]? In fact, we have another *ḥadīth* where *al-Nabi* ﷺ allowed a person to wipe over his *jawrab* and *naᶜal*. The *jawrab* is a sock and the *naᶜal* is the sandal.

The idea is that it's not a must that a person walks in those socks. I want you to be here with me for a minute. You might think that's absolutely obvious, that no one walks outside with their socks. At that time, that's not so obvious. At that time, that would be expected. It's not a huge surprise.

There is a difference between something being acceptable in the society and then for you to make it a condition for the *jawrab* or the *khuff,* [like] it's got to be so thick, so this, so that, that it needs to be able to withstand walking for three days and so forth. We could argue even more. The problem is that the argument can get very silly - what kind of floor are they walking on? If you're talking about the Sahara desert, you could walk ten months on socks, gliding around [the sand] doing whatever. Five minutes walking around Cheadle or Blackburn, and they would be gone or cut up in seconds with concrete rocks [and the likes].

It's an interesting discussion. I want to say to you that Shaykh al-ʻUthaymīn رحمه الله says that this issue about the thickness and the nature of the *khuff* and the gaps has always been and will always be an area of difference between the scholars. According to Shaykh al-ʻUthaymīn رحمه الله, he allows the wiping over something which is not completely sound (meaning it has holes, it has some kind of problem with it and if it's thin, then he allows it - [whether] thin, torn, holes - he allows it). There's no need to do anything else.

The **taught position of this class** (and it is the position of Shaykh Kehlan as well) is that it is permissible to wipe over such a sock. Note: We are not talking about actual socks yet, we are still talking about the *khuff*. We're just talking about the principle - is it allowed to wipe over something which is thin? The *khuff,* by the way, is always made of leather. But if it's thin and has holes in it, then would it be permissible to wipe over it? Yes, according to Shaykh al-'Uthaymīn رحمه الله, Shaykh Kehlan, myself, and it is the class position, but in the Ḥanbali *madh-hab*, it's not permissible to wipe over such a sock.

Stays in Place By Itself

The next thing is also connected because the next condition is that it stays in place by itself.

Again, this is the idea from the *madhāhib* that this thing which you are wearing has got to be something natural. When the Prophet ﷺ wore a *khuff,* there is no evidence whatsoever to show that he actually tied it with anything. Therefore, if you are resorting to tying up your *khuff,* then you are introducing something which is new to the issue and it's not a *khuff* like it used to be.

Frankly, this is one of the strange statements in the Ḥanbali *madh-hab* and it is not just the Ḥanbali which comes [out] with it - there are other few scholars as well. Shaykh al-'Uthaymīn رحمه الله says, let's say a guy has got small feet and the only thing he can wear to keep him warm is a big *khuff.* So he is a size seven and the only thing he can find is size ten, so this guy puts on the size ten puts a rubber band around the top [to keep them from falling off].

According to the *Ḥanābilah,* [it is] unacceptable to wipe over this *khuff*. Shaykh al-'Uthaymīn رحمه الله will say there is no evidence for this statement at all, and there is something wrong with this. He mentions that the evidence is that the *nuṣūṣ* (texts) that have narrated the wiping of the sock have been narrated in an open manner, meaning they are absolute and they are open. For you to restrict them, you need to bring an evidence. As long as that allows you to walk and use them, then what is the problem if it is doing the job for you that you wanted?

Shaykh al-'Uthaymīn رحمه الله says 'What if someone says to you: "What is the evidence that to wipe over something which is not fitting properly [is unacceptable]?"' and Shaykh al-'Uthaymīn رحمه الله says the evidence is the lack of evidence to not actually do that.

Student: [inaudible]

Ustādh: That is not the class position. Shaykh al-ʿUthaymīn ﷺ believes that a *khuff* that is cut underneath the ankle can be wiped over, and the rest is not washed and that is the position that our teachers do not have confidence in borrowing.

It is a brave statement, that. It is well supported, it is not out of thin air, but it's one that I am not confident to put up on people. It's a rare statement, because that requires a big leap of faith. There is a difference in supporting an idea that it's okay to have a few cuts and holes and just wipe over it, and then wearing a *khuff* intentionally that is cut underneath the ankle. His evidence for the use of *mūq* is good. That Prophet ﷺ used the *mūq* and it has been cut, but there is not an agreement on what *mūq* actually is. So *Allāhu aʿlam*.

I wanted to talk about the thinness and thickness thing. The *madhāhib* are not interested in wiping over something which is thin whatsoever. They want thick, real leather like *khuff*. The interesting thing is that today you can buy certain merino wool socks and xyz material socks which are super thin and are much warmer for your foot than the most rugged of things.

So to make your argument based upon the concept of the warmth, walking, this, that, whatever, without bringing a *Sunnah* statement is always going to be difficult. You will always be able to refute it. That is why we don't try to argue upon the *ʿaql*.

That is why actually I want to say to you that even Shaykh al-ʿUthaymīn ﷺ's argument is itself risky. Meaning you would not go out on purpose with holey socks and then wipe away. It is a risky thing to do, even if it is a taught position in the class. I mean you have a sock and then you wipe and realise, 'Oh gosh, this sock has a hole in it', you wouldn't go and push the boat and say, 'There is nothing wrong with that, so I am keeping that boy and I am going to wipe over it tomorrow'. That is a whole next level of boldness. I am not down with that and that is why I am not putting that out to be the class position. I am saying to you that you see that and wipe over it. It is not a problem, that is the way we understand the *Sunnah*.

I am not going to rule upon that guy intentionally going to it; I am not going to say it's valid or invalid. This is a difference of opinion *aṣlan*, but I would not risk it and the reason why is because Shaykh al-ʿUthaymīn ﷺ does not bring real proper evidence to establish his point. He uses a *ʿaqly* point - they were poor. Once you make that, the others could turn around and also argue with their *ʿaql*. Whenever your argument is not supported clearly, expect a good response and expect you not being able to support your own [argument] strongly.

Let's quickly talk about the next part then. The translation on page 2, the text says,

من خُفٍّ وجَوْرَبٍ صَفيقٍ ونحوِهما

During minor ritual impurity, one can wipe over:
1. leather socks, thick socks, and anything similar to them

That's where we are going to start today. Leather socks, thick socks and anything similar to them. First of all, what is a *khuff*? A *khuff* is a leather sock. It's a condition: a *khuff* cannot be applied to anything other than leather.

The *jawrab* is the sock, meaning something which is made out of anything other than leather. In principle, it's cloth (cotton, wool, and the like). But in principle, if you want to go back to the nitty gritty, then it's cotton and whatever which are all forms of anything goretex things today. You know those goretex material ones that are not cotton or anything? It's a non-leather and non-cloth, it is synthetic cloth, so that is its own kind of category. I just wanted to be clear about that.

Now, *khuff* is straight forward. It's very simple. It's very easy. For that which is made of leather, the evidence of wiping upon that is clear, and we already established that. But with regards to the *jawrab*, what is the evidence for wiping over a sock? The scholars use two evidences. As Shaykh al-ʿUthaymīn رحمه الله mentions here, the first evidence is *qiyās* (analogy). He says that if we understand the *ᶜillah* (the reason behind doing that action) for whatever has been narrated, as long as we can reproduce that *ᶜillah* , then we can do the same action.

So why are we wiping over the *khuff*? The *khuff* is something which keeps our foot warm, and you put it on and it is a mission to take it off each time and so for the ease, you wipe over it. What if I had a sock that has just as good quality and does the same thing? That's a *qiyās* and we'll therefore make *qiyās* upon that. So, this is the first argument.

The second argument is the use of a *ḥadīth* which is very interesting. This *ḥadīth* is one of the controversial *aḥādīth* in the *Sunnah*. As narrated by Mughīrah ibn Shuʿbah رضي الله عنه, *Al-Nabi* ﷺ made *wuḍūʾ* and he did *mas-ḥ* over his socks and his sandals. In fact, I would put forward from my brief studies of *ḥadīth* that the most famous *ḥadīth* of Mughīrah ibn Shuʿbah رضي الله عنه is this *ḥadīth*. Every Companion has a big *ḥadīth*. The *ḥadīth* of ʿUmar رضي الله عنه is *niyyah*, the *ḥadīth* of ʿAbdullāh ibn ʿAbbās رضي الله عنه is *mawāqīt al-ṣalāh,* for example, the advice of the *ghulām,* and so on. The *ḥadīth* of Mughīrah رضي الله عنه is this *ḥadīth*. He said that the Prophet ﷺ did *mas-ḥ* over his socks and his sandals.

People might say 'What's the problem? The *ḥadīth* has been narrated by Aḥmad, by Abu Dāwūd, and by Ibn Mājah, by Imām al-Tirmidhi. The *sanad* of this *ḥadīth* is absolutely fine; there is no problem with this *ḥadīth* from a *sanad* point of view. So where is the controversy? The controversy is that this *ḥadīth* has been narrated X amount of times by other scholars and Companions and the words *jawrab* were not included. It was *khuff* that was mentioned.

Now here we have an issue. Do we now understand this to be a mistake from Mughīrah that he was thinking *khuff* but he said *jawrab* instead? Do we understand that this is a weak addition? Do we understand that if the Companion is actually sound and he makes a statement, even if it's different to all the other Companions, this doesn't indicate doubt but rather this indicates addition?

Ahl'l-fiqh (people of *fiqh*) have more thinking about the thing – they're like, 'That's strange, that's the odd one out, that's not included, therefore we're going to stick to leather only'.

The position of *Ahl'l-ḥadīth* is that if the *ḥadīth* is authentic, it goes. And if the *ḥadīth* is authentic, so what? It says that we wipe over the socks, so what's the problem with that?

Likewise, in following that, Imām Aḥmad رحمه الله considered this *ḥadīth* to be authentic, Imām al-Tirmidhi, and a number of *Ahl'l-ḥadīth* and *a'immatul-ḥadīth* (imāms of *ḥadīth*) considered this *ḥadīth* to be authentic. Not just these Imāms - there are 9 of the Companions who acted and narrated the action of wiping over the socks. Who are these people? Sayyidina ʿAli, ʿAmmār, Ibn Masʿūd, Anas ibn Mālik, ʿAbdullāh ibn ʿUmar, Barā' ibn ʿĀzim, Bilāl, Ibn Abi Awfah, and Sahl ibn Saʿd.

That's nine Companions, *raḍiyallāhu ʿanhum ajmaʿīn*. All of these Companions have been narrated as having narrated the wiping of the sock. With respect to the details of the sock and its thickness, we'll have this discussion inshā'Allāh next week.

Q & A

Q: If the nature of the *khuff* is that it's made of leather, is it permissible to wipe over a shoe?

A: It is permissible to wipe over a shoe that has not been removed and that is covering the whole entire area, like a boot.

Q: [inaudible]

A: According to Shaykh al-ʿUthaymīn رحمه الله this applies across the board because for him it is not a condition that the entire foot is covered. By his understanding (like Ibn Taymiyyah رحمه الله), any cuts or breaks on the entire thing are acceptable. He said, "What is the difference theoretically?" This is a really interesting point. If it sounds acceptable to you intellectually that I can wipe over my sock that has a hole underneath, mentally you would accept that. You are wiping over the sock and it has that hole underneath. You say they are poor and this that is normal, etc… What is the

difference in taking that hole and turning it into a thin strip and putting at the top? This is Shaykh al-ʻUthaymīn's رحمه الله point. If your are happy to accept that, then the principle is what needs to be established. Folks, you do not need to cover the entire obligatory area with something you wipe generally. This is his position; he just extends it to a place which is very brave, somewhere where I am not willing to go, but you need to understand his methodology.

Q: [inaudible]

Ustādh: No, I think that is different. I think the question you are talking about is going above the ankles. There is no condition that it needs to go above the ankles. It needs to cover the ankle - exactly what needs to be washed. As for washing, we go above the ankle, but washing is something else.

So in normal circumstances, the *khuff* needs to cover the ankle. He (Shaykh al-ʻUthaymīn رحمه الله) is saying it is not a condition, because as long as the *khuff* covers the limb in general, then cuts here and there are just details. There is no evidence in the *Sunnah* [regarding that].

Q: The ʻ*ulamā*' put many conditions on the *khuff* and Shaykh al-ʻUthaymīn was saying that they need to bring forward their evidences. [Their response was to say] that he should bring forward his evidences. Surely the people who claim something need to provide the evidence?

A: The problem is this: a principle that you have will always sound better when you have been brought up on it. These are two valid claims. See, the irony is that both sides will interchange between both of these exact principles. What justifies it for them is exactly when do we apply one of these principles and when don't we apply one of these principles? So they both agree on the idea that something which has not been narrated according to the *Sunnah* should never be used because it is a *bidʻah.* At the same time, they say if something has not been narrated and we do it now, as long as it falls under the same genre/ʻillah, etc., then there is no evidence prohibiting it. So they will utilize both arguments in very specific times.

So this is actually more than just a simplistic, 'this is my way, and this is your way'. Both are valid arguments - the real question is: how complete a system can you create by using your rule or your *fiqhi* maxim, and apply it all the time in everything? Can you get away with it each time? That is the challenge for the *madh-hab*. To root out the inconsistencies and contradictions.

A kind of modern, Athari/Salafi approach would be: those contradictions are just trying too hard, and that's a proof that you should accept the alternative. It is an interesting construct, when you look at it.

Q: [inaudible]

A: This is an important question. If we believe it is a concession, then surely we shouldn't use it all the time. There are two schools in this: there is one which is saying that a concession is something which is allowed and you should do it all the time, and there are others that take the concession more in its linguistic meaning. It is a concession, and you shouldn't be doing it all the time. I am definitely of the second. I am a person who minimises wiping over the socks, and I want my students to know that. I believe it is permissible. But I think for those in an office environment, they should do it all the time, because it is much better than sticking your foot in the sink.

28. The Chapter of Wiping Over the Footwear VI

We are on page 236 in the *sharḥ*. The Arabic text that is relevant to that is the next page, on page 2:

مِنْ خُفٍّ، وجَوْرَبٍ صَفِيقٍ، وَنَحْوِهِمَا، وعلى عِمَامَةٍ لرجلٍ مُحَنَّكَةٍ، أَوْ ذَاتِ ذُؤَابَةٍ وعلى خُمُر نِسَاءٍ مُدَارَةٍ تَحت حُلُوقِهِنَّ فِي حَدَثٍ أَصْغَر

During minor ritual impurity, one can wipe over:

1. leather socks, thick socks, and anything similar to them
2. a man's turban which loops under the chin, or possessing tails
3. female headscarves which wrap around the neck

What we are talking about [is] during minor ritual impurity, so right after you have broken your *wuḍū'*.

Minor Ritual Impurity

Why does it say minor ritual impurity? Let's say that it was major ritual impurity - why can we not wipe over it in major ritual impurity? [Because] you need to do *ghusl*. [This is] stating the obvious; you [need to] know why they said minor. If it was major [ritual impurity], you would need to do *ghusl* and wash your whole body so you can't be wiping over anything. Although there is [one] exception and that will come towards the end of the chapter.

What is the Arabic word with respect to ritual impurity? [The word is] *ḥadath*. How do we differentiate between the two of them (large and small)? *Ḥadath aṣghar* and *akbar* [means] small *ḥadath* and a major *ḥadath*. From an Arabic point of view, have a look at the text and see that the Arabic has *ḥadathin asghar* right at the end of the sentence, whereas in our translation, we put it right at the beginning because ours is a rendering and not a translation. [It is not] literal because if it was literal, it would be far more difficult to translate. It is not the point of a translation [in its reality].

It is interesting, and I am just sharing some thoughts with you from an academic point of view. Translators and scholars are always faced with a challenge - how do you faithfully translate something for an English crowd? There was this idea for years and

years that translation means exactly that it needs to be translated word-for-word so that nothing is lost is translation. Then this idea came that it is all about the message and not the meaning.

Therefore, people felt a little bit guilty applying that kind of approach to the translation and the new word that was used was rendering. It was rendered into English by so-and-so and everyone was a fan of that. What I think should happen now in this next stage of development of this art [of translating] is that we should be confident enough to say that translation itself should be rendering. There is no need to have another phrase [for translation].

We should say the translation of this verse is this. If it is the other way around, and a bit of it is broken down or we took artistic license and [changed some phrases], then so be it. This is the translation and if we are trying to be extra careful and if we want to prove an academic point, then we will say 'but literally translated...it will mean this'. I want to move away from the concept of rendering or rendition. This is very much a rendition and this is why we have put minor ritual impurity at the beginning [of the sentence].

'Anything Similar to Them'

During minor ritual impurity, one can wipe over:

1. Leather socks, thick socks and anything similar to them (we did this last week).
2. A man's turban which loops under the neck or possessing tails.
3. Female headscarves which wrap around the neck.

That's the text. Let's get into the notes then. We finished off with:

ونحوِهما

...and anything similar to them.

Similar to the *khuff*, the sock, and boots as well. We are talking about anything. The **position of the class** is that we are happy to wipe over leather socks (*khuff*) and any variation of that leather sock; for example, cotton socks, synthetic socks, and in addition to that, anything which is like a shoe is also permissible (boots, shoes, etc.), as long as all of those cover the obligatory aspects of the foot. It has to cover from the toes all the way and including the ankle (as if the water were washing that part). We are not happy with normal shoes. There is no problem with boots. These are all included in this area.

We discussed the differences between the scholars last week. Some of them really don't like thin socks, some don't like water going through, and others don't want any tears. Shaykh al-'Uthaymīn رحمه الله says it doesn't matter about the cut; it's about how much of the foot it covers (i.e. the majority should be covered). I'm just saying it's great if you can avoid torn socks, but it's not a problem if they are torn. It's not a problem if they are made of cloth either. The one sock it would be impossible to wipe over is the 'Arab' sock. Arab socks are basically like women's tights. I've never seen any other man wear these socks.

Let me tell you something interesting from a language point of view. If you look at old English, the word 'tight' is not for 'tights'. This is not a very academic statement. I don't think 'tights' is as old as the word 'stocking'. Certainly the word 'stocking' appears much more in English literature (dare say western literature), far earlier than the word 'tights'. *Allāhu a'lam*.

The reason that I make that point is that even today when you say the word 'stocking', you think of something thick, whereas when you say 'tights', it's not the immediate thing that comes to mind. Even though of course, both words can be used.

That's not keeping anything warm. The kind of sock that we are talking about in terms of thin is the thin sock that everyone wears.

Normal thin socks is no problem. Like your Pringle socks and your normal kind of Marks and Spencer and BHS kind of job, and everything on top of that. Shoes are fine, boots and all the rest of it – as long as it goes above the ankle.

Method of Wiping

When it comes to wiping on these shoes, socks, *khuffs*, and so on (and there is difference of opinion on this issue as well), the *Sunnah* is to have your hands damp, and Allāh knows best. They are not meant to be made specifically damp, it is just the normative damp. They are damp and you would put them both on the top of the feet from the toes and you will wipe upwards at the same time (hands on both feet at the same time) – that is the key point. Wiping at the same time, from the toes all the way up to this part of the shin. One wipe and that is it - nothing underneath, nothing around the sides, no twice or three times - just one wipe simultaneously.

If there is a reason that you cannot do both at the same time for some reason (you are trying to balance or something like that), then that is permissible to do the right and then the left. But in principle, it is done at the same time. We will come to that properly in detail later on.

Wiping Over the Man's Turban

Then Imām al-Ḥajjāwi ﷺ says,

وعلى عِمامةٍ لرَجُلٍ

Number two, one can wipe over a man's turban. Shaykh al ʻUthaymīn says that means it is permissible to wipe over the turban (ʻ*imāmah*). The word ʻ*imāmah* comes from *mā yuʻammamu bihi al- ra's* (that which is surrounding the head, basically). *ʻĀm* means something general, something very wide. ʻ*Awwām* means the masses. When you speak to the ʻ*awwām,* we are speaking to the masses or the majority of people. It is like the wide masses. When you say something is ʻ*ām*, the opposite of it is *khāṣ* (something which is specific) and *ʻām* is something which is general. You can understand even linguistically it means that which is general and big and surrounding and unrestricted. Here, though, from an Arabic point of view, specifically its meaning is to circulate or to surround the actual head, and it is what everyone knows.

What is the evidence of this being permissible? The *ḥadīth* of Mughīrah bin Shuʻbah ﷺ again, in which the Prophet ﷺ said:

فَمَسَحَ بِنَاصِيَتِهِ وَعَلَى الْعِمَامَةِ وَعَلَى الْخُفَّيْنِ .

"…he wiped over his forehead and wiped over his turban and over his socks."[1]

This has been narrated by Imām Muslim and there are other version in *Bukhāri* as well. The Prophet ﷺ wiped on his forehead (meaning on his forelock, which is just a little bit of hair that is showing) and then his ʻ*imāmah,* then the rest of his head, meaning it didn't come off. Whatever hair was showing, he wiped on that and carried on to the ʻ*imāmah* and he wiped on his two leather socks as well.

Now interestingly, Shaykh al ʻUthaymīn ﷺ says that sometimes this *ʻimāmah* (turban) has also been referred to in the text as the *khimār*. The Prophet ﷺ said in a *ḥadīth* mentioned in *Ṣaḥīḥ Muslim*,

مَسَحَ عَلَى الْخُفَّيْنِ وَالْخِمَار

"He wiped over his two leather socks and the khimār."[2]

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[1] *Ṣaḥīḥ Muslim,* Book of Purification, Chapter: Wiping the Forelock and Turban, *ḥadīth* no. 103.
[2] *Jamiʻ at-Tirmidhi,* Book of Purification, Chapter: What Has Been Related About Wiping Over The ʻ*Imāmah, ḥadīth* no. 101

Obviously, the Prophet ﷺ is not wearing a *ḥijāb*, so here the word *khimār* actually means *al-ʻimāmah.* This *ḥadīth* has been narrated by Imām Aḥmad.

Shaykh al-ʻUthaymīn says if we did not with certainty say that the word *khimār* means a ʻ*imāmah*, then it is permissible for us to wipe upon the *ghutrah.* The *ghutrah* is that checked cloth that Saudi's wear.

Shaykh al ʻUthaymīn's point is that of course he is not wearing a *ḥijāb,* so it must be some kind of cloth which must be loosely hanging. Therefore, he said that it's important for us to restrict the meanings of the words when it is obvious that it needs to be restricted, because if we didn't then it would be permissible for someone who is wearing his headscarf to just to wipe over that.

By extension, it would be a lot easier for someone to argue that it might be permissible to wipe over a normal hat (we are going to come to this next week). Then it becomes more of an issue when it comes to the head. Shaykh al ʻUthaymīn says, 'It is referring to ʻ*imāmah'.*

Shaykh al ʻUthaymīn رحمه الله says why Imām al-Ḥajjāwi رحمه الله mentioned men. Why did he just not say turban?

Shaykh al-'Uthaymīn رحمه الله says (or wants to say) it is a condition for wiping over a turban that it is for a man, because if a woman is wearing a turban, then that straight away is impermissible. It is impermissible for a woman to wear a turban outside, of course. Inside, she can do what she wants. If she wants to do some kind of freak show behaviour, then she can do that [and] knock herself out, but outside in the public, she can't be wearing a turban.

فلا يجوز للمرأة المسحُ على العِمَامة، لأنَّ لبسها لها حرام لما فيه من التشبُّه بالرِّجَال

Because it has *tashabbuh*; this is the imitation of men. Remember we said the concept of *tashabbuh* is when you copy people in something which is completely specific to them. And we know that as Shaykh al-ʻUthaymīn رحمه الله here mentions,

وقد لعن رسولُ الله صَلَّى اللهُ عَلَيْهِ وسَلَّمَ المشتبهين من الرِّجال بالنِّساء

The Prophet ﷺ cursed those men who imitate women (like cross-dressers and transgenders).

Just so that you know, the words are different in the Arabic but not because it's a different word - just from the grammatical point of view. *Al-mutashabbihīn* is always going to be used for men, *al-mutashabbihāt* is going to be used for women, but the

actual principle is *mutashabbih* (the one who is imitating or resembling the other person), and this is indicated by al-Bukhāri of course. It is supremely authentic and one that needs to be carefully looked it. It's extremely important that we understand that.

Now, obviously I don't want to get into this debate because we talked about clothing and *tashabbuh* before and we spent a lot of time on this concept. But it's really about something which is exclusively aimed at someone. Now you might argue that for trousers, are women allowed to wear trousers? Are trousers something to be considered as exclusively male? And this is interesting because in principle, you might have thought that's exactly what they are.

In principle, a woman would generally be wearing the *jilbāb* (something which is an overdress). The issue becomes really difficult when you have Muslim women in this country who are not wearing a *jilbāb*. [It is] something which is a long flowing dress, which is covering whatever else they are wearing underneath, whether that itself be a skirt, trousers, trackie bottoms or whatever.

Now I do want to say that yes, there is a difference of opinion regarding the parameters of *jilbāb*. Does it have to be a big flowing dress or can it be some type of secondary clothing on top? I want to say to you that it is a minority position that would say that a woman could be going out in public with effectively only one garment on her legs. It is the minority position. I won't say there is an *ijmāʿ* against it because there isn't. I will tell you why.

For example, think immediately of a woman who goes out in a thick, flowing, baggy skirt or dress. For all intents and purposes, that is playing as good a role as any *jilbāb* would. That is why we cannot strictly say it is about layers. It is more about the appearance in general.

If a woman is walking around in tight trousers or jeans and you are seeing those trousers, there's no other cloth or anything, that is where it gets problematic. It gets problematic there for me in my personal opinion, much more from a *hijab* point of view as opposed to a *tashabbuh* point of view, but that is there as well. [This is] because that is exactly how men would wear their jeans and trousers. It is where it might become super specific. So *Allāhu aʿlam,* something which there is no doubt, there is a lot of doubt in.

Basically, there is no doubt that women wearing trousers in a manner that men do - certainly without a *jilbāb* - is in a risky doubtful area, and many of the ʿ*ulamā*' would consider it to be something impermissible for a woman to walk out with publicly. The point is that [wearing the] *ʿimāmah* is not permissible because it is not permissible for a woman to walk outside and not cover her hair. So a woman wearing a *ʿimāmah* is doing a million things wrong. That is why it would not be permissible for a woman to do that, because the action is *ḥarām*.

Shaykh Muḥammad Mukhtār as Shanqīṭi ﷺ said there is a second scenario. There are two scenarios when a woman would wear a turban.

1) Because she is cross-dressing or sick in the head, and this is *ḥarām*
2) To save herself, there is a need, there is a problem.

For example, she's cold and needs to cover her head with anything that's available, so there is a *ḍarūrah* (a need) for her to do that. What would be the ruling if she wears the turban because she is cold? Is it *ḥarām*? A turban by its nature doesn't cover the hair, so let's say it's a fixed one.

It's permissible for her to wear it to protect her head, even though it's *ḥarām*, because it's a *ḍarūrah*. Is it permissible to wipe over it? I don't know of any scholar that allows that wiping and it doesn't make sense either. The wiping is a ruling of normality which is based upon ones normative use of that garment. Here, it is not being used in its normal sense, therefore it's not permissible to wipe over it.

We can put another caveat on that; let's say that she literally couldn't wipe her head because of xyz reasons, then it's permissible and that would be another level of *ḍarūrah* that would come in.

For the *ʿimāmah*, there are a number of things which are a condition. Similar to the *khuff,* it needs to be intrinsically pure (the cloth itself), it must be *mubāḥ*, i.e. it can't be *ḥarām* (stolen), or have pictures on it, or be made of silk, etc.

Imām al-Ḥajjāwi ﷺ has mentioned the word *rajul* (man), but by that statement, he wasn't intending that a boy can't do it. A boy can, and by a boy we mean *bāligh,* as a non-*bāligh* would be irrelevant.

But if a child was going to do it, that's not a problem. For the *bāligh*, post-pubescent boy and a boy, all of them are permissible. It's allowed.

Imam al-Ḥajjāwi ﷺ says

مُحَنَّكَةٍ أَوْ ذَاتِ ذُؤَابَةٍ

There are two conditions which the Ḥanbalis put. Either the turban needs to be one which comes under the neck (which is *muḥannakah*) or it needs to be *dhāti dhuʾābah,* meaning it must have either one or two tails or a long piece which is in a manner of a tail, but something like a ponytail that's hanging where one part is longer and trailing at the back. I'm going to show you couple of pictures:

This is the perfect one we are talking about. This is the *muḥannakah* and *dhāti dhuʾābah*. If you look closely you can see clearly. The two characteristics here is that it has come underneath the chin and that's to keep it in place in general, especially [when] moving around and working. You can clearly see the tail, and we will show you more versions of that.

This one shows a bit more clearly because of the color. This is *Hausa*. You can clearly see the tail; this is a classic *ʿimāmah*. I want you to know that the reason why the Ḥanbalis have two conditions is because that is how the turban used to be. That's the point here - the turban at that time used to be worn most of the time. It was not just the fancy thing [to wear, although] you could get mega-fancy ones to show but it has a function as well. You would have the turban; it would be underneath your neck and then the loose part you use to cover your mouth with to deal with the dust. Think of that typical picture of Lawrence of Arabia, the one that you see in all those posters - he would often lift it up and cover his mouth with it.

The reason I mentioned this is that with this is chap here, it is right on the edge of his hairline. Many of these turbans go back further and they just exposed like a little triangle of the hairline. That is what we are talking about when we say that the Prophet ﷺ wiped his forelock and then the rest - that is what it means.

The reason I show this is that this doesn't have the obvious big tail, but there is tail enough according to the Ḥanbalis just make sure we make that clear because we are going to have our say in a second.

And now the last one is just covering his head. There is no tail or anything; that might be a separate cloth because [the] Sudanese like that kind of behavior that will be a separate cloth around the neck. I am not too sure but again you have now got a much clearer shape there.

Imagine that [the turban] goes a bit higher up that triangle cut [and] then you've got hair showing, then you are allowed to wipe over that. Again, Shaykh al-ʻUthaymīn ﷺ is saying that this was the nature of the turban at the time of the Prophet ﷺ (at the time of the Arabs). This is of course something which is important because there are some Muslims (and they are probably easily the minority and certainly academically, it cannot stand), who believed that to wear a turban is a sign of either an increased love of the Prophet ﷺ or increased imitation of the Prophet ﷺ, which itself is a highly rewarded act, of course.

The third which is the most serious of all [is] believing that wearing the turban in certain acts increases the reward of certain acts, such as the *ṣalāh* being increased by 70 times in reward for the one who wears this turban. Or wearing a green turban. Straight off the bat (so that we don't waste any time), there is not a single authentic *ḥadīth* [regarding that]. Every single *ḥadīth* which is narrated with respect to the turban increasing the reward of an action fasting, or *ṣalāh,* etc. is all either fabricated or very weak, so it's not acceptable to wear a turban believing it increases the reward of an act. This is a *bidʻah*; you are saying 'I am going to do this to please Allāh ﷻ'. If you are going to please Allāh ﷻ by wearing a turban, you must have exact permission from the Prophet ﷺ to do that; otherwise, you are legislating in the Prophet's place ﷺ and that is the dictionary definition of *bidʻah*.

But most people, in my opinion, are from the simple people. They wear a turban not because they believe there is a *ḥadīth,* rather they do it because they say, 'This is what we understand the Prophet ﷺ to have looked like, this is what we understand his turban to be like and we want to look like the Prophet ﷺ as much as possible.' I want to say to you this particular issue is a matter of difference amongst the scholars.

You will always have two opinions - the first opinion which is that unless there is an evidence, we should not do that, and at the same time you have the other school which is to say that if a person wants to do that out of love of looking like the greatest man there ever was, then why wouldn't you? And why wouldn't a person be rewarded for his intention regardless of what happens at the end of it? Not because he is increasing his action's reward, but just out of love.

It is like when you see a style and a fashion on the street – I like that t-shirt and I like to wear it like that, I want to wear my jeans like that and I want to wear my shoes like this or whatever. You do it because you like something or respect someone. That is why people use models and celebrities and want to look like them. Why would you not want to look like the Prophet ﷺ if you had a good idea of what the Prophet ﷺ looked like?

ʿAbdullāh ibn ʿUmar bin Khaṭṭāb ؓ is the leader of the second opinion; he used to copy the Prophet ﷺ in everything. He would look at the Prophet ﷺ and if he saw a button undone, he would undo the button, when in fact, the button was being undone because the Prophet wanted some air. ʿAbdullāh ibn ʿUmar ؓ is saying 'You know what, I want some air too.' You cannot fault him for that, how can you fault someone for that? I want to be like the Prophet ﷺ in every way.

What is the correct position? There isn't [one], really. It is not easy to say that there is a correct position *in shāʾ Allāh* and my **taught position** of this issue is that I believe a person who copies the Prophet ﷺ out of love for him is rewarded fully for his intention and that is my belief. But he cannot be believing that there is an extra reward in it, or that it increases his actions, rather he wants to be like the one he loves because *al-Nabi* ﷺ said, "You will be with the one that you love." That, I think, is an okay point and there is an important distinction there to make. I know there are some questions there, but I really need to move on so that I cover more than two pages.

So Shaykh al-ʿUthaymīn ؒ says what is the *dalīl?* What is the evidence of the Ḥanbali *madh-hab* to make this legal statement that you are only allowed to wipe over the turban if it has a loop under the chin? What is the evidence for doing that and what is the evidence of doing the tail? What is the evidence?

Student: [inaudible]

Ustādh: That's it. That's all the evidence they have and as you can imagine, that is going to get ripped apart. So Shaykh al-ʿUthaymīn says on the next page that he [Shaykh al-Islām ibn Taymiyyah ؒ] is the one who went against this condition. He said:

إِنَّه لا دليل على اشتراط أن تكون محنَّكة، أو ذات ذؤابة.

"That there is no evidence whatsoever to have this condition that it needs to have this or that."

There is just no evidence. Shaykh al-ʿUthaymīn says look at the *naṣ* (the text). The text is *ʿimāmah*. A *ʿimāmah* is a *ʿimāmah*. It should be left restricted until we have evidence to restrict it. Anything that which is covering the head and looks like a turban, then that is good enough. And once we have said that it is permissible to wipe over the turban, it is permissible to wipe over every turban.

This is an important point - why is it that they were kind of leaning towards putting extra kind of details to the turban?

The *ʿillah* is *mushaqqah*, difficulty of taking things off. So, would you agree that one in which you just take off a hat and put it back on is a lot easier than that which is tied around the neck maybe one, two times, and you need to untie it? I'm not too sure what the real issue is there, but maybe if you lift it up with the tail, then it starts to unravel and so on. Shaykh al-ʿUthaymīn makes an interesting statement,

ولأنَّ الحكمة من المسح على العِمَامة لا تتعيَّنُ في مشقَّة النَّزع

He says that frankly, we don't have clear evidence to say that the only *ʿillah* in wiping over the *ʿimāmah* is to relieve the difficulty of taking it off. There is no evidence to restrict it to that. He is basically saying that there could be other reasons as well. If we were certain that the only *ʿillah* is that it is because of difficulty, then yes we can start to build a case. But there is no evidence. There is actually no evidence to suggest that it is to do with pure difficulty that it is just the *ʿillah*. Shaykh al-ʿUthaymīn carries on,

ولأنَّه لو نَزَع العِمَامة

Because if a person takes his *ʿimāmah* off, then most of the time what is going to happen? If he takes off, he is going to get hot, he is going to get bothered, maybe get burned, he is maybe going to sweat. So, he said, that is the issue. He says that this is what's clearer to me from the *ʿillah.* Basically, you're taking it off, thereby exposing your head to x, y and z. It's not necessarily that it's difficult to take off. You might be saying keep it on because it is difficult to take off.

When it comes to the *ḥijāb* or *khimār*, it's making sense that we untie, this, that and whatever. That's a mission, especially if someone is outside or whatever. So what Shaykh al-ʿUthaymīn is saying is that it is not necessarily about the difficulty of taking it off, it's more possibly the difficulty of what happens once you take it off. It's for that reason that it has been allowed to remain on the head. This is the point.

So then Shaykh al-ʿUthaymīn finishes off; he says it is not obligatory to have to wipe over those parts of the head that are uncovered by the turban. In principle, it's obligatory to wipe over the head, do you agree? It's an obligation to wipe over the head in *wuḍūʾ*. What about the ears?

The actual wiping of the entire ear itself is a *Sunnah*. Even those who believe as we said, - we believe that it is not an obligation- but even those that do believe that it's an obligation, which is the majority of the *aʾimmah* (scholars), even they say the

obligation is putting the fingers into the ears, as we demonstrated in the video. Even for them, the whole around the ear is an extra addition. It's good to do that anyway but I'm just saying.

So what's the **taught position** of the class with respect to a turban? That anything that is called a turban is permissible to wipe over. I wasn't able to bring up the picture, but I'm sure you have seen turbans which are rolled around and are lifted up and just put down again. They don't have a neck part, a chin part, they don't have a tail, but those are permissible to wipe over because anything that is called a turban is permissible to wipe over. The Sudanese ones are the ones we're talking about here - they make it up very quickly.
The point now is if there is hair showing at the back, do you wipe over it because it's an obligation to wipe over? The answer is no, it's a *Sunnah* to do that. If you don't wipe on this part or those parts then it's okay; if you did it alongside the turban that's fine.

ويستحب المسح على ما ظَهَرَ

Then it is recommended to wipe over any hair which is showing? That's fine *in shāʾ Allah,* but obligatory? No.

Wiping Over a Woman's Scarf

وعلى خُمُر نساءٍ

What's *khumur*? *Khumur* is the plural of the word *khimār*. *Khimār* is the singular; the word comes from *khumrah*. The Arabic word of *khimār* and *khumar* (plural), comes from the Arabic word *khumrah*. The word *khumrah* means that which covers something.

That's why when we call alcohol '*khamr'*, which comes from the same verb, it's because literally it covers your ability to think. Your faculty of thinking and reflecting - normal intellectual faculties are sabotaged by the drink.

So the *khimār* of the *marʾah* (woman) is that which is covering her head and by that, we mean the headscarf. [We don't mean] the *ḥijāb*. We talked about this a couple of weeks ago – the word *ḥijāb* means so many different things for so many different people. *Ḥijāb* is a state, not a cloth, but we call it that which is covering the hair. I want to say to you that in Arabic, the word *khimār* is the only thing which physically covers the hair.

Q & A

Q: Can you clarify the exact terms for thin socks?

A: In Arabic or in *Sharīʿah*, there's no such thing. The word sock is *jawrab* and then they mention [its thickness] – *saqīf* or *khafīf* or *thaqīl* – they just use general terms of thinness and thickness. So there's nothing like that. The majority of *aʾimmatʾl-arbaʿah* (the four imams) is that wiping over a thin sock is unacceptable. They want it to be strong enough to walk in, they want it to be standing up by itself, and they want it to be completely free of any deficiency. We said 'Look, it's not about walking miles and miles in a sock, it's about it being solid enough to stay up by itself. It's what everyone knows as a sock, it's not tights, etc.' Also, it doesn't leak water, but might get a bit damp, a normal thin sock. The picture I showed you is the one that is unacceptable.

Q: In regards to imitation, imitating outside is restricted. What about indoors? Is that not restricted as well?

A: Imitating indoors is impermissible if it's done for the sake of imitation. If it's done for some other reason of display or whatever, for some defined reason, then there is some space for that.

Q: In terms of the *jilbāb*, what about the school uniform for girls?

A: In principle, there never was the challenge of having to worry about a single cloth having to play the role of the *jilbāb* because by definition, *jilbāb* itself means another layer of clothing, an outer kind of clothing like a jacket or a long dress coat. Therefore, we are already in a problematic area, so we are trying to excuse that if someone's got a really baggy clothes of some sort, then they might get away with it. But it is an issue and a problem. Personally (and certainly), I don't think it's acceptable for a female to be going to school in just a shirt and trousers. I believe that she should be trying to wear some kind of *jilbāb*, and if that's not possible and she has no other option, then as baggy as clothes as possible

Q: There's a question about a normal [Inaudible]

A: Normal cut? And socks are.

Q: So it doesn't matter if water can get through the socks?

A: Water is going to seep through every material - it will go through. You are not meant to be washing your feet through the socks. You've got damp hands and your socks are always going to be damp. That's fine, but you are not meant to be soaking your feet. I want to say to you that Ibn Taymiyyah said that even if water seeps through, so what? The reality is that water is going to seep through. It's not about the water seeping through, and *wallāhi* his argument is very strong. Can you imagine the

companions who can't find clothes to cover themselves with but they've got socks that don't let water through? You try to buy socks that don't let water through, you are out of time.

Q: What's the status of the *wuḍūʾ* if you remove your turban?

A: There's no problem just like the *khuff* (socks). Remember, we said if you take the socks off, it doesn't break *wuḍūʾ*. Likewise, taking off the turban doesn't break *wuḍūʾ*, but there's a difference between the turban and the *khuff* in that you might be thinking that it's only permissible to wipe over the turban for three days or 24 hours, but there is no *tawqīt* (time limit) for wiping over the turban. So unlike wiping over the socks, if it's there, it gets wiped over. If it's not there, it doesn't. It's a different ruling. That's the position of Shaykh al-ʿUthaymīn and that's our **class position**, which is coming next week.

Q: Does the same rule apply that it [the turban] needs to be put on in a state of *wuḍūʾ*?

A: No, it doesn't. For example, let's say you have *wuḍūʾ*, and you break it then you stay in the broken state of *wuḍūʾ* for two hours and then you find a turban and you put it on and go outside. Now you making *wuḍūʾ* - you can still wipe over that turban though you were not in *wuḍūʾ* when you put it on. It's unlike the sock and this is how it's unlike the sock, what Shaykh al-ʿUthaymīn will discuss next week.

Q: Say you put on a clean socks and shoes and you went hiking. [Inaudible] wipe over the shoe [Inaudible]

A: That's going to come in couple of weeks *in shāʾ Allāh*. That's a much more detailed issue about what happens when you remove. First of all, is it permissible for a person to carry on praying in that shoe? Yes. Does it break the *wuḍūʾ* by taking the off the actual shoe? No, it doesn't. That's fine as well. Do some *ʿulamāʾ* allow you to wipe over the sock? Yes, they do. It's permissible to wipe over sock if you put that sock on in a state of *wuḍūʾ* but then if you were to put on the shoe back again and try wiping with the shoe, which would not be allowed. But that's not your question. Your question is if you remained in just the socks, could you then wipe over them and you will see that we would lean towards the opinion that it's permissible but there's a lot of detail in that.

29. The Chapter of Wiping Over the Footwear VII

We will be covering page 2 from the actual text and move on to page 3 as well. The notes say (this is a statement of Imām al-Ḥajjāwi),

During minor ritual impurity, one can wipe over:

1. leather socks, thick socks, and anything similar to them
2. a man's turban which loops under the neck, or possessing tails (has tails in the back)
3. female headscarves which wrap around the neck (this will be covered this week)

This is the text of our first session. I will also read page 3 of the notes.

وجَبيرةٍ لم تَتَجاوَزْ قَدْرَ الحاجةِ، ولو في أَكبرَ، إلى حَلِّها إذا لبِس ذلك بعدَ كمالِ الطهارة

During major impurity, one can also wipe over a splint/bandage that covers the minimum area necessary, only until it is no longer needed. All of the above is upon the condition that they (socks, turban, headscarf, splint, etc.) are worn after the completion of ritual purification.

Here, it refers to *wuḍū'* but it can also refer to *ghusl*. We will come back to this point and explain it further.

With respect to the commentary of Shaykh al-'Uthaymīn رحمه الله, we are on page 238 of the *sharḥ*. I'm pretty sure that we ended last week's session with Shaykh al-'Uthaymīn's opinion on wiping over the turban. Let me quickly summarise that.

In the Ḥanbali school of thought, there is a lot of difference of opinion over wiping over a turban. When I'm talking about a turban, I want you to think of a proper wrapped-up turban. We gave the pictures last week, so we are talking about something which is normally wrapped. The word in Arabic is *'imāmah* and it originally comes from something which is *'ām* (general) and covering a lot of area, so it's pretty much taking up the whole area. Anything which is sitting on top of the head or a hat (*kūfiyyah*), they are referred to in a different sense, because they are so easily placed on top and then taken off.

The evidences for wiping over the turban are not in the hundreds and thousands. It's not something which comes naturally and it's not like wiping over the socks. That's

why a number of the scholars don't even allow a person to wipe over the turban and they insist that whatever happens, there must be some wiping of the hair as well and there is basis for that.

We know that the Prophet ﷺ (in the *ḥadīth* we covered last week) wiped over his forelock and the rest of the turban. Therefore, they said if you are going to wipe over a turban, you're going to have to wipe some part of the top part of head as well before you carry on wiping over the turban.

This is the position of the majority of the scholars (the Shāfiʿi, Ḥanafi, Māliki schools). The *Ḥanābilah* said it's not necessarily a condition, and that's a correct position as well. The evidences suggest that there is no reason to just restrict the wiping of the turban to only when some hair is showing. There's no basis for that. Whether the turban is covering the entire head or not, wiping over the turban is sufficient. The principle is to be maintained. Wiping over the head is the basic principle and wiping over the turban is not a norm for the Prophet ﷺ.

The *ʿulamāʾ* asked what the reason is that the Prophet ﷺ wiped over the turban. What is the *ʿillah* (the *Sharīʿah* reason as to why Allāh ﷻ allows this to happen)? The majority of the scholars said that it's difficult taking it off. We're not talking about the normal turban which can be just lifted off and on. The idea was that it's going back in time to that era.

A turban was playing a number of roles. There was no AC or fans, there wasn't lots of shade or buildings that you could go inside, and it's not like modern society where people are inside the building and not outside most of the time. Previously, everyone was outside all the time and there was wind and sandstorms, so the turban would protect your head and face from getting burnt, protect your mouth from sand, etc.

When a turban was put on, it was put on like we showed in the pictures last week, wrapped around the neck and mouth. Think of the Sudanese one - that kind of scenario. This is why though the Ḥanbali school allowed wiping over the turban, they put two extra conditions (which we mentioned last week).

One is that it is *muḥannakah* (meaning it comes underneath) and the reason for that is because that is how the previous ones were - it had some kind of tail or indication that this is a serious piece of cloth, not a small one. These are trying to imitate the early Muslim turbans and they are trying to say that if something is going round the neck, then to undo it is going to be difficult, therefore you are allowed to do the wiping.

Shaykh al-ʿUthaymīn رحمه الله (following Ibn Taymiyyah رحمه الله in this issue) and a lot of contemporary scholars say that there is no evidence which suggests that it is restricted to only this kind of turban. He also went further to say that the reason of wiping over the turban cannot exclusively be because of the difficulty of just taking it off. Maybe it's because of other difficulties or to protect the head. As Shaykh al-

ʿUthaymīn رحمه الله said, sometimes in external conditions the head can get sweaty or burnt, so you might be able to tie the turban up very quickly. We might think that's a crazy kind of statement to make, but truth be told, if you are in a society or a culture where it is 50 degrees on your head, I don't think anyone wants that to happen for even five or ten seconds.

Shaykh al-ʿUthaymīn رحمه الله is saying is let's not put all the eggs in one basket and say that the *ʿillah* is only difficulty in taking it off. Maybe there are other *ʿilal* (reasons for the concession) as well.

The benefit of this statement means that we allow a person to wipe over any type of turban as long as it is a turban (meaning: a turban which has something going around, it is heavy, and it is firmly attached but it does not have the strap coming underneath and it does not have a tail). Our **class position** is that it is permissible to wipe over that as well.

The [ruling regarding wiping] on hats is that it is not permissible. We are going to come to that in maybe two or three sessions' time.

The statement:

وعلى خُمُرِ نساءٍ

On the *khumur* of *nisāʾ*. *Khumur* is the plural of the word *khimār*. *Khimār* is the headscarf. This gives us the opportunity to remind us about the important principle. This mistake that we make which is misunderstanding what *ḥijāb* actually is, what a headscarf is, what a veil is. We have a number of nouns, words, which describe what we might refer to all of them as *ḥijāb*.

It is really important to understand the *fiqh* of this discussion because even in the English or even in the Arabic sense, we have a number of words. We have the words *ḥijāb*, *niqāb*, *khimār*, *jilbāb*, *burqa,* etc. Now all of these have some kind of connotation, but all of them have space to be used for something else. The ironic thing is that the word used most commonly for all of this doesn't refer to any of them, which is the word *ḥijāb*. *Ḥijāb* has no single clothing basis at all. It's a purely Western word, or maybe a modern Muslim word, actually. It's a modern Muslim word.

I haven't studied this issue, but I have a feeling that the word *ḥijāb* is a Western, modern construct. It definitely has no basis in *Sharīʿah*. In *Sharīʿah*, *khimār* is what you wear as a headscarf. When you say the word headscarf, by necessity we are talking about something which is covering and coming under the neck. You literally only see the face, no hair, no head, the neck is absolutely covered, the ears are absolutely covered and the shoulders and the general chest area [is covered]. This is understood by the word *khimār*.

The next word, *niqāb*, is that which covers the face, and what covers the face has different aspects as well. You have that which is strapped to the face, that which comes down over the face, and that which is used to cover the face in this manner, which can be done with the loose cloth. The importance of understanding that is that when you're making *'Umrah* or *Ḥajj*, we know that it is not permissible for the woman who is *muḥrimah* (i.e. in *iḥrām*) to cover her face. However, there's a difference between something which is permanently covering the face, which is in contact with the face (i.e. it's tied), and something which is pulled down and dropped over the face and it's loose.

That is why you will see some of the women from Saudi, because they fear *fitnah* or for some reason, they will allow the cloth to fall over and it's actually a defined gap, so it's not actually attached to the face. This is the same as you getting your *ḥijāb* and putting it across your face. That's the same concept, but what we're doing here is we are just dropping it over. What's not acceptable is to have it on [and] permanently fixed in this manner. There are some concessions to that as well, for those that fear some kind of *fitnah,* etc., but we're not going to get into that because that is a chapter for *Ḥajj*.

The *burqa* is understood to be an all-encompassing dress. This is also a phrase which is very similar to *niqāb* and it's only in recent times that people consider it to be something different to *niqāb*. If we were going to make it different, then we would say that even the eyes are covered in that as well (either with a mesh or anything else). If you find the word *burqa* in classical texts, it and *niqāb* are very similar. Even with *niqāb,* there is not necessarily any condition that the eyes need to be showing. You know in the classical times that some *ṣaḥābah* used to have different opinions on what kind of level of *niqāb* was recommended. Some would have both eyes uncovered, others would have one eye uncovered, and still others would have both eyes covered; so that it is just literally a thin mesh. Today that would be used by the word *burqa* as a modern construct, but I just wanted to give you that history.

The *jilbāb* is another interesting word which is what you guys are calling *jubbah*. As we said in the Qur'ān, the word *jilbāb* is indicating an overdress, an outer dress going on top of what you already have. It's bigger, it's baggier, and it's more modest in its appearance. We discussed last week how in my personal opinion, I believe that it is acceptable within each culture to have a manifestation of *jilbāb,* and this is a very popular contemporary position. It's not very traditional; traditional would be that it's just big and flowing and so on and so forth, but I think that maybe certain dresses of certain people could come before that - meaning like a baggy coat for example, or a baggy overdress, for example.

There's no doubt from what we understand the *jilbāb* is the safer and much more modest type of dress.

We have covered the whole aspect of the body, but we haven't once mentioned the *ḥijāb,* as there is no such thing as a *ḥijāb*. As I've explained now many times (and this will be the last time), the word *ḥijāb* is exactly the same as the word *iḥrām*.

When we go for *Ḥajj*, the men specifically get these two cloths that we put on and we say, 'This is *iḥrām'*. Actually, you haven't put anything on you. You have put two cloths on you; there's no cloths which are called *iḥrām*. There's no such thing as *iḥrām.* We call it *iḥrām* because for us, it's the obvious and external indication that I am in the state of *iḥrām.*

You see, *ihrām* is a state; it's like a button which you switch on. You say, 'I am now in *iḥrām,* I am now intending *'Umrah,* switch on, and that's it - I'm in the zone now. I can't swear, I can't speak badly, I have to be more careful, I should be making extra *dhikr*, I should be making more *duʿāʾ*, I can't harm this person, I can't now hunt'. [These are] all of the restrictions of *iḥrām* and then I switch it off and I'm free again. That's why it's called *taḥallul;* becoming *ḥalāl* again. In *Ḥajj,* you have a small *taḥallul* and a major *taḥallul*. Small *taḥallul* allows you to shower, to get dressed, and get back in your clothes, and major *taḥallul* allows you to have marital relations and so on. We need to understand that you are moving into a state of *ḥarām* and everything else is *ḥarām* now and that's *iḥrām,* and then you move into the *ḥalāl* state. Because people can't see that in an obvious way, when they put on the white cloth they think 'Right, things just got real. This is now serious,' and they call it *iḥrām*.

Ḥijāb is exactly the same; *ḥijāb* is not a clothing, *ḥijāb* is a behaviour. You switch it on when you are walking out of the house. Your behaviour changes, the way you speak changes, the way you look at things and people changes. You're not at home where you're looking around, relaxing, talking to men and women freely because they are *maḥram*, looking and watching, touching and playing. Now you are outside and the majority of people you are going to come across are non-*maḥram* - they are people who are *ḥarām* for you to be involved with like you're at home. Now you are in a state where your speech is controlled. Allāh ﷻ indicates this in the Qurʾān. They don't go around making lots of noise.

Maybe they have bangles or heels which are going clickety-click and making all of these sounds, wearing clothes that are attractive, showing skin, etc. You are in a state [when you wear *ḥijāb*] and this is why so many people do not understand what it means to properly wear the *ḥijāb*. You will find so many Muslim women, for example, who are wearing a headscarf and they are wearing a t-shirt [with it] or they are wearing tops which show their stomach.

They are wearing tight trousers because for them, *ḥijāb* may be just the headscarf. We are saying, no, *ḥijāb* is a state - you have a *khimār* on. You have baggy shirt on and you have the *jilbāb* on. Those are the dresses [of this state]. But as we said, people associate that state [of *ḥijāb*] with a thing which is clothing, and so they call that clothing *ḥijāb*. They gave the clothing the name of a state [of being modest], so it became *ḥijāb*.

We need to understand that and it is very important to appreciate from a *ʿurfi* point of view. So the *khimār* is what we are talking about, which is the headscarf. The headscarf is called the *khimār* (which is the singular form of *khumur*), because of the same reason why alcohol is called *khamr*. It is that which covers something and the headscarf covers the head. *Khamr* covers the *ʿaql*. When you drink alcohol and you become intoxicated, your intellect is basically turned off because it completely subjugates it and alcohol dominates it. You are not able to think properly at all.

WIPING OVER THE *KHIMĀR*

That is why it is called that. The *ʿulamāʾ* differed over the wiping of the headscarf or *khimār*. Some of them said it is not permissible because Allāh ﷻ has commanded for the head to be wiped. Allāh ﷻ said in *Sūrat al-Māʿidah* (verse 6),

﴿ وَامْسَحُوا بِرُءُوسِكُمْ ﴾

"...and wipe your heads..."

When you have wiped over a *khimār*, you have not wiped over your head. The scholars said there is no evidence to take you away from the basic ruling, which is that you have to wipe your head.

قال آخرون بالجواز

As for the others, the latter group said no, this is something permissible and the reason is that we make *qiyās* upon the *ʿimāmah* of the *rajul* (meaning the turban of the man) is:

1) The Prophet ﷺ did it on his own *ʿimāmah,*

2) He told the people who were going out to do it on their own *ʿimāmah* and *aṣāʾib* (those things which are wrapped up).

3) It has also been narrated authentically that he ﷺ used the word *khimār* and that he wiped over his own *khimār*. Does that mean that he was wearing a headscarf? The answer [of] Ibn al-Athīr رحمه الله -- and Ibn al-Athīr رحمه الله is a very important *ʿālim*. He's a specialist in language, especially language in the *Sunnah*. Whenever we have some kind of difficulty in trying to understand a word which has an obvious literal meaning but is used in *ḥadīth* literature, we are always going back to Ibn al-Athīr رحمه الله and his book *al-Nihāyah*. This is a book which specializes in the strange words of *ḥadīth*. He has very clearly stated that here, *al-khimār* means *ʿimāmah* or *ʿimam*. So in the

language, even though the female form of the actual clothing is used, it's referring to the male.
But those that allow this action said hold on –
1) We have textual evidence that allow women to use it.
2) If we are allowing men to use it because it's difficult to take off, then what about the women? That's even more difficult. And maybe they need it even more times than men. Now, we have to come to an interesting point here.

Shaykh al-ʻUthaymīn ﷺ says, 'Listen, if there is some need, then there is no problem.' For example, it's very cold and taking off the *ḥijāb* would cause some kind of problem, or because it's wrapped up in a very unique way and unwrapping it would cause some kind of issue. For this reason he says,

بأس لا هذا مثل في فالتَّسامح

He says that in this issue there is no problem. He says if there is no obvious reason, then it is better that she doesn't wipe over her *khimār.*

Which clearly shows authentically clear text which shows women wiping over their *khimār*. I want to stop here and think about this. The interesting point here is that there is something from Umm Salamah ﷺ; it's not supremely authentic, but it's sufficient and something which you can write down. It's in the footnote number two in the notes and it's been narrated by Ibn Abi Shaybah ﷺ in his collection of narrations.

Ibn Abi Shaybah ﷺ is unique because what he focuses on is not so much *aḥādīth.* Of course there are [*aḥādīth*], but he focuses on the narrations of the Companions and what they used to do. It's has much bigger combinations, whereas *ḥadīth* collections… *Ṣaḥīḥ Jawāmiʻ* like *Jamiʻ Saḥiḥ* of Imām al-Bukhāri or like the *Sunan* is a different type of *ḥadīth* collection which is mostly built around books of *fiqh*.

If you look at *Ṣaḥīḥ al-Bukhāri,* it's not a collection of *aḥādīth* built around *fiqh*. There is *fiqh* inside, but it has *ʻaqīdah*, *tafsīr*, stories of the Companions ﷺ, history - it's a massive collection called *Jāmiʻ.* Whereas the *Sunan,* they stick to the chapters of *fiqh* in principle - Chapter of Purification, Chapter of Prayer, etc.

You have different types of compilation of the *Sunnah*. You have the *musnad*, like the *Musnad* of Imām Aḥmad , Imām Abu Yaʻla and so on as whole different types of *ḥadīth* collection because that is going by the chains (*asānīd*) to Companions. So it's all the *aḥādīth* of Abu Bakr ﷺ, *Sayyidinā* ʻUmar ﷺ, ʻUthmān ﷺ that is what a *musnad* is.

You have the *maʻājim* which is based upon an alphabetical order; it's a different type of collection. This one is called the *Muṣannaf* of Ibn Abi Shaybah and there are two famous *muṣannafāt.*

The *Muṣannaf* of Ibn Abi Shaybah and the *Muṣannaf* of ʿAbd'l-Razzāq al-Ṣanʿāni are the two most famous *muṣannafāt*. They are wonderful, wonderful books. A treasure trove of trying to see what some of the Companions used to do and then some of the *tābiʿīn* as well.

We can see here that it has been narrated in the Chapter of Purification, in the Chapter of the Women Wiping over her *Khimār*, *ḥadīth* number 249, with a chain which is good on the authority of Ḥasan al-Baṣri رحمه الله on the authority of Umm Salamah رضي الله عنها, that she used to wipe over her *khimār*. Shaykh Muḥammad Mukhtār al-Shanqīṭi رحمه الله also uses this narration.

ʿAli ibn al-Madīni was the teacher of Imām al-Bukhāri. He is the Shaykh of Imām al-Bukhāri, he is from the major *muḥaddithīn* and he is the top friend and companion of Imām Aḥmad ibn Ḥanbal.

I mean the narration says that Ḥasan al-Baṣri said that Umm Salamah رضي الله عنها used to wipe over her *khimār*. Maybe he saw that happen but it's unlikely, to be honest. Maybe someone else told him, but he hasn't mentioned that so that is not good enough. Therefore, we can't say that it is authentic. Maybe he heard that from her saying that 'I wipe over my *khimār*.' Right, if you told me that, then I go to my students and say 'It's allowed to wipe over your *khimār*; Umm Salamah رضي الله عنها used to wipe over her *khimār*.' Do you understand? Meaning that all of the options are open when I say that Umm Salamah did it - I could have seen it, heard it, everything. So, I want to say to you that ʿAli al-Madīni's statement is a very useful one from a *ʿilm* point of view. He saw her, but didn't listen to her.

It's a very different society back then than it is now. The female role is made around her home. When I say everything, I mean she doesn't have to wear *ḥijāb*, she can speak and do as she wants, dress as she wants, relax and do everything that she would like. There are no restrictions or very few restrictions. And her *ṣalāh* which is the major thing that one would need to go out for is better for her at home. *Al-Nabi* ﷺ said that, and he didn't say that for the man. In fact, some scholars from the *Ḥanābilah* have said, as Ibn Taymiyyah said, and as Ibn Ḥazm said, He obligated the men to go out of the house and pray. That's why we say a man who prays at home is nothing more than a woman. He is not being a man. If you're married to a man who doesn't pray in a *masjid*, he is not a real man. Fact, absolute fact! I know it's funny, a joke, whatever, but any man who doesn't pray at the *masjid* is not a man. Whatever criteria you are using for manhood, hard and strong and handsome and sugary and whatever is a load of *bakwas*, I'm telling you.

The number one priority for a man is that he has got to be praying in a *masjid*. The second priority for a man is that he needs to be a working man, and most men that are working work outside - it's only in the modern era that work happens inside.

The mass majority of the time, the man has been outside - these are the two characteristics. Whether that is sexist or gender discrimination or whatever, it is what it is. As for the woman, she is not obligated to work. She is obligated to be supported, she is not required to go outside, she has a number of concessions for other people to do that for her. When certain things happen, she is required to stay at home in an obligatory sense, such as the *ʿiddah* and so on. When she's at home in a voluntary sense, she is encouraged to stay at home. You will not see evidences in the *sharīʾah* that encourage women to be outside. You will see little things here and there that will give you glimpses of this theory.

Look at the *ʿĪd* prayer - the *ʿĪd* prayer is very interesting. Where is the *ʿĪd* prayer prayed? Not in a *masjid*, in order to make it and facilitate for women to come. In general, the majority opinion is that they don't come to the *masjid* when they are menstruating. Likewise, when you see the women praying outside, not only are they facilitated from the point of view of actually being allowed to attend without any problems, but also the Prophet ﷺ said those that don't even have clothes for outside then lend them clothes as well. What does that suggest to you? That women are not going out all the time, it was not the done thing that women go out and this and that and so on.

The Prophet ﷺ says the prayer of the a women is best *fī qʿar buyūtihin*, meaning in the inner, not even the outer, but the innermost parts of her house. Not like the bedroom which has one window; rather, the room removed from the bedroom because that's inner most. Do you understand what I mean, when I say that a women is the creature of the interior, the internal?

Some cultures go to another extreme, my culture definitely. Pathan culture has lost the plot when it comes to this issue so much so, and maybe you can extend it to Pak culture as well. We call our women *ʿawrat*, which is basically the Pak version of *ʿawrah* and the word *ʿawrah* is that which is not permissible to be displayed. It is not allowed for you to display your *ʿawrah* to anyone.

Meaning our culture has actually labelled women as those which are not displayed at all. I am saying that of course the religion provides a spark and the culture then takes it and molds it, isn't it? And it all depends upon the makeup of that culture, whether it is in the hot region, cold region, whether the people are easy going or not, weather, time, and place, and law on how people are.

This has been difficult when I came to Malaysia because I end up having doing things which I dislike doing, like smiling a lot. I hate smiling, I am not a natural smiler, I can’t smile. When people ask me to take a picture, it's horrible. I love laughing because when laughing you just don't care what's happening; it doesn't matter what's on the face. But smiling is, you are either good at it and it comes naturally or it's horrible. That's how we are man, its cold in UK it's raining all the time. In Malaysia when it rains, it rains like the whole heavens open and you think you are about to drown but

then one hour later it's all gone, the floor is all dry and everyone is like, "What happened? Wow nothing happened right?'

You look at people who are from coastal regions with nice temperatures and *wallāhi* they are more easygoing than other people. Honestly, it's in their makeup and the difficulty of life, modernity, cost, economics and society - all of these affects people's culture and everyone's culture then has specific values, but they all have a core. And the Muslims have a lot of different cultures, but at the core there is something religious, which gives some basis.

Often it is going to be messed up and abused by those people, but at its base level there is something there. So I just want to say that I hope you understand that all the rulings that are concerned for men and women are going back to a time when the culture was very clear. Today's culture doesn't allow us to see it so easily.

In today's culture, the analysis isn't so easy. When we say that a man is allowed to wipe over his turban, surely we should allow the woman, because it is more difficult for her. Why am I saying that? I'm saying that because there are so many women working outside, and a woman cannot be like a man who can take his turban off, no problem. But if the woman is in the bathroom or some other area at work, she can't do that. She can't take off her *hijab* in front of a colleague. So she has a greater problem.

We must stop there and ask ourselves who created that problem. What is a woman doing in that scenario anyway? Why is she working outside anyway? Why is she in a mixed environment anyway? This would never have happened back in the day. It would not have been an issue. So society has gone on, modernity has taken over and men are as useless as they always have been. Women have to now do the dual role, which is take care of those at home, and also work to support the family because men aren't doing it.

Therefore, I say that this is not a discussion of the *ḥarām* or *ḥalāl*-ness of women working, because it is *ḥalāl*, and there is no doubt about that. But is it the done thing? Should it be done thing? No, it wasn't the done thing, and neither should it be the done thing. But if it is done, then they have created their own problem. They are in an environment where the previous woman never used to be, or much less used to be.

Still, the point that Shaykh al-ʿUthaymīn wants to make is that there is no authentic evidence to show that women would be wiping over their *khimār*. So he therefore concludes that it is permissible for someone who has the need, but if you don't have a need, then it is best to avoid it.

I want to say to you that it is permissible for women to wipe over her headscarf. It is best that she avoids it, unless it is really necessary. That's it. That's what I want to say. It is permissible, but I think it should be avoided.

I think it should be avoided much more than a man who has a turban (who I also don't think should be wiping over his turban if it can come off). But just generally, if it's something which you need to do, then fine. I say this because I'm very well aware that there are many good sisters who are working outside and need all the help that they can get when it comes to surviving out there. Many of them are not there out of choice and have to be there for XYZ reasons. So I believe that if you are in a situation where there are colleagues and so on and so forth, then it is permissible.

I do want to say to you, though, that don't think this is some kind of automatic solution. If you are worried about making *wuḍū'* and you need a concession to uncover your hijab, then how are you washing your arms? How do you wash your feet? Okay, you are wiping, and if you are wiping, I told you last week - I am not having this nonsense of wiping over stockings and tights which are so thin - it has to have some kind of thickness to it.

I am still saying, that even us saying that 'go ahead and wipe over you *khimār'* is not exactly giving you lots of concession at work. The work situation is still a difficult one, and you should try and change that. That requires a whole shift in society, and it requires men to step up, which they are not doing.

Just to finish off, Shaykh al-ʿUthaymīn also wants to mention something else about women - henna. If you have that on - and I mean in its finished form, the mud form (beginning form), and gel, and xyz – know that anything which is on the head can be wiped over, because that which is attached to the head takes the ruling of the head.

As Shaykh al-ʿUthaymīn says here, *al-Nabi* ﷺ also used to wipe over *'talbīd*'. I think the closest thing to it in our time would be like a hairstyling wax. The Arabs at the time used to put this kind of wax on their hair, probably for health reasons or whatever. I don't know what the actual reasons were, but it was for styling and health. So the Prophet ﷺ never used to remove it.

As we talked about when we covered wiping, wiping is different from washing. In washing, you have to make sure all the hair is wet. But in wiping, it is just very damp hands. Nothing is getting soaked, not every hair is getting wet, and it is not a condition either. So it is not a problem having something like that on. That has just been mentioned by Shaykh al-ʿUthaymīn that if there are any women or men who have this kind of thing on their head, it is permissible and they do not need to remove that.

The Prophet ﷺ would wipe over the head with the *talbīd* - this thick kind of gel or honey-based gunk. This *talbīd* used to based on thick honey quite a bit. Honey *subḥānAllāh* was very much used for all medicinal and health purposes back then as well.

Shaykh al-ʿUthaymīn says that what this indicates is that there's a lot of ease in the issue when it comes to the purification of the head. You don't have to wash it, you only have to wipe it. When it comes to wiping, we are easy - not all of it [has to be

wiped]. And when it comes to wiping even the part of it, not thoroughly or completely, things can be there or not. When it comes to the issues where it can't even get to the head, well then now you have to wipe over something covering the head, if there's a need. So you can see that Shaykh al-ʻUthaymīn wants to try to make it clear that there's a difference between the concept of wiping over the head and headgear, and wiping over the socks or other parts of the body. They are two different concepts.

Shaykh al-ʻUthaymīn is saying that people who have hairbands and the like also do not need to remove that jewelry. I am saying likewise, if you have a hairband, you don't need to remove it either. That's the **taught position** of this class - that the woman wipes her head with a few of those ponies or clips in it, no problem. If it's something which restricts it because it's sticking up, that’s no problem - just go up to it and then wipe the rest of it because the whole entire head is not the actual aim behind that. There's no evidence to show that the Prophet ﷺ would remove his rings when he washed his hands. We know that as someone who doesn't remove their ring, it's guaranteed that not all the entire skin is going to be washed. For that reason, we can say that the evidence is there to suggest that wiping the entire skin is not something which is required.

30. The Chapter of Wiping Over the Footwear VIII

On page two of the *Zād al-Mustaqniʿ*, Imām al-Ḥajjāwi ﷺ says,

During minor impurity, one can wipe over
1. Leather socks, thick socks and anything similar to that.
2. A man's turban which loops under the neck and possesses tail.
3. Female headscarf which wraps around the neck.

We will finish on the 'wrap around the neck' section. We talked about the scarves and we basically concluded that it's permissible for a woman to wipe over her headscarf. In principle, the evidences have not come in her favour to establish this specific need. In the absence of a clear *naṣ,* there's a difference in establishing a clear evidence.

There's a difference when we say 'but there's a *naṣ*'. When we say that, it's like saying there's a *ḥadīth* or an *āyah*, meaning there's a divine text - that's a certain strength. When we say 'but there's *qiyās'*, it's not the same. I am saying to that person 'Oh, but it's established by analogy, think of it like this, and compare it like that' but you know that's not the same strength when it comes to the evidences in the Qurʾān and *Sunnah.* It's the Qurʾān first, *Sunnah* second and then third is *ijmāʿ* (consensus of the Companions ﷺ) and then fourth, according to some, is *qiyās*.

When it comes to the actual wiping over the *khimār* for the women, it's not authentically well-established, and for that reason alone, we generally hold up unless there's a reason. If you are outside, that's a good enough need. You need to do something quick. We mentioned earlier on that if you are thinking about taking off your hijab, what about washing your hands? If someone says to me 'Why are you allowing them to wipe over their heads? They have to uncover their arms anyway, so do you allow them to wipe over their arms?' The answer is no, we are not. They have to wash their arms, but maybe they go into the bathroom and because being in a proper working world, they've got five minutes (for example) to do the *wuḍūʾ* and the *ṣalāh*. Well wiping over the hijab would save you thirty seconds right there. In emergency *ṣalāh*, thirty seconds is two *rakʿāt*. We allow it if there's a need and *in shāʾ Allāh*, it can happen.

We just want to talk about the Ḥanbali position. They put the condition upon the women's scarf like they put the condition on the male's turban. What are those two conditions? It's wrapped around the neck and has some kind of tail, i.e. it needs to really resemble the one they used to have back in the day. There has to be some difficulty in removing it. Likewise, the Ḥanbalis would not allow the women to get

away with it either. They are also saying she can wipe over the headscarf as long as it is

مُدَارَةٍ تَحت حُلُوقِهِنَّ

It is clearly wrapped around the neck in a way that it would cause some [difficulty] taking off - it's got some *mashaqqah* (difficulty). Shaykh al-ʻUthaymīn ﷺ doesn't comment on this statement itself and accepts it as it is and there's a reason for that.

The reason is simple; because the *khimār* wouldn't be a *khimār* if it wasn't covering under the chin. Is it possible to have something which covers the lower part but not the head?

Imagine – and I am just thinking out loud - you've got your *ḥijāb*. Now take your *ḥijāb* and bring it down so that all these parts don't change and it's kind of here somewhere. Then you've got a *dupatta* (long Pakistani/Indian headscarf) or shawl. You take this part and put it on your head and tie it like that. What do we have now? It's like a bandana on top and it's got some kind of neck scarf at the bottom. From the front, it's done the job. You've created something which covers all the areas, but there is still something else happening. My question is: the rules of *ḥijāb* might have been dealt with (neck not showing, hair covered), but did you wear a *khimār*? Is it a *khimār* when it's worn as a bandana and you are using another piece of cloth to cover the parts that a *khimār* normally would?

My belief is that it's not. It's a couple of cloths that you are using to cover before you go out, but that is not a *khimār* on your head. Why did Shaykh al-ʻUthaymīn ﷺ question this condition that it has to come underneath the neck? I think that it's because he cannot imagine a *khimār* not being underneath the neck. We can because we've seen the different kinds of *ḥijāb* ex. the Spanish *ḥijāb*. It's just a hair covering with the ears and the neck open. I want you to know, with my love and respect to all the Spanish sisters, that that's not a *ḥijāb*. It's not fulfilling the rules of the *ḥijāb* and it's not a *khimār*.

The reason Shaykh al-ʻUthaymīn ﷺ doesn't mention anything here is because it's not possible to think about something that doesn't cover this area. Shaykh al-ʻUthaymīn ﷺ asks a question,

وهل يُشترطُ لها توقيت كتوقيت الخُفِّ؟

We mentioned this briefly two sessions ago. When it comes to wiping over socks, it's essential to get the timing right down to the second. There is a specific start time, a specific end time. You have to put it on in a certain state. What about the turban and the *khimār*? You're wiping over a part which is an obligatory part of the body to wipe over, so surely there should be some kind of time aspect. Shaykh al-ʻUthaymīn رحمه الله says,

فيه خلاف

There is a difference of opinion in this issue. He says,

والمذهب أنَّه يُشترط

The Ḥanbali *madh-hab* actually does make it a condition.

One does have to put it on after purification (after making *wuḍūʾ*), like you would do with the socks. You can't just get out of bed and think, 'I can't be bothered washing my feet' and put some socks on and then go in and make *wuḍūʾ* and then wipe over the socks. You know that we have to go make *wuḍūʾ* first and then put the socks on afterwards. Likewise, they are saying that when you are wiping over the turban or the *khimār*, the two conditions that exist for the wiping over the socks also exist for this. Meaning that (1) you have to have purification beforehand, and (2) the length of time you wipe over it is the same – 24 hours if you're at home and 72 hours if you're a traveler. This is the official position of the Ḥanbali *madh-hab*.

Other *ʻulamāʾ* say that this is not a condition because it is not established from the Prophet ﷺ. He ﷺ talked about wiping over the *khuff* and gave us a time limit. He told us to wipe over the *ʻamāʾim* (turbans) and the *khimār,* but he didn't mention a time limit. The two things are different. One has been given a time limit and the other one hasn't been given a time limit.

The second reason why the *ʻulamāʾ* said that it is not a condition is because they said that the limb itself is a *khuff.* The limb that we are dealing with when we wipe over our socks is the foot, and the washing of the foot and the rules are pretty strict. Whereas the rules for wiping is dealing with a limb that, at best, needs to be wiped. And as we mentioned in a previous session, even in its wiping, there are a number of concessions almost. Therefore, it is less serious to clean than the feet themselves. Therefore, the issue is easier when it comes to issues of times and limits and so on. Basically, Shaykh al-ʻUthaymīn رحمه الله says that we can't make *qiyās* between the *khuff*

and the turban or *khimār*. Yes, they are wiped over, but that's the end of it. There are no analogies to be made.

Therefore, the position of Shaykh al-ʻUthaymīn ﷺ, Imām al-Shawkāni which he narrates in *Nayl al-Awṭār*, and a number of the scholars like Ibn Ḥazm, certainly my position and the **class position** is that there is no length of time or time limit when it comes to wiping over the turban or the *khimār*, meaning that it could have gone on at any time. The example I gave of putting your socks and going to the bathroom - that can't happen. What could happen is that you wake up and you go for your *ḥijāb*, put your *ḥijāb* on and then go out and make *wuḍū'* actually wiping over the *khimār*. That would be acceptable. That's the whole point that we're trying to make – it doesn't come under the same principle as the *khuff*. You don't need to then say that after 24 hours I can't wipe. If there was some reason that was making you wipe, you can carry on doing it for the next week and it's not a problem.

Minor ritual Impurity

فِي حَدَثٍ أَصْغَرَ

We mentioned last week or two sessions ago that in the translation, we put the English the other way around to the Arabic.

In the Arabic,

في حَدَثٍ أصغر

is the last statement of the sentence, but when we translated it to English we mentioned it as the first thing because that is how it reads in English. Everything we have talked about so far is only referring to minor ritual impurity.

Let us define what minor ritual impurity is. Ritual means spiritual impurity; we are not talking about dirt. There are two types of spiritual (ritual) impurity - *aṣghar* and *akbar*. *Aṣghar* is when you go to sleep, go to the toilet, etc. *Akbar* is after sexual relations. Those are the two different types. All the things that we have just mentioned (the *ʻimāmah*, the *khimār*, the *khuff,* the socks, and all of this) are only wiped during minor ritual impurity, because during a bath it has to be removed. You cannot have a bath and have any of these on and wipe in that area. The evidence for this is the *ḥadīth* of Ṣafwān ibn ʻAsāl ﷺ,

أمَرنا رسولُ الله صلّى الله عليه وسلّم إذا كُنَّا سَفْراً ألاَّ ننزع خفافنا ثلاثة أيام ولياليهن إلا من جنابة، ولكن من غائط، وبول، ونوم.

This *ḥadīth* has been narrated by Imām Aḥmad and Imām An-Nasā'i, and it is a *ḥadīth* which has been authenticated by Imām al-Tirmidhi, Imām Khuzaymah, Ibn Ḥibbān, Imām An-Nawawi, and Ibn Ḥajr. This is all noted in footnote number three.

The translation of this *ḥadīth* is that Ṣafwān ibn ʿAsāl ﵁ said:

The Messenger of Allāh ﷺ commanded that when we are on our travels, we do not remove our leather socks for three days and three nights, except if we are in a state of janābah (sexual impurity) i.e. after urinating, defecating, and after sleeping.

What he is trying to say is that when we are on our journeys, we do not need to remove that which we would wipe on when we do a number one, number two, and when we go to sleep. The only time when we do need to remove them is when we have *janābah* i.e. we need to do a full body bath.

Shaykh al ʿUthaymīn ﵀ wants to make a complete summary here. He says that it has become clear now when it comes to these three things which are wiped upon (leather socks, the turban and the *khimār*), there are lots of conditions and these conditions fall into various categories - conditions that are the same for each category, conditions which are specific to only one of those three, and conditions which differ in all three.

When we look at turbans, *khimār* and socks, they all have different conditions for the validity of wiping over them. These conditions fall into three different categories - it's either all of them apply to the three items (the condition is applicable in all three), or that condition is only found in one of those items, or the condition differs among the three items. Let's work this out.

The first condition that I mentioned is that they are wiped only during *al-ḥadath al-aṣghar* (minor impurity). Is this something which is specific to one, something which differs, or something which applies to all of them?

Students: All of them.

That Which is Worn Must Be Pure

Good, so it applies all of them. The second [condition] is,

أن يكون الملبوس طاهراً

[This means] that that which is worn and wiped over needs to be pure and clean.

What about the *khuff*? How can the *khuff* be clean if people walk around in it? The *khuff* is going to be dirty [as a result of] walking around in the sand outside and in the streets. This is talking about *ṭāhir*; it's not talking about *naẓīf*. Mud is dirt, but mud is the most pure thing on the planet after water. Allāh ﷻ says "use this pure earth".

Mud is dirty but it is not impure; that is why we said *ṭāhir* (pure). The opposite of purity is not dirty; it is impurity like pig skin and that which has *najāsah* on it (like urine). That's what we are talking about. If it's dirty because it has sweat or grease on it, it is dirty but not impure.

It's very important that you keep that in mind. This is a key theme that we have been talking about for the last two years of the Logical Progression class: *wuḍū'*, as I have always said, is not something which necessarily cleans you. A lot of people go in there and use lots of water. You need to remember that if you want to be clean, go take a shower with shower gel. *Ghusl* and *wuḍū'* are not for cleansing procedures. You use very small [amounts of] water.

That Which is Worn Must Be Permissible

The third condition is:

أن يكون مباحاً

...that the thing is permissible. That means that it was not stolen, and we have talked about that before. Is it a problem that something is stolen? Does it affect the actual purification or not? We put our opinion forward that it is actually valid to wipe on a stolen *khuff*. It's a bit flipping low doing that - you're not much of a man or a woman, nicking someone's *khuff* and then wiping on it, but is the wiping still valid? Is it independent of the act itself?

There is a *khilāf* amongst the scholars, but I think it's permissible - without wanting to say that too much in case people get ideas. This condition, assuming that it is not right (which is the majority position), is a condition for all of them.

Must Be Worn Whilst in a State of Purification

The fourth condition,

أن يكون لبسها على طهارة

That it's worn whilst in a state of purification, and number five,

أن يكون المسح في المدَّة المحددة

That the wiping only can last for a set period of time.

We talked about the differences of opinion. What about in terms of the conditions people differed over? A condition that applies to some and doesn't apply to others? I'm not talking from a taught position, I'm talking from just a school position, the official Ḥanbali *madh-hab* position. Think outside the box. What do you think would be a condition on one of them which is not a condition on the others? Just think about the sock itself, that's an easy way of looking at it. Think about the *ʻimāmah* and think 'Yeah, that's got to be a condition for that, but is it a condition for that?'

You could maybe argue that having to be in contact with the skin would be a condition for the headscarf and the turban, whereas it could be argued that when it comes to wiping over a sock, and considering that we also allow wiping over a shoe, that a shoe is not always going to be in full contact with the foot, in all places.

It could also be argued back that: no, of course it is and any small areas where it is not in full contact is something which is insignificant anyway. So that is why it has not been mentioned. But just think of the conditions of wiping over a *khuff* or wiping over one of these, and you will see straight away. What is the condition that applies to one or some, and doesn't apply to the others?

As the *madhāhib* have said, the answer is that the *khuff* must completely cover the area of the washing. Agreed? Does that have to be the case for the *ʻimāmah*? Can it even be the case? How can you have a turban which covers the entire part? And how would we then reconcile that with the fact that the Prophet ﷺ wiped over his head, which I showed last week in the pictures… you know that triangle shape on the photos? So that's not covering that part [of the hair], and he wiped over that and then wiped over the rest of the turban.

We also know that the turban is going to leave some space here and some space there. So that is a condition which they differed over, for example.

Another obvious one - there is a condition for the *ʿimāmah* which is specific to it. What is that condition? Think laterally. Think obvious. Remember, the simplest answer is most often the correct answer. What's the condition for *ʿimāmah*? The *ʿimāmah* must be for males.

Remember we talked about that [in previous lessons]? We said, what if there is a woman at home, she goes out and it's an emergency and she puts a *ʿimāmah* on for some reason? So if you remember, we said that if there is a genuine emergency (she's afraid of something or harm or whatever), it's allowed for her to do that. Otherwise it would be *ḥarām* for her to go out like that, right? We allow her to put the *ʿimāmah* on, but we would not allow her to have the concession of wiping it because she's not wearing it in a normal, wiping kind of state. She's wearing it in an emergency state. Likewise, the condition for the *khimār* is that it is for women and not upon some dodgy kind of guy.

Right, now let's move to the next page, page 3:

During major impurity, one can also wipe over a splint that covers the minimum area necessary, only until it is no longer needed.

(All of the above is upon the condition that they are worn) after the completion of ritual purification.

I've already told you that we disagree with that point, with respect to the turban and the *khimār*.

I want to say that all the way up until now, everything could only be wiped on in a state of minor ritual impurity. Now we are in a new section. What if you are now fully impure, requiring a *ghusl*? Basically, now the text is saying, 'Sorry, you can't wipe; you're going to have to wash your hair and feet. No *khimār*, no nothing. Shower caps, that's the same thing, right? Can't have any of that, now you've got to wash it full.'

Wiping Over a Splint in Major Ritual Impurity

But there is one exception and that is the *jabīrah* (splint). What is splint? A splint is almost like a cast. When you break your bone and you get some wood, that is a splint. The wood is placed on [the bone] and then you wrap around it and it keeps [the bone] straight. That will allow the soft part at the ends of the bones to be fused together. So yes, that is what a splint is.

Nowadays, nobody uses a splint; we use a plaster. So this ruling came down with regards to a splint and today we extend that ruling to the plaster cast. In the plaster cast, you are not going to get the water to the limb. So how are you going to wash it? I want you to understand that the whole chapter is referring to lack of access.

At the same time, folks, I want to tell you that it is about harm as well. It is not just about lack of access but also about anything that will harm the healing process. Therefore, we extend this [ruling of wiping] to the wound or a bad rash that someone has. This ruling has specific characteristics that we need to cover. It has different conditions for things which are covered and [which are] not covered. Let us go through that now.

It is permissible to wipe over the splint or the plaster as long as you do not [wipe or] go over the specific area. You must stick to the specific area. For example, it is not permissible to wipe over the entire arm if you have a splint [only] on the wrist area. You also have to make sure that you wipe to the edge. Basically, the area that the doctor has specified and said he does not want you to wash, that is the only area you are [specifically] allowed to wipe. The rest has to be washed.

So what the Shaykh says is that if there is a plaster cast that is covering the problem area, it may cover more than the problem area. We assume that it is a bandage or a plaster which is coming all the way up to [the forearm] when the broken part is only here [at the wrist]. Shaykh al-ʻUthaymīn رحمه الله says what you [need to] do is to take off the extra part and wash that area. But if taking it off [from the extra area] will cause a harm or it is difficult to take off like with plaster, then some of the *ʻulamāʾ* have said that you do the wiping over the cast. As for the rest of the limb, they said you have to make *tayammum*.

This is a very popular position in the *madh-habs*, a very famous and very well-known one. The idea is basically that you make w*uḍūʾ* for every part that you can make *wuḍūʾ* on, and you wipe over the places that you are allowed to wipe over. As for those areas which you are allowed to because the pain is not there or the problem is not there, you have to replace it with something else. You are replacing it with *tayammum*, and this is the position of a number of scholars and it has been narrated in *al-Inṣāf*.

As for Shaykh al-ʻUthaymīn's opinion (and this is our taught position and **class position**), the authentic and the correct position is that *tayammum* is not something which is introduced. He says that the second it is established that the extended area could not be removed because of the difficulty or the harm, it takes the ruling of the damaged area, so therefore the entire limb is wiped.

So in my example here, if I were bandaged and I had a massive cut here, massive cut there, and my bandage starts from here for some reason, I can't put pressure on it. I've got to put pressure here and then be gentle here and then put pressure again

there. If I take it off here and I am going to cause some kind of problem, I am allowed to wipe on the whole. There is no *tayammum* because there is no evidence to suggest that *tayammum* needs to be the replacement for the uncut area. So basically, we don't have *tayammum* for the extra area; we wipe over the entire area.

Let's just summarise that point. If the arm has been hurt at the wrist and it has been bandaged in this exact area, we will wash this hand and we won't touch that, we will just wipe over it with the left hand and we will wash the rest.

And what else can we do which is really useful that we learned? We can dry this immediately. We covered this lesson quite a few months back. According to Malay culture, I'm guessing that you would never dry anything in the middle of *wuḍū*'. You wouldn't, would you? Would you not do it thinking that it would invalidate it? We are saying that it's allowed. Once you wash it, you can dry it. I say that because if you then lift your hands up and water start to go down, it's pointless, isn't it? So you might not do that. So that is the first scenario.

The second scenario is that the entire arm has been covered by a bandage, even though it's only this part which is hurt, but the bandage is there because the doctor wants it that way. That is scenario two. Here, we would wipe over the whole thing.

The third scenario is that this part is still hurt and the entire bandage is all over it [for no good reason]. Here, we have to remove the bandage because there is no meaning behind it.

The fourth scenario is that your entire arm is gone. So what happens here now? The whole arm is gone; it's all hurt and bandaged. So what happens with this now? How are you going to make *wuḍū*'? What about the rest of *wuḍū*'? You would literally just put your [uninjured] hand [under running water], and you would wipe and clean with the left hand. We would wipe with one hand; that is allowed.

In Major Ritual Impurity

The next point is:

ولو في أكبر

It's just making it very, very clear that you can wipe over the splint even when you need to do full *ghusl*. That is a shock, isn't it? You do not have to remove your plaster or your bandage when having a full bath from *janābah*. Anyone? Of course it was a shock!

This was, of course, a shock to one of the Companions. This is a very famous incident and they call it *ḥadīth ṣāḥib al-shajjah.* This is the famous *ḥadīth* which you all heard, and I say it is a popular *ḥadīth* because it has a shocking story, a shocking ending and probably even more shocking reality that the *ḥadīth* is not as authentic as people made it out or thought to be.

Basically, some Companions ﷺ went on a military expedition and one of them was hurt. He had a wound of some sort which was significant and which had to be covered in a way that made sure it would not get wet. When he woke up one morning outside, he had had a wet dream so it was obligatory upon him to do *ghusl*. He said that the water was freezing cold and would have caused him harm, so he made *tayammum*. He made *tayammum* because he literally feared that he would die if he had done the *ghusl*. He went to one of the Companions there and said to him, "Is what I did sufficient for me? I made *tayammum*. Is that okay?" and [the Companion replied], "How can the *tayammum* be okay after you need to make *ghusl*? Go on and take a full bath." And of course he did and died as a result.

Now, first of all I want to stop right there and say that in terms of references, this *ḥadīth* (page 244, footnote 1, reference 441) has been narrated by Imām Abu Dāwūd, Imām al-Dāraquṭni, Imam al-Bayhaqi, Ibn Sakin said that the *ḥadīth* was authentic, and Ibn Mulaqqin said that its men are trustworthy. Abu Bakr ibn Abi Dāwūd said this *ḥadīth* has not been narrated as people narrate it (i.e. on the authority of ʿAṭāʾ and Jābir and Zubayr ibn Khurayq), and this *ḥadīth* has not been narrated and reported that way, is not a strong chain. Imām al-Bayhaqi said more than that; he said not only is the chain not strong, the *ḥadīth* is not strong, which is even a bigger statement.

ʿAbdʾl-Ḥaqq al-Ishbīli said, "This *ḥadīth* has never been narrated in a strong, definite manner" and Imām al-Nawawi also considered this *ḥadīth* to be weak. Imām Ibn Ḥajr al-ʿAsqalāni said that this *ḥadīth* has been narrated by Imām Abu Dāwūd with a weak chain, and there is a difference of opinion considering its narrators. You can see that in *al-Mumtiʿ* on page 244. The reference is there for all the books I just mentioned. Shaykh al-Albāni رحمه الله considered this *ḥadīth* to be *ṣaḥīḥ* right up to where I just stopped and there has been much difference of opinion.

In summary, I want to say to you that the story itself is not the weakest in the world and the statements that come after do have quite a lot of weakness in it. Is this the weakest *ḥadīth* in the world? No. Is there some basis for it? Yes. Does Shaykh al-ʿUthaymīn رحمه الله consider there to be enough there for him to use as a statement now? Yes.

I think the majority of the *fuqahāʾ* use this *ḥadīth* as some kind of evidence to ensure that it is permissible to wipe over one's area. Or to not have to do *ghusl* if there is a need. They use this *ḥadīth* as evidence because what happens next is very shocking. When the Prophet ﷺ heard about this from someone else, he said, "*Qatalūh qātalahumullāh.*" "They killed him; may Allāh kill them."

Just so you know, as we proceed through this narration, each statement has more and more doubt over it. But the most famous statement - '*qatalūh qatalahumullāh,*' or 'they killed him, may Allāh kill them' - this has difference of opinion.

The next statement he said was, "Indeed the cure for ignorance is the question." If you don't know, then just ask, okay? Don't go and just give the *fatwā* like this Companion did. He didn't know and he just said to him, 'No you can't do it'. He should have checked with someone senior if he didn't know. And so, this version *in shāʾ Allāh* has some space*, Allāhu aʾlam,* even though they also differed over the authenticity of this statement,

إنَّما كان يكفيه أن يتيمَّمَ؛ ويعصِبَ على جُرحه خِرقةً ثم يمسح عليها

That it was sufficient for him to make *tayammum* because of the cold water. As for the area of the wound, he could have just put a bandage over it and wiped over - that's fine as well. These were the two options that were open for him. This Companion didn't take it, and he died as a result. This *ḥadīth* is of course talking about a person who is in *ḥadath al-akbar*, so he was in state of *janābah*.

Okay, so what are we trying to prove? We're trying to prove that <u>it is permissible to wipe over a splint or a plaster</u> in *janābah*, in *al-ḥadath al-akbar*. This is the first evidence. I'll just quickly quote the rest of the evidences.

The second evidence is that wiping over something like a splint is allowed because of the necessity, and <u>in necessity, there is no differentiation between minor ritual impurity and major impurity</u>. If a necessity is there, it's there and it is used in all cases. That's the second evidence - it's a principle.

The third principle is that <u>any part which is obligatory to wash and which is covered for a reason, then it is permissible to wipe over it</u>. Such as, the socks. So, any part of the body which is obligatory to wash and is covered for some reason, it is permissible to wipe over it like the socks.

The fourth reason why it's permissible to wipe over a plaster in *ḥadath al-akbar* as well is because <u>wiping is actually an act of worship</u>. Wiping is not some kind of sellout, it's an act of worship. You either wash or if you're unable to wash then you wipe. If you can't wipe, then you make *tayammum*. This is the structured process, it is actually an act of worship that you get rewarded for with the right intention.

The fifth reason one should wipe, is that <u>wiping is better that doing *tayammum*</u>. *Tayammum* is a process where the hands still get dirty. Whereas wiping is still using

water, and water is purer than earth. So if you do have a splint on the body or a plaster, you should wipe over the actual area that one needs.

There are some of the ʻ*ulamāʾ* who said it is not permissible to wipe over the *jabīrah* and what happens in that case? They said that because there is no evidence to show it, there is no text from the Prophet ﷺ. So what do they do? They said every *ḥadīth* is weak, which is a strong argument. Every *ḥadīth* which talks about the wiping over a splint or a plaster is weak. So they say it's not allowed to wipe. So what do they say? Making *tayammum*, that's what they say. Their position is that you make *tayammum*.

There is another position as well and this has all been collected by Ibn Hazm. I have a feeling Ibn Hazm held this position himself. This position is that a person doesn't do *tayammum*, doesn't even wipe it, nothing happens to that area. The rest of the body is washed and that area is untouched.

Shaykh al-ʻUthaymīn رحمه الله says this is the weakest of all the statements. You can't just leave an area and just ignore it. Either you make *tayammum* as a result of replacing it (and that's weak - he doesn't like that), or you do what has come to us via *aḥādīth*, (even though they are weak) and what has come to us via *qiyās,* and we know for certain that wiping is an act of worship. You wipe over that area, and that is the correct position and it is the **position of this class**.

One final question, which is an interesting one: is it actually possible to actually combine between wiping and *tayammum* in a certain area? If you have a hand and you wipe over this part here, and then because you can't reach it or whatever, you make *tayammum* for this part. Is that something which is permissible? Some the ʻ*ulamāʾ* said you must do it, you must do both of them to be safe, because you're not sure. You're not going to wash the entire arm, so we should do *tayammum* so that we can really cover the entire *wuḍūʾ,* but we'll dedicate that to just this limb and we'll wipe over just this part.

As for Shaykh al-ʻUthaymīn رحمه الله, he says that no, the correct position is that you do not combine between both of them, because those people who said that it is obligatory to make *tayammum* don't say it is obligatory to wipe.

And those who said that it is obligatory to wipe said that it's not obligatory to make *tayammum*. So why are the two being combined in the same limb when basically one is obligatory and one is not? It makes no sense to combine between the two. So *in shāʾ Allāh* I guess this is everything that I wanted to just mention and on this what we will close on.

Is a wound going to be covered or open? So far, we have been talking about those which are covered, so what happens if it's open? If a wound is open or uncovered, it is obligatory to wash that wound.

Now we know that we are not allowed to wash a wound in certain cases because that's going to mess it up, so what happens now? If you are washing around the area what are you doing?

It's all nice easy when you think about it being covered, right? What has been our conclusion? Our conclusion is that you wipe over it, and wash any other area, and if the whole area is covered then we wipe over it entirely.

Now let's ask a real question, now you've got the major burn or cut and you can't put water near it, what do you do?

Student: Wrap it.

Ustādh: The reason you are not wrapping it because you have been told to not wrap it. So you are not allowed to wrap it because the doctor said, and you are not allowed to wash it because the doctor said.

Student: [inaudible]

Ustādh: So what you heard there is to wash around it. What did we just say about that a minute ago? What we just said is that it is the weakest of all the statements. Because you are ignoring it, you are ignoring an area. You are just imagining it does not exist. You are looking at it and saying, "You're not there," when you are washing around it.

So what should we do?

Student: *Tayammum.*

Ustādh: *Tayammum* is correct. Here is where *tayammum* is now legislated. So for here we will make *tayammum* because we can't allow the water to touch it.

Shaykh al 'Uthaymīn رحمه الله says,

ولأن إيجاب طهارتين لعضو واحد مخالفٌ للقواعد الشرعيَّة؛ لأنَّنا نقول: يجب تطهير هذا العضو إما بكذا أو بكذا.

أما إيجاب تطهيره بطهارتين فهذا لا نظير له في الشَّرع، ولا يُكلِّف الله عبداً بعبادتين سببُهما واحد.

قال العلماء ـ رحمهم الله تعالى ـ: إن الجُرحَ ونحوَه إما أن يكون مكشوفاً، أو مستوراً.

Basically we can conclude if there is an area which has been hurt and is covered, you have to do to that entire area is wipe and nothing else. If that area is uncovered and

you can't have water to go on there, then we make *tayammum*. And if there is some easy space which is above and beyond which can be washed, then that can be washed as well, but the *tayammum* is done *badlan* as a *badal* for washing in that specific area. The only reason that is happening is because we can't wipe it.

Remember that when it comes to the *tartīb*, what is the *tartīb*? What is the order? Washing, wiping and *tayammum*. Alright, so as long as you remember that in your mind and apply it to everything, you will always be safe. So, you only basically use *tayammum* when you are unable to do the wiping and if it's open then that's what it is.

Q & A

Q: [Inaudible]

Ustādh: Same thing. The *tayammum* aggravates it?

Student: Yeah. [Inaudible]

A: Right, right let me just make it clear. I mean obviously we have *tayammum* coming later, right? And it has its own rules and so on. But I just want to make it clear that the **taught position** of this class according to the Qurʾān and *Sunnah* and the position of the majority of the *ʿulamāʾ* is that *tayammum* is only on the hands and face. If you're thinking two potential things: 1) that you will wipe the area with dust or 2) you will do this [wiping the arms] at least, then that is the position of some of the *fuqahāʾ*. There is no evidence for that. There is no evidence for that and we're going to discuss that in detail. It goes back down to what "hand" means. It's interesting, right? Remember we so far for *wuḍūʾ* Allāh ﷻ says, wash your?

Students: Hands.

Ustādh: And what's a hand? What do we wash? Do we wash our hands?

Students: No.

Ustādh: Does it say that in the *ayah*? It says, *ila'l-marāfiq* (until the elbows). Yet Allāh calls it a hand. We have a name for this area [forearms] as well, but it's not been used. So for *wuḍūʾ* we took the word for *wuḍūʾ* and extended it to its maximum. Now we are going to do the opposite; when it comes to *tayammum* we are going to take the meaning of the word hand and we're going to restrict it to hand only.

The other *ʿulamāʾ* are going to say, "Whoa, you extended it all the way down to the arms when it suited you for *wuḍūʾ*, but now when it comes to *tayammum*, you're saying no only the hands. So, there is going to be an argument and we're going to debate that." Do you understand? So that's what's going to happen when we come to the chapter of *tayammum* in about six years' time, right?

I'm saying that the way to make *tayammum* is to strike the floor once, [wipe the hands, wipe the face], and *khalās*. Secondly, there is no process of *tayammum* which involves wiping any area with dirt. For example, if you're thinking 'I've got a cut on my foot' and you wipe it with dirt or something, that's not *tayammum*. That's what I mean by *tayammum*.

Now, I thought you were asking a much more difficult question that you are allergic to even touching the dust. And that's a whole different category. I would respond to that,

by saying that what you are actually allergic to needs to be specified. Are you allergic to mud or clay or dirt? Or are you allergic to dust? Because if you are allergic to what we would normally use outside tapping the floor, then you could then literally tap a concrete wall and use pure dust, or a brick for example, or a brick floor. And if that doesn't work then you can use a wall which even has plaster which could create some kind of residue.

That's a much more kind of you know a scenario where actually nothing can be touched. If nothing can be touched then, *la yukallifullāhu nafsan illā wusʿahā.* If a person can't touch anything of any sort, then the obligation has been lifted from them - they make their own intention. If someone is around at the time and can wash parts of the body which are not burned, then this is even better. But we give the answer based on no one else being around [in that scenario]. So, if a person couldn't touch anything at all, they can't touch water, they can't touch any surface, then Allāh ﷻ has lifted the obligation from them. But if another person was there and said, "I will wash these areas that can be washed," then this is a *ṣadaqah* from that person.

Q: Is the *wuḍūʾ* invalidated if we take off the turban or the head scarf at any time?

A: First of all, no. The reason is easy for us to know because we've got our evidence, number one. Secondly, this is the exact reason why we said there is no condition to put it on when there is purity or anything like that. But more fundamentally, the reason you ask this question is because this is a common question asked about the *khuff*. If we take the *khuff* off or the sock off, does it break the *wuḍūʾ*? We covered that a couple weeks ago and the answer is no. It has no impact upon the breaking of *wuḍūʾ*. The only thing that happens when you take off your sock or whatever is you've just lost the ability to wipe on it if you put it back on again. So, if you took it off and suddenly put it back on again, you can't wipe on it. You have to wash your feet first and then put it back on again. But, does it break *wuḍūʾ*? No. And this is the position of the majority of the *ʿulamāʾ*.

31. The Chapter of Wiping Over the Footwear IX

We only have a few classes left of Academic Year Two. *Inshā'Allāh* our aim is to finish the entire chapter of wiping over the socks, the *'imāmah*, the splint and bandage in this academic year.

I think the last thing that I mentioned was from page 247, which refers to the statement 'What if you have a wound which is uncovered?' Maybe you have a bad cut which you can't cover. I think it's straightforward - if you have something like a major burn or wound with a bandage over it, we said that you just wipe that, and that's fine. Here is another scenario: what if that entire arm is burned and you can't put bandage on it? Then in that case, that's understandable and you can make *tayammum*. This continues on page 3,

وجَبيرةٍ لم تَتَجاوَزْ قَدْرَ الحاجةِ، ولو في أَكبرَ، إلى حَلِّها إذا لبِس ذلك بعدَ كمالِ الطهارةِ

During major impurity, one can also wipe over a splint or bandage that covers the minimum area necessary, only until it is no longer needed. (All of the above is upon the condition that they are worn) after the completion of ritual purification.

Of course that's a controversial statement which we have disagreed with previously and we're going to look at it again in detail.

What does this mean? Basically, as soon as the wound is fixed or healed or cured, then we're not allowed to wipe over that area. All of these rules - wiping, days, times, concessions - are only allowed if those four items have been put on after you have completed your purification. What are those four items? The *khuff* (leather sock), the *'imāmah* (turban), the *khimār* (headscarf) and the *jabīrah* (bandage or splint).

Wiping Over a Khuff

Let's look at what it actually means by 'until purification has been completed'. Let's give an example of what the text is trying to say. There is a person who needs to make *ghusl*. He is sexually impure. He's about to make *ghusl* but what he does first is he washes his feet so that he can put his *khuffs* on. Is that acceptable or not?

I don't know how that would work. I'm guessing that maybe he's in the shower, washes his feet and then he puts his *khuffs* on and then maybe he leans into the shower to wash the rest of his body. It's possible to do that in a bathtub. Upper body wash is to basically not get into the bath and to wash the top part of your body while standing outside the bath. We used to do that when mom used to give us a haircut. We'd get our haircut and lean over the tub and use the hand shower to wash the head.

Is that going to be acceptable? The answer is that this is not acceptable because purification has not been completed. What's interesting is that the purification is not acceptable, not because he washed his feet first. In *ghusl*, there is no order for things. It is permissible to wash your feet first. *Ghusl* is washing your entire body with the *niyyah* of purification from *al-ḥadath al-akbar* (major ritual impurity). The conditions are the *niyyah* and to wet your whole body. The fact that you make *istinjāʾ* first, then *wuḍūʾ*, then wash your right hand side fist and then your left hand side, are all *Sunnah* acts and not obligatory acts.

Therefore, it is permissible in the actual process of *ghusl* to just wet your entire body. If that's the case, then is there a specific order which is necessary? The answer is no. It is permissible for a person to wash his feet first and then the rest of his body.

We're asking why is it not acceptable for a person to put on his *khuffs* after he's washed his feet. The answer is because he hasn't actually completed the purification. It doesn't matter that he washed his feet first. He didn't wash the rest of his body, so therefore he hasn't done the *ghusl*.

Another scenario: let's say a person has been to the toilet and now he just needs to make *wuḍūʾ*. He's making *wuḍūʾ* and he's nearly finished and now he washes his right foot, puts it down, dries it and then puts his *khuff* on. After that, he washes his left foot and puts his left *khuff* on. What does the *madh-hab* say [regarding this scenario]? It says that this is something which is not acceptable because *ṭahārah* has not been completed. Why do we say that *ṭahārah* has not been completed? He still has to wash his left foot. It's only when his left foot is washed that he's actually completed the *wuḍūʾ*.

There's an evidence for this, of course. The Prophet ﷺ said:

فإِنِّي أدخلتُهما طاهرتين

"My feet were purified when I put on my *khuffs*."

Of course, this is when they tried to take his *khuffs* off. When they were about to wash his feet, he stopped them and said, "I'm going to wipe over my khuffs." When he

stopped them, he said, "I've put them on *ṭāhiratayn* (put them on whilst [my feet were] clean)."

Now the *madh-hab* is going to ask what this means. Putting them on *ṭāhiratayn* is an evidence which suggests that you can only put them on after you've completed *ṭahārah*. Ibn Taymiyyah ﷺ said that once he's washed his left foot, it's permissible for a person to put on his [right] *khuff*, and then he can put on his left *khuff*. For him, this *ḥadīth* does not mean that the Prophet ﷺ completed his *wuḍū'* first and then put on the *khuffs*. Rather, he put the *khuffs* on when his feet were clean/pure. He's using a different kind of meaning, if you like. It's almost like the Prophet ﷺ said that he put his *khuffs* on and his feet were clean.

Ibn Taymiyyah ﷺ is saying that if a person washes his right foot, it is clean now so he can put the *khuff* on. There is a difference between the *madh-hab* and Ibn Taymiyyah. In the *madh-hab,* this would not be acceptable; you would have to complete *ṭahārah*. How do you complete *ṭahārah*? You have to wash the right foot and then the left foot. Now you can put on your *khuffs*.

What does Shaykh al-'Uthaymīn ﷺ go with? I'll tell you what is really interesting; most of the time you know that he is a big fan of Ibn Taymiyyah ﷺ as well, but he himself did not follow Ibn Taymiyyah ﷺ this time. He says, "To be honest if we look at the *hadith*, it seems to support the *madh-hab*."

When a person makes *wuḍū'* and then he wipes over the leather socks, it is suggesting that the *wuḍū'* has to be completed. He is kind of supporting the *madh-hab* by saying that we should only wipe over *khuff*s that have been put on after *wuḍū'*, not like what we just said (a person wipes over and then puts it on, and then washes the left and puts it on). He prefers the position of the *madh-hab*, which is the one which you have got.

He does, however, add at the end, "But with respect to Ibn Taymiyyah ﷺ and the *khilāf*, that seems like common sense." He does like the idea that Ibn Taymiyyah is stating, but it is clear that he thinks the more correct position is with the *madh-hab*.

I'll tell you why this is important - people normally would not see this in a Muslim country, but in the West we see this all the time. If you are in an office and you make *wuḍū'*, a lot of people wash one foot and the other foot separately. A person puts his foot in the sink and he takes it out, he has got two scenarios now. [He can] stand on his wet foot or he can put some tissue down and stand on that tissue with the wet foot. He will then put his other foot into the sink and in the end, he will be standing on two piles of tissue with two wet feet. Or, he is going to say, "I would rather only stand with one naked foot than two naked feet." He might bring his foot down from the sink and he still has his shoe and sock on on the other foot, and therefore only one foot is uncovered. He then dries it, puts his sock and then shoe on, and then takes his shoe

and sock off the left foot and washes that. That has become very popular in the corporate world.

The question is: if you walked in on a person and he was doing that and then later he wiped over those socks, what has he done? He has done something which the *madh-hab* does not accept.

The *madh-hab* would not accept the wiping over the socks of this person because they would say he didn't complete both feet first before he put those socks on. Ibn Taymiyyah رحمه الله said that there is no problem if you put the sock on the right foot and then the left foot.

What did Shaykh al-ʻUthaymīn رحمه الله say? He said he supports the *madh-hab* position. It's the safer position and I also agree. His point is that if we saw a person do that, we wouldn't tell him to take his sock off and start again. We wouldn't criticize him; we would say this is an issue of difference of opinion, so carry on.

That's what Shaykh al-ʻUthaymīn رحمه الله mentions right at the end. He says that we are not going to tell him to repeat his *wuḍūʾ* or to repeat his prayer for wiping on the socks like that. He continues [by saying] that if the person hadn't done it then we would instruct or educate him before he would actually go ahead and do that.

Wiping Over A Splint

This is all to do with the wiping of the *khuff*. What about the *jabīrah* (splint)? People are saying that you have to make *wuḍūʾ* or you have to have purification before you use the splint. That's weak. I mean, think about it - what's the point of wiping over an injured area if you have to make *wuḍūʾ* on it first? The whole point is lost; the whole reason you have the concession to wipe over the bandage is because you are not making a war on the area. You are not meant to get the area ruined, so [by using] common sense, that doesn't work. But we shouldn't go with common sense. First of all, let's go with *sharīʻah*.

Is there any evidence that says you must make *wuḍūʾ* like there is in *khuff*? The Prophet ﷺ said that once you make *wuḍūʾ*, then you wipe over the socks. There's no evidence for the splint and bandage - nothing from the Qurʾān and nothing from the *Sunnah*.

Shaykh رحمه الله continues [by saying] that normally these things happen suddenly. You might have *wuḍūʾ* or you might not have *wuḍūʾ* and suddenly you trip over and break your arm. You can't say before you put the plaster on, "Let me make *wuḍūʾ,* then I can put the plaster on". It's ridiculous and that's the reason, even though the *madh-hab* says you have to. The Ḥanbali *madh-hab* says that you have to make *wuḍūʾ* before you

put on the jabīrah. Shaykh al-Islam رحمه الله says that there's no condition here at all. That's Shaykh al-ʿUthaymīn's رحمه الله position and that's definitely our **position** as well. You do not have to make *wuḍūʾ* first before you put on the bandage. As soon as you put the bandage on, you can wipe over, no problem.

A question arises here just to make sure we are strong and feeling confident in our position. We know there is a clear difference between the *khuff* and the *jabīrah*. Does anyone know? It's easy, common sense. Why is the *madh-hab* telling us we need to have *wuḍūʾ* first before we wipe over the *jabīrah*?

Student: Well just to be safe…

Ustādh: No, even more obvious. From a *sharīʿah,* evidence point of view.

Student: To be in that state…

Ustādh: Yes, that's what it wants us to do. It wants us to be in a state of *wuḍūʾ* but why? Why is the Ḥanbali *madh-hab* telling us that we need to be in a state of *wuḍūʾ* before we wipe over the splint?

Student: To make *wuḍūʾ*, at least once properly, and then you cover up.

Ustādh: Okay, but why would it make you do that? Why would it enforce that upon you when they're not stupid, are they?

Student: It might be dirty underneath.

Let's say you get dressed and go outside and you fall down and break your arm. You're not going to say to a person, "Alright, listen, go make *wuḍūʾ* first before you put the bandage on." Let's say it's a big cut or burn or whatnot. What is the principle at play? Why is the *madh-hab* making you or conditioning upon you to make *wuḍūʾ* first, before you wipe over the *jabīrah*?

The answer is because they are making *qiyās.* They are making an analogy on the *khuff.* They are saying, "Listen, do you accept that you have to make *wuḍūʾ* on your feet before you put the *khuffs* on?" We say, "Yep, we accept that". They say, "Okay then. Therefore, everything now has to be based upon this". That's why they have said the whole thing.

All of the four categories of wipe-able things, what are they? The *khuff*, the splint (the bandage), the turban and the *khimār*. They are saying for all of these things, if you want to wipe on them, you have to have *wuḍūʾ* first. That's their evidence and if we say, "what's your evidence?" They'll say, "The evidence is *qiyās* because the only thing we have a *ḥadīth* for is the *khuff.* If the *khuff* is there and we know you have to make *wuḍūʾ*, do you accept that?" [We say], "Yes, we accept that". [They say], "Okay, then

you should accept everything else". Our response to that is very clear - there is a clear difference between a *khuff* and a bandage.

I've already told you that 1) there is no direct evidence, and 2) what's the point? Okay, let's look at the actual differences from a technical point of view. Shaykh al-ʿUthaymīn ﷺ tells the difference between wiping over a bandage and everything else. He says that the jabīrah is not specific to any limb. It can go anywhere, whereas the *khuff* is only upon the feet. The *ʿimāmah* and the *khimār* is something which is only specific to the head.

I just want to say that for the time being, Shaykh al-ʿUthaymīn ﷺ is playing along and he is assuming that you do need to have *wuḍū*' before you wipe over the turban and the headscarf. He is just trying to show the difference between wiping over a bandage and wiping over everything else (the *khuff, ʿimāmah,* and *khimār).*

He says that the first reason is that the *jabīrah* can go anywhere upon the body, but the *khuff* is specific to the feet and everything else is specific to the head. He makes an interesting point here. He says that if you understand this issue that there is a difference between the splint, the bandage, and everything else, then you won't make a mistake in *fatwa*. Like the people who gave *fatwa* to women to make *mas-ḥ* over their nails when they put nail polish on. You see, some guy gave *fatwa*.

Let us just go back to the big issue. We have socks and it is allowed to wipe over them. There are many *aḥadīth* and it is very clear. We have *aḥadīth* for if you've got a turban on or a headscarf on and we've got *aḥadīth* about the *jabīrah*, the splint. We now know that all of these things are permissible to wipe over. Then they said, there are other things which are causing a barrier. These are all called barriers, aren't they? The turban is a barrier to the head, etc.

They said if there is any other part of the body where there is a barrier, we are going to make *qiyās* (analogy) upon that which is wiped over and give *fatwa*. As such, they gave *fatwa* which allowed a woman to literally wipe over her nail polish which is completely unacceptable. There is no space for *qiyās* in the direct presence of a *naṣ*. When there is a direct text in which the Prophet ﷺ has made it very clear that the hand is washed when there is no harm or there is no damage or pain or wound, it is not possible for us to just make *qiyās*, to take away the direct *naṣ* where Allāh ﷻ says to wash the hands.

Student: How did the *Ḥanābilah* respond to the *ḥadīth* of the Companion who hurt his head and he clearly has a bandage on and they forced him to do *ghusl*? The Prophet ﷺ clearly said, "Why did you make him do that?"

Ustādh: Yes. Obviously, we said [that] this *ḥadīth* has weakness in it. There is some criticism of the text itself and some criticism of the statements that came after it as well. In any case, we believe it is permissible for us to wipe over the *jabīrah* and we

will make *tayammum* in case of emergency. That is not relevant here.

The main thing to understand here is that the Prophet ﷺ has made it very clear what is to be wiped over and what is not to be wiped over. Shaykh al-ʻUthaymīn رحمه الله said that the Prophet ﷺ also had difficulty, at times, [in washing certain body parts]. A woman might say, I have difficulty and I do not want to remove my nail polish.

The Prophet ﷺ went in the battle of *Tabūk*, and the narrative can be found on page 249. The *ḥadīth* is narrated [by way] of Mughīrah ibn Shuʻbah and this is the *ḥadīth* of Muslim. This is *ḥadīth* number 274 and this entire story [tells us] of the Prophet ﷺ when he had a cloak on. This has happened to all of us, I am sure. He could not get his arms up to wash them properly. What he did was that he went underneath [the cloak] and lifted the entire shirt up.

The cloak is hanging from his neck and the top part [of his body] is all naked. Therefore, he put his hands underneath his shirt and washed [his hands properly]. Shaykh al-ʻUthaymīn رحمه الله makes the point that at times, there were difficulties in washing [a body part] but you never see the Prophet ﷺ saying that he will wipe them.

It is very clear from the *naṣ* and the practice of the Prophet ﷺ that these are not just options to make *qiyās* just like that. There is a clear difference between wiping over the *jabīrah* and wiping over the rest of the things [like *khimār* and *ʻimāmah*]. The second difference is that wiping over the splint is permissible in all states, in *ḥadath al-asghar* (minor ritual impurity) and *ḥadath al-akbar* (major ritual impurity).

Let me ask you a question; is it permissible to wipe over your socks while you are in a state of *janābah*?

Student: No.

Ustādh: Why not?

Student: You are not in *wuḍūʾ.*

Ustādh: Correct. It is as simple as that. If you've got socks on and you are in a state of *janābah*, you will have to take them off because you have to wash your entire body. What about if you've got a splint or a bandage on? That's what we covered last week, right? If you got a splint or a bandage, it doesn't need to come off and that is the exception.

There is a difference. This is what Shaykh al ʻUthaymīn رحمه الله is trying to say. You can't make *qiyās* between something that has differences. *Qiyās* (analogy or making analogy) is a big part of *uṣūl al-fiqh*. It has evidences and principles, but it's not possible to make analogy between things that are different. You can only make analogy between the things which are the same.

For example, just off [the top] of my head, cocaine is *ḥarām*. There is no *ḥadīth*, there is no *āyah,* but it's *ḥarām*. Why is it *ḥarām*? Because we make *qiyās* upon alcohol. Alcohol is *ḥarām* because it is *musqir* and it is *khamr,* (it covers the mind and makes you lose your head, etc.). If we can find a product or anything that shares those exact same characteristics, the same kind of purpose, motives, modes and methods, then we can call it *ḥarām* as well. Look at cocaine. It's a drug which has no use and it's done like this, etc. We make it *ḥarām* based upon its negative effect on the body and the way it makes you lose your mind and makes you think you are super powerful, super brave, etc.

Now let's imagine that we've got a chocolate bar that's made of some kind of next-level chocolate that can give some kind of dizzy effect in some people and in other people it doesn't. Let's say that a person who is XYZ chromosome deficient will become drunk, but nothing will happen to the rest of the people. Meaning, it has a significant difference or a unique characteristic which is not the same as alcohol. We cannot make this chocolate *ḥarām,* because when you are making a *qiyās* for one thing to another, the things that you are making *qiyās* for has got to be same in all of its key principles and characteristics. If it's not appearing the same, if it's only working on certain people, then we can't just make the chocolate bars *ḥarām* for everyone when it's only working on one kind of person. Cocaine will take everyone out like alcohol takes everyone out.

That's not a very good example, but the point I am trying to make is that in *qiyās,* there is a *fariq*. [From] the principles of *qiyās* [is that] if there is a clear difference between the two things, then we can't make a *qiyās.* That is why we cannot make a *qiyās* between the *jabīrah*, the bandage and a *khuff*.

First of all (as we just said), the *ḥadīth* comes in the *khuff*. It's not a damaged scenario, it's a nominative scenario; wash your feet (then) put them on. The *jabīrah* happens immediately. A *jabīrah* can be wiped over in a bath, in a major and minor impurity, whereas the *khuff* [can be wiped over] only in minor impurity.

The third difference is that the wiping over the *jabīrah* does not have [a] time period. If you are damaged for ten years, then you wipe for ten years and if you got a wound for ten days, then you [wipe] for ten days. Whereas with socks, it doesn't matter how far you are travelling as a traveler, you've only got three days and three nights and then you have to take your socks off after that. Again, when you have all these differences, it's not permissible to say the rules that apply to the *khuff* must apply to the bandage. We would say, how can you do that? They would say *qiyās*. You can't make *qiyās* upon something which is different in principle.

The Shaykh رحمه الله says that the fourth is [that] there's no condition to actually make *wuḍū'* (even in principle) before you put on the bandage. He continues [by saying that] in his opinion (as we have already said), you don't need to have *ṭahārah* either

for the *ʿimāmah* or the *khimār.* We said that it might be a safe opinion to make *wuḍūʾ* first, but there's no evidence for it. In the lessons a couple of weeks ago, I said I agree with that as well (that to wipe over your turban or *khimār* or any of these, you don't need to make *wuḍūʾ* first, but for the *khuff*, definitely so because there's a text).

Wiping In Relation To Change In State

Now, we move on to a new section. This is interesting stuff. In the *naṣ* of Zād'l-Mustaqniʿ, Imām al-Ḥajjāwi رحمه الله says on page 4,

ومَن مَسَحَ في سَفَرٍ ثم أقامَ أو عَكَسَ أو شَكَّ في ابتدائِه فمَسْحَ مُقيمٍ، وإن أَحْدَثَ ثم سافرَ قبلَ مَسْحِه فمَسْحَ مسافرٍ،

If one wipes while they were travelling and then becomes resident, or wipes while they were resident and then becomes a traveler, or was unsure when/how he started, then he wipes like a resident.

If one becomes ritually impure and then travels before he actually wipes, his wiping period will continue like that of a traveler.

This might not make sense now, but it will make sense soon. It is very clear. Obviously, there is some differences of opinion here between the scholars so let's look at that *inshāʾAllāh*. The first point is: if a person wipes whilst travelling and then becomes a resident, what has happened here? I am in London and I wake up in my hotel in London. I am staying in London, hanging out, I live in London. I now put my socks on and make *wuḍūʾ* and then I break my *wuḍūʾ* and make *wuḍūʾ* again and wipe over my socks; I can because I put my socks on. Everything is fine. As it stands now, how long do I have to wipe?

Student: Twenty-four hours.

Ustādh: Twenty-four hours because I am living in London and hanging around. Now, I make *safar* (journey) and go all the way to Manchester, which is 200 miles, a clear distance. I am now on a journey. How long should my time period last when I am there?

The text says, "If one whilst travelling and then become resident." [I] beg your pardon, I have just described, "all wipes whilst they were resident and then becomes a traveler." I have actually described the second sentence, let me describe the first sentence, "If one wipes whilst travelling and then becomes resident."

Imagine now that I have put my socks on and have gone to Manchester. I am travelling and whilst I am in Manchester, I break my *wuḍūʾ* (and make *wuḍūʾ)* and wipe over my socks and now I am going back home to London. When I arrive back home in London [on the] same day, how long do I wipe for? I am back home. I want you to remember that when I wiped over my socks I was a traveler in Manchester, which gives me three days but I have come back home.

What is the *madh-hab* saying? In these two scenarios I explained, you will wipe over only for twenty four hours. Shaykh al-ʿUthaymīn رحمه الله says, "As for the one who comes back home, there is no problem there." It is [a] straightforward scenario. Everyone happy with that? I am wiping as a traveler, I come back home and I am now restricted to my home time. If you think about this, it is like the prayer. If this is complicated for you to understand then think about it in the *ṣalāh* point of view and from the *ʿaql* point of view.

ʿAql first. When we are wiping, it is a concession. Why do we want that concession? Because we are out of our home. You get that whole three days because you don't know the road, you don't know where the water is. When you are at home, the concession should be less used.

The time is reduced and you are at home. That's why it is common sense for us to understand if a person wipes whilst travelling and then comes home, he shouldn't enjoy three more days. Rather a day and a night and that's it. If a person travels for a day and whilst he is there, he doesn't pray his *Ẓuhr* prayer and he comes back home. When he comes back home, does he pray *qasr* which is the two *rakʿāt* or does he pray the full four *rakʿāt*?

Student: Full.

Ustādh: He prays full because he is at home. If he had prayed whilst he was there and then stayed there, he would have continued praying *qasr*.

Student: Just to clarify, he has been on the road for two days and now he arrives home. Basically he has got to now make *wuḍūʾ* immediately isn't it? His *mas-h* is over.

Ustādh: Let's say the person traveled and he broke his *wuḍūʾ* and he did *mas-h* over his socks. From now, with this wiping over the socks, he has three days and three nights. Two days have already gone. He hasn't taken them off, he's wiping all the time. Then he comes home. It is the same here. If this person comes home what's the situation? He has 24 hours anyway.

Student: From the moment he arrives home?

Ustādh: Correct, he has a new status of being home anyway.

Student: So, for the person who is travelling and then becomes a resident, the 24 hours starts not from the breaking of *wuḍū'*?

Ustādh: Let me read to you what Shaykh al-'Uthaymīn رحمه الله says,

من مَسَحَ فِي سَفَرٍ ثم أقام، فإِنَّه يُتِمُّ مسحَ مقيم إِن بقيَ من المدَّة شيءٌ، وإِن انتهت المدَّةُ خَلَعَ

If someone has wiped during *safar* and he comes home, then he will continue to wipe the time period of the resident if there is any time left. If the time has finished, then he takes them off.

He gives an example of that. He says that there is a *musāfir* and he is on his way home and the time for prayer comes. He wipes over his socks and then he reaches home. He will now complete the time period for the wiping of someone who is at home. The wiping period is three days for the one who is a *musāfir*, but now his journey has finished. Just as it is impermissible for him to now make *qasr* as he's at home, likewise, it is not permissible for him to carry on wiping for the time period of a *musāfir*.

In direct response to your question, he says that if this *musāfir* reaches home and there was a day and a night left from his three days, he cannot wipe on his socks. He says that if he has used two days, he has to take it off. If only a day has gone by since he has come home from his journey and he's used a day, then he will have a night remaining (another 12 hours remaining). When he comes home - let's say he has used two days already or used two and a half days already, or used any time period already which is more than the day and a night - then he has to take his socks off immediately. If the journey period was less than a day and then he comes home, he has the remainder of that day to carry on wiping.

Student: That's the thing, the time period for the *mas-ḥ* is exactly when you break your *wuḍū'*, and you start your thing.

Ustādh: The time period for the *mas-ḥ* does not start from the time you break your *wuḍū'*, the time period for the *mas-ḥ* starts from when you start your *mas-h*.

If you've already traveled, you have been wiping for two days, and and you reach home and you want to make *wuḍū'*, you can't wipe over your socks because two days have been used already and you're at home now and you normally have one day. You have zero time, if you were to come home and the journey was to take just 12 hours and you arrive home…

Student: Then you would just treat it as if you were home anyway.

Ustādh: No, you wouldn't treat it as if you were home anyway. You would treat it as the time period for as if you were home which is 24 hours, and because 12 hour has been used since you wiped, you have another 12 hours left. That's what Shaykh al-ʻUthaymīn رحمه الله is saying.

Student: But that's exactly the same as saying you treat it as if you were resident.

Ustādh: No, because if you are treating it as if you are resident, then you would start 24 hours from the time you arrive at home. The ruling is that you start travelling and are on your way home, as soon as you get home, your ruling is using a time period of 24 hours. I hope that's clear.

The opposite is the controversial part. The opposite is if a person wipes whilst still a resident then becomes a traveler. I am at home, I live in Manchester and I want to go to London. As I am about to leave, I break my *wuḍūʾ* and I say, 'I got my socks on anyway, so I'm going to wipe,' and I wipe. Now I am at home, the *madh-hab* had said if you are at home and you've wiped, you have 24 hours. A lot of scholars said that, but there's a second narration from Imām Aḥmad رحمه الله and this second narration has some strength and is on page 252. I just want to give you a little explanation of what Shaykh al-ʻUthaymīn رحمه الله said.

He says that when there's a person who wipes for a day whilst he is *muqīm* (resident) and then he makes *safar*, he basically has 12 hours left. He can only carry on wiping for another 12 hours because he has already used 12 hours. Why? [It's] because he's got the ruling of a resident.

Why is that? It's because in this scenario of wiping, we are combining between something which is permissible and *ḥarām*. The permissible is to wipe for 24 hours, the *ḥarām* is to wipe for more than 24 hours if he's not a traveler. He says that you are combining these two states and when you combine two states of permissibility and impermissibility out of safety, you always go back and revert to the position of the home person.

He continues [by saying] that for a person after 24 hours, there is doubt. If he were to carry on wiping for another two days, the question is: should he be wiping as [if he were] at home? He's in a state of doubt. Shaykh al-ʻUthaymīn رحمه الله says that if you were to take your socks off and wash your feet, there would be no doubt whatsoever about your *ʻibādah*. He continues [by saying] that because of this combination of the resident and travelling state, the Prophet ﷺ said,

"Leave that which you doubt for that which is not doubtful."

This *ḥadīth* is very authentic and correct, and therefore, he says that because of this doubt, the *madh-hab* has chosen 24 hours as the position of you wiping as a resident.

Yet, it is interesting to note that there is a second narration from Imām Aḥmad رحمه الله that no, he will continue to wipe like the one who is traveling because the reason has been found. Now that he's traveling, he needs to take the concessions of travel. Why are we restricting this guy to the restrictions of being at home, when he should be enjoying the fact that he's traveling?

Therefore, Imām Aḥmad رحمه الله makes this point and Shaykh al-ʻUthaymīn رحمه الله is happy because you see that he himself basically said that it has been narrated and the reference is in Al-Inṣāf which is Marḍāwi's book. He said that Imām Aḥmad later (even though this is the second narration) came back to the position. A person should actually wipe like a musāfir. He doesn't need to worry.

Shaykh al-ʻUthaymīn رحمه الله makes an interesting point. He says that a person who is at home breaks his *wuḍūʾ*, wipes socks, and then 24 hours passes, and then he travels, then what? It's time to pray, and he needs to make *wuḍūʾ*. What should he do?

Student: According to the first narration, now he has to make *wuḍūʾ*.

Ustādh: According to the first narration of Imām Aḥmad رحمه الله?

Student: He has to take off his socks and wash his feet.

Ustādh: That's fine. According to the second narration?

Student: No problem.

Ustādh: Wrong. Why is it wrong? What is the second narration of Imām Aḥmad رحمه الله? Who wipes over the socks like a traveler?

Student: The *muqīm*, when he's traveling.

Ustādh: Okay. Traveling when? What I'm pushing you towards is what I have given you in the third example. It's a completely different example to the previous. How is it different from the one I just stated? Obvious. It is very clear. Not immediately, but before the time period is finished. The second narration from Imām Aḥmad رحمه الله is referring to a person who basically wipes over his socks whilst he is still within the time period of 24 hours at home, and then leaves. The third example I gave was a person who is a resident at home. He's a resident at home and what he does is that he actually wipes over his socks and stays at home and the time period finishes and he sits at home and then he travels. The ruling on this is a clear consensus between scholars. He has to take the socks off.

He is neither here (resident) nor there (traveler). He cannot claim one or the other because his actual time period (for wiping) finished. There is another scenario as well, I think, which is going to come up in the text in a minute.

Student: If he counts as *muqīm*, meaning 24 hours (of wiping), he knows when 24 hours is going to end.

Ustādh: Yes.

Student: So he is going to leave at 23 hours.

Ustādh: If he does (leave at 23 hours), then that is something else. If he starts his journey at 23 hours, he is a *musāfir*.

Student: After 24 hours, he is not going to have *wuḍūʾ* anyway.

Ustādh: Yes he has.

Student: After 24 hours…

Ustādh: Remember, his *wuḍūʾ* does not just suddenly expire. Remember when we talked about all of these time periods? A lot of people get mixed up with what the time period actually means. A time period expiring does not mean a person has broken his *wuḍūʾ*. It means that if he were to make *wuḍūʾ*, he cannot wipe over his socks.

Student: So you are telling me that if that person who then makes *mas-ḥ* for 23 hours and then goes for 12 hours...

Ustādh: Yes, exactly. We discussed that and remember we said that a couple of weeks ago. If there is a person who waits and then at 23 hours he wipes over his socks and keeps his *wuḍūʾ* for 12 more hours - that is absolutely fine. That is the whole point of the concession and that is really important to know.

What we said is basically a completely new scenario now. There is a person who wipes over his socks and then he stays at home and he completes his 24-hour period at home - he now cannot wipe over his socks. If he makes *wuḍūʾ* at home, he cannot wipe over his socks. And if he is on the road, he cannot wipe over his socks. If he arrives at his destination, he cannot wipe over his socks. Why? Because his time period has expired.

We will rule on this. The class position is that we agree with the (Ḥanbali *madh-hab's*) first statement. If one wipes over his socks as a traveler and becomes a resident, then his time period is 24 hours. If a person is at home and then wipes over his socks and then travels, then we will allow that person to wipe for the traveling period of three

days and three nights as the position of Imām Aḥmad's رحمه الله second *riwāyah* (opinion).

To this affect, Shaykh al-ʿUthaymīn رحمه الله makes a bit of a cheeky point. He says that if you are at home and the *Ẓuhr* prayer time starts and you don't pray *Ẓuhr*, then you leave for London… now do you pray *qasr* or [do you pray as a] *muqīm*?

Student: *Qasr.*

Ustādh: *Qasr*. You will pray reduced two *rakʿāt* when you arrive in London. You will pray like a musāfir and not a *muqīm*. This is exactly the same as what we are talking about.

A person is at home and he wipes over his socks. When he becomes a *musāfir*, why are we making him pray four *rakʿāt* at home? He's going to pray two *rakʿāt,* isn't he? Likewise, why [are] we making him wipe only for 24 hours when he's reached his destination abroad? We're going to allow him to have the concession of the traveler.

Let's just quickly finish off this point. There's another scenario which I'm going to come to in a second, and that is: imagine a person who makes *wuḍūʾ* and he doesn't even wipe over his socks.

Student: What did he do, wash his feet?

Ustādh: Yes, he washed his feet, put his socks on, then just leaves. What about him?

Student: His wiping period hasn't even started yet.

Ustādh: His wiping period hasn't even started yet, very good. I'm just saying that just so you know. He's absolutely safe. When he gets abroad, his wiping starts for three days and nights. A lot of people don't really understand that. They think that all the wiping periods are literally 24 hours or three days and three nights.

It's not at all of course. It depends upon how long a person's awake and how he's using it. If a person's not sure whether he was travelling or not when he wiped, the *madh-hab* is saying you just wipe like a 24-hour period. [It's] a small period - the smaller rather than the larger, riskier period, and that's common sense. Shaykh al-ʿUthaymīn رحمه الله says that no, if a person starts off from home and travels, he remains wiping like a traveler. I follow that opinion as well. That's the **taught position** of this class. Actually, the taught position of this class is that it doesn't matter whether he is unsure or not. If he is on his way home, then he is going to wipe like he is at home anyway. If he is on the way out, I don't care whether he wiped before or later, I'm going to make him wipe like a traveler because he is on the way out to travel.

The final point [is that] if one becomes ritually impure and then travels before he actually wipes, his wiping period will continue like that of a traveler. I just mentioned

that right now. This is a person who is at home, he puts his socks on and he does not wipe. He reaches abroad and then he wipes. I'll tell you what's interesting about this point. Remember we were having the debate about whether the time period for wiping starts when you break *wuḍūʾ* or the time period starts when you wipe your sock? Now what I want to show you is this.

What does the *madh-hab* say in the first sentence? Wiping over footwear is permissible for a time period of 24 hours and 72 hours for a traveler, starting from the moment that one becomes ritually impure. What did we say at the beginning? We said we disagree. We said the class position and the position of a number of scholars is the time period starts from…?

Student: When you first wipe.

Ustādh: When you first wipe. What Shaykh al-ʻUthaymīn رحمه الله says is: what's fascinating is that they've contradicted themselves in the same chapter. They've said that if this person leaves home, he does not wipe, his wiping starts when…?

Student: When he first started wiping.

Ustādh: Exactly! He says that if one becomes ritually impure and travels before he actually wipes, his wiping period will continue like that of a traveler. There is an indication that the most important point is the actual wiping. This could be argued, by the way. The Ḥanbalis could fight back if they wanted to. The point is this: we believe that the time period is connected to the wiping and not to the becoming impure in any way.

If I'm going to be honest, I just want to say that this is a little different to what we said. We said that the person hasn't broken *wuḍūʾ*, but that doesn't matter. Let's imagine I am in Manchester, I put on my socks and I now leave for Turkey and I'm in *wuḍūʾ*. When I get to Turkey, I can now wipe for three days from the second I wiped. It actually doesn't matter if I have broken my *wuḍūʾ* or not.

Let's now take another scenario. I'm home here in Manchester, I've done *wuḍūʾ,* and before I leave, I break my *wuḍūʾ*. I now make *wuḍūʾ*, I don't wipe and now I go to Turkey and then I make my *wuḍūʾ* and I start my wiping. My wiping period starts there. Just as an advice to you, if you do break your *wuḍūʾ* and there is no reason to be in *wuḍūʾ* in your journey and you need to extend your time period for whatever reason, then just delay making *wuḍūʾ*. That's just a little traveler's top tip.

32. The Chapter of Wiping Over the Footwear X

We are at the bottom of page 253 in the commentary and on page 5 in the text. Imām al-Ḥajjāwi ﷺ says,

ولا يَمْسَحُ قلانسَ ولفافةً ولا ما يَسْقُطُ من القَدَمِ أو يُرَى منه بعضُه

One is not to wipe over:
- Hats
- a cloth which is wrapped around the foot (*khuff*)
- something which will fall off the foot by itself
- that which allows part of the foot to be seen

Wiping Over a Hat

The immediate statement we start with is that you are not allowed to wipe over your hat. *Qalānisa* is a plural of *qalansuwah*. This is a classical Arabic name which is used for any type of normal hat, like the white Syrian hat which clings to the head and the one people wear underneath the *shamāgh* (the cloth that males wear). Virtually, every single hat falls under the concept of *qalansuwah*. These are in principle *ṭāqiyah* and in Arabic it's something which is protecting the head, so all of these are referring to hats.

Principally, when these types of discussions were happening back in the day, it wasn't surrounding big hats; they would be called a turban or an *ʿimāmah*. If they were very different in style to an *ʿimāmah*, then *qalansuwah* would be used.

Shaykh al-ʿUthaymīn ﷺ says, (on top of p. 254), that these types of hats are not allowed to be wiped over as it is an obligation to wipe the head, as Allāh ﷻ says in *Surat Al-Mā'idah* (verse 6),

﴿وَامْسَحُوا بِرُءُوسِكُمْ ۝٦﴾

"wipe your heads,"

The principle is to wipe the head. The only time we go away from this *aṣl* is when there is a divine text, and it specifically mentions the *ʿimāmah*.

We move away from the basic rule, which is that it is obligatory to wipe the head, because just like there is a divine text which says that you must wipe over the head, there's another divine text which is more specific and says that there's an exception for the *ʿimāmah* (turban).

What does Shaykh al-ʿUthaymīn ﷺ say? He says that some of the people in the Ḥanbali *madh-hab* said that it is permissible to wipe over hats (*qalānis*), if they are like turbans and are difficult to remove. The reference is there in Al-Inṣāf (see *Sharh* page 253). As with those that are not difficult to remove, than they are not to be wiped over, because there's a difference between wiping over something which cannot be removed and that which can be removed. Everything can be removed but we're talking with difficulty.

Shaykh al-ʿUthaymīn ﷺ says that this is a strong position. This is the position that he wants to take. This is obviously not the position of the *madh-hab*, he says that this is a *qawl* in the *madh-hab,*

وهذا القول قويٌّ

This is a strong position that some of the people in the Ḥanbali *madh-hab* say. That it is allowed to wipe over a hat, as long as it's like an *ʿimāmah*.

Now Shaykh al-ʿUthaymīn ﷺ explains, because of *al-Shāriʿ*; what does the word *shāriʿ* mean? The Law-Maker who is Allāh ﷻ,

لأنَّ الشَّارع لا يفرِّق بين متماثلين كما أنه لا يجمع بين متفرقين؛ لأن الشَّرع من حكيمٍ عليم، والعِبْرة في الأمور بمعانيها، لا بصورها.

Allāh ﷻ, when He explains and sends down the law, (sent down the texts). The principle concerning one thing is clear and it is different from something else. What

Shaykh al-ʻUthaymīn ﷺ wants to try and say is that we want to bring a *qāʻidah uṣūliyyah* (a juristic maxim) into this. What is the maxim? It's a good one,

العِبْرَة في الأمور بمعانيها، لا بصورها

What is to be considered is the understanding (the implied meaning), not its presentation.

What is Shaykh al-ʻUthaymīn ﷺ trying to say? That Allāh ﷻ hasn't actually prohibited hats and Allāh ﷻ hasn't only allowed turbans to be wiped over, just because only the word turban has been used. Actually what is intended by using the word turban, is the concept of the turban or the understanding of the turban. Therefore we are not to consider the way the word is presented. It doesn't matter if we call it a turban, a jolly wrap, a headscarf, a big hat, etc. Are all of these four things the same in principle? Do they have the same characteristics that actually allow them to be used? If that is the case, than it doesn't matter what it's called, it's permissible to apply the ruling towards it.

Similar to the principle of *qiyās* (analogy), if we are able to find a key; the key has all these ridges and to match the key there is a possibility of some difference when you copy that key in some of the aspects as long as the fundamental points match. It might not be necessarily the same thing in colour or in look or in appearance, but actually it opens the lock. The reason it opens the lock is because the fundamental characteristics that are required to unlock the lock are there. Does that makes sense?

Therefore, what Shaykh al-ʻUthaymīn ﷺ says is that actually the *ʻimāmah* is explaining a principle. Once a hat gets into a scenario where it is similar to the *ʻimāmah,* then you can wipe over that. Do we have one like that? This is in footnote two if you are looking at the commentary points to the bottom. The author of the book is obviously one of the students of Shaykh al-ʻUthaymīn ﷺ and he is of course the one who has recorded all these lessons and set forth transcribing them, said that our Shaykh ﷺ said,

وقال شيخنا رحمه الله في «مجموع الفتاوى

I want you to know that of course Shaykh al-ʻUthaymīn ﷺ also has a *Majmūʻ al-Fatwa*. What is *Majmūʻ al-Fatwa*, the famous name? When we say *Majmūʻ al-Fatwa* what do you think of? Ibn Taymiyyah's ﷺ book. You need to know as students that of

course Ibn Taymiyyah ﷺ never had a book called *Majmūʿ al-Fatwa*. Ibn Taymiyyah ﷺ was in prison most of the time and he answered questions which were being recorded. Ibn Taymiyyah ﷺ was often sent letters; 'please write our city an essay' or 'please give an explanation of this issue' and he would then send them a written letter. Ibn Taymiyyah ﷺ sometimes would write a book on *imān* or on *al-Furqān* or the criterion between the friends of the devil and friends of Ar-raḥmān, (Allāh ﷻ) . He actually feels the need to write such a book. Sometimes he would write letters that would be so detailed that it would turn into an essay and it would be seen in its own right as a book.

That is what he actually wrote in his life, incredibly prolific and blessed in the amount he wrote. It was only later, I think it is the grandfather of one of the current *imām's* of Masjid al-Nabawi, Muhammad al-Qāsim or something like that; his grandfather was the actual one who went back and spent his whole life gathering all of the manuscripts.

By the way all of these books; this is a modern book, but all the books that you see, are the work of an individual or a team of people who go around and find manuscripts written in the most illegible kind of writing and they sit there and go through it all the time. Many of these manuscripts have mistakes in them, contradiction between them; they have to go and note the difference between the pages and they put it together and we get it as a nice, clean beautiful book, easy to read. In actual principle it was never like that before. This type of work is happening all the time with all kind of books.

Someone like this, al-Qāsim I'll call him. I can't remember now, it's been a while since I've reviewed what his full name was; he is the one that gathered every single thing that Shaykh al-Islām, Ibn Taymiyyah ﷺ, wrote and he put it together in his own ordering system, his own *tartīb.* He is the one who put volume one like this and *Kitāb ul Imān* like that and *Kitāb ul 'Ilm* like that. That was a total of 37 volumes and that 37 volumes; he titled it, *Majmūʿ al-Fatāwa*, which basically means a collection of all the *fatwa* of Ibn Taymiyyah ﷺ.

Just to let you know, whenever you hear the word '*Majmūʿ al-Fatāwa'*, you immediately think Ibn Taymiyyah ﷺ, which is good. That it is the world's most famous *Majmūʿ al-Fatāwa.* Know that it was written over many years and gathered together many years later and it's an incredible job. There might be little mistakes here and there but there are books which have been released in recent times which show some mistakes and additions and subtractions from the original gathered text and that's the continual process of checking which is the work of Islāmic scholars.

Now that you know that, you need to know that the term, *Majmūʿ al-Fatāwa,* is a generic term, and is referred to a number of scholars who have a lot of *fatāwa*. There

are two in our current time, maybe even three. Muhammad Ibrahīm as well maybe, but certainly Shaykh ʻAbd al-Azīz bin Bāz رحمه الله and the Grand Mufti of Saʻūdi who passed away 15+ years ago.

You know that Shaykh al-ʻUthaymīn's رحمه الله always referring to Ibn Taymiyyah رحمه الله. Whenever we say *Majmūʻ al-Fatāwa*, we are referring to Ibn Taymiyyah رحمه الله. When the man who put this book together says, "our Shaykh رحمه الله"; he is now making it clear that he is talking about Shaykh al-ʻUthaymīn's رحمه الله in his *Majmūʻ al-Fatāwa*, which was compiled after his death.

I just want you to know that Shaykh al-ʻUthaymīn رحمه الله also had lots of *fatāwa*. He never had lots of writing but he has lots of teachings. He taught all the basic books; books on *ḥadīth*, *ʻaqīdah* and Zād'l-Mustaqni. He taught books on *riyāḍ al-Ṣāliḥīn*, on *baỵqinīah* and on the science/signs of *ḥadīth*. He taught books on inheritance. He taught so many different things and on different levels; at university, in the masjid, etc.

He taught *tafsīr*, so *tafsir* of Shaykh al-ʻUthaymīn رحمه الله as well, which is a factor. He was giving *fatāwa*, officially and unofficially and he had a radio programme as well. On the radio programme, he's given *fatāwa* as well. They are collecting that and that's why you have this *Majmūʻ al-Fatāwa*.

Shaykh al-ʻUthaymīn رحمه الله was asked what kind of things can be wiped over and he mentions that in the winter time, some people wear a hat of some sort, which actually covers the ears and even sometimes might even go around the neck. I have no idea what that is. It sounds like some type of funky headdress, obviously warm, flaps covering the ears and sometimes might even go around the neck. He says that something like this is permissible to wipe over.

I want to add now that if it is something from a work place, it is permissible to wipe over, for example, if a person was wearing a very specific type of helmet. Maybe for medical use there might be something that you wear, which has got straps. It's not mega difficult to take off but you could wipe over that. It would be permissible to wipe over that because the *ilāh* is the difficulty and the time being taken to remove the actual head dress. That's what Shaykh al-ʻUthaymīn رحمه الله is trying to say.

He says in conclusion, as long as the *sharīʻah* allows the person to wipe over the *ʻimāmah* then,

فكلُّ ما كان مثلها في مشقَّة النَّزع فإنه يُعطى حكمُها

Therefore, anything which is like the *ʿimāmah* in its difficulty in being removed, it's permissible to wipe over it. That's the end of the matter. That is the ruling on the issue. Normal hat? Not allowed. Any hat which is like the *ʿimāmah*, taking time and difficult to take off, then that is something which is wiped over. That by the way is not the official Ḥanbali position; we have confirmed that, haven't we? That is not the position of the Ḥanbali scholars but it is Shaykh al-ʿUthaymīn's رحمه الله position and it is our class position as well.

Wiping Over a *Khuff*

The next statement is,

ولا لِفَافة

The word *lifāf* comes from *lif,* meaning to tie something up. What is this referring to? This is referring to the foot. This is like a real primitive behavior. What Shaykh al-ʿUthaymīn رحمه الله mentions is what I told you guys a long time ago. At that time, the kind of poverty there was, cloths would have multiple uses. It would be the sheet that you eat on, the sheet that you sleep on, etc. Clean it and it would be clothes as well. A *khuff* is made of leather, its high quality, it's nice and everything, so that makes it even more valuable. There might be a person who has a long cloth and what he would do is that he would wrap it around his foot, like a plaster. The Ḥanbali *madh-hab* is saying that the cloth wrapped around the foot is what a person would do.

We probably see this in those kind of scenarios where a person is barefoot and he needs to protect his foot. He's got no socks, no shoes, so he puts it on. Now the irony is that the Ḥanbali *madh-hab* says that you can't wipe over that. You can't wipe over the foot; this is not medical by the way. If it were a bandage they would allow it because it would come under the rulings of bandage. It's purely being put around the foot because of poverty or because your foot is cold and you are trying to make it warm.

He says that the *madh-hab* says that you are not allowed to wipe over it. Why? Because it is not a *khuff*. A *khuff* is a sock, a leather sock. It's the *khuff* which is got the text. At least the *madh-hab* is being consistent with the previous point as well. They are saying you can't wipe over the hat because a hat has never been mentioned. They are saying you can't wipe over the *lifāf* because the *lifāf* has never been mentioned. Again to make it a legal point, the Ḥanbali *madh-hab* is saying that the reason you can't wipe over a cloth which is wrapping the foot is because it is obligatory to wash the foot.

The text is there, it says the exemption is for a *khuff* and a *jawrah*, so it is not there for the *jawrah.* You can imagine obviously what we are going to say now, and what was initially said by Shaykh ul-Islām Ibn Taymiyyah رحمه الله,

جوازُ المسح على اللِّفافةِ، وهو الصَّحيحُ

It is permissible to wipe over something (the foot) which has been wrapped and Shaykh al-ʻUthaymīn رحمه الله agrees as well because actually that is more deserving to be wiped over than a *khuff*. We are talking about something which is covering the foot; that is covering the foot more. If we are talking about something difficult to take off; to pull off a sock is slightly easier than to unwind the cloth which is wrapping the foot. Actually, you could say it is more wipe able than the *khuff* itself. Also, Shaykh al-ʻUthaymīn رحمه الله says that to say that textually there is no divine script, no divine text for this, is also incorrect; actually it is there and that is the understanding of the word *tasākhīn*.

وأيضاً: فإن النبيَّ صَلَّى اللهُ عَلَيْهِ وسَلَّمَ أمر السَّريَّة التي بعثها بأن يمسحوا على العصائب والتَّساخين

The Prophet ﷺ ordered the military unit that went out that it is permissible for you guys to wipe over *at-tasākhīn aṣā'ib*. *Aṣa'ib* is that which is wrapped on the head. *At-tasākhīn*, what did we say about that, anyone remember? What does *at-tasākhīn* come from? What does *tasākhīn* link to?

Student: Warm

Ustadh: What does warm come from? *Sakhīn*, or *Sukhna*; that is where that come from. *Taskhīn*, meaning that which keeps something warm. That which keeps something warm is a very general term. It is not just referring to a basic sock but something which is wrapped around. He says,

فنأخذ من كلمة "التَّسَاخين" جواز المسح على اللِّفَافة؛ لأنَّه يحصُل بها التَّسخين

Shaykh al-ʻUthaymīn رحمه الله says that we take from the word *tasākhīn*, the permissibility of wiping over the *lifāf* because that itself keeps the foot warm. I think this a very

correct and good position. Therefore, for our modern point, it does not need to be a leather sock to wipe over, it can be any other sock that is used as long as it is keeping the foot warm. It is not some kind of women's tights; something which basically has no function, just changing the colour of the leg really, no other meaningful function. Also that means that it is allowed to wipe over Gore-Tex socks. That is even more wipe able than the leather ones because they are even tougher. Then there are thick socks and other types of socks like the airplane socks which you put on that have pads underneath. Any other sock that has the basic warming principle, can be wiped over. The *madh-hab* says no but we say that it is permissible to do this; the evidence is with us.

Then the next one that is not permissible to wipe over,

ما يَسْقُطُ من القَدَمِ

Something which will fall off the foot by itself.

This is interesting as Shaykh al-'Uthaymīn رحمه الله treats this issue a bit more delicately. He basically says that so what if the *madh-hab* is saying, 'that which falls of the foot by itself is not wiped over'. Why is it this? The *madh-hab* conditioned, if you go back 20-30 pages, when it comes to the conditions of the thing you wipe over; the conditions it must meet. One of the conditions was what? It has to stay up by itself. We said back then that there is no evidence for that.

We said that if you need to tie it up or zip it up or you need to hold it together with an elastic band etc., then so what. They say that, no, by definition a *khuff* has got to be something which stays up by itself. We said that there is no evidence for that if we can keep it up in our own way and Shaykh al-'Uthaymīn رحمه الله would prefer this.

He said that forget about staying up, even if it slips off and shows part of the foot but the foot is covered. It might not be entirely covered and there are some gaps showing. He and I have no problem with that. Remember we said that and I said to you that I just want to take it easy on that; Shaykh al-'Uthaymīn رحمه الله is brave in that issue. He is saying, "I don't care if there's cuts, I don't care if it's torn, I don't care if it's massive holes and stuff. As long as it is seen as a sock and it is seen as covering and it doesn't need to cover all of it; I am down with that".

We should at least hope that it covers the entire foot and as for cuts and tears, we can live with that, no problem. That is what we expect from a *khuff* of the Prophet ﷺ and the Companions رضي الله عنهم . This point here is based upon that principle that it is a condition

that the sock may have to stay up by itself. We already said that this is not a condition so we can imagine now that we are not going to care too much for it.

Shaykh al-ʻUthaymīn ﷺ says that according to the Ḥanbali's, why did they make this point? He is being fair to them. The text says *khuff* and a *khuff* by definition should be something that will stay up by itself and if it doesn't what is the point of it being a *khuff* if it doesn't stay up by itself and has already been walked in. It doesn't fulfill the objective of what it actually is. That is the way they are thinking. Shaykh al-ʻUthaymīn ﷺ then in a way, and this is again now, what I am going to explain to you, is that there is an extra skill required when teaching a text or studying or reading something. Try to read between the lines; see what the Shaykh is saying. In this issue, at no point does the Shaykh say, "I agree or disagree or this is not correct". He does say a few words which indicate that he doesn't agree because he says this,

لكن لو فُرض أن مريضاً مُقْعَداً لَبِسَ مثل هذا الخُفِّ للتدفئة، فلا يجوز له المسح على كلام المؤلِّفِ

He says that lets give an example, let's say that there's a guy who was sick. He is bed-ridden and he is wearing a *khuff* which is huge, which would fall off if he tried to stand up. According to what the author has said, it would not be permissible for him to wipe over this *khuff*.

The way that he has phrased that and said 'according to what the author has said', is a kind of way of saying, that is what he said, frankly I disagree. He doesn't mention that. That is important because I don't know if he has said it anywhere else. I am assuming and I am very confident in my assumption that Shaykh al-ʻUthaymīn ﷺ does not agree with this at all. He says that the reason why they won't allow this man to wipe over it, is because it is so big and so wide that to pull it off and put it back on again is really easy.

Therefore, they are not going to let him wipe over this sock. I'm going to stop there and say that actually there is no proof that we know that the wiping of the sock is purely because it is difficult to take off. No doubt that is an aspect of it and we go back to what Shaykh al-ʻUthaymīn ﷺ mentions before.

Sometimes, the obvious reason is not the only reason that something is allowed. Maybe, as we know today that when we wipe over the sock, half of the reason is that it is difficult to take off. Actually that's not the main reason. It's because it's a hassle. It spends a lot of energy. It is more the issue and the fact that the foot is clean and that you have washed it already.

I want to say to you that our class position remains. Even if the thing is too big, even if it is wobbling around the foot and is not fixed, it is permissible to wipe over that. It doesn't need to be kept up by itself. There are two ways how something can be kept up; you're either going to tie it up, that's allowed, or it's kept in place because you put a shoe on. That's what used to happen.

We had the ḥadīth a couple of months back where the Prophet ﷺ wiped back over his *khuff* and *nāl*. Remember he said that? *Nāl* is the flip-flops, the *nāl* refers to the shoe as well, but in principal it refers to the strap. It's that thing which stands there and then your toes go into it. How is that holding this up, and what does it mean that you wipe over that.

People asked, "what did it mean he wiped over his sandals?" There is no *khuff*. It is empty so how did he wipe over an empty *khuff*. The answer was that he has got his *khuff* on and it has the *nāl.* He's wiping over the *nāl* and wiping over the *nāl* is like basically wiping over the entire sock. It's only a thin strap. Does it make sense?

Imagine you ram your feet into one of those flip-flops, and you have to wipe your foot. Three things will happen: the flip-flop will keep in place, you wiping over it doesn't change anything other than the fact that you actually wipe over the *khuff* itself and the last part is that the Ḥanbali's said that you are not allowed to wipe over that which allows part of the foot to be seen. For example, a *khuff* that has got a big hole in it or a *khuff* which is underneath the ankle bone, underneath the limits of the foot itself. That is what the author is saying.

Then Shaykh al-'Uthaymīn رحمه الله says,

وهذا مبنيٌّ على ما سبق من اشتراط أن يكون الخُفُّ ساتراً للمفروضُّ

This position is based upon what the Ḥanbali's said earlier which is that one of the conditions to wipe over a *khuff* is that it must cover the obligatory area to be wiped. He says that you know my opinion on that. That is not a condition as long as it looks like a *khuff* and generally fulfills the purpose of a *khuff*. Generally, it matters not if there's a gap, whether it has a tear or that you can see the skin. It has got nothing to do with it. As long as the area is covered, that is good enough for us. Therefore he refuses to accept this position, and that is our class position.

What you've seen are four things you are not allowed to wipe over, according to the Ḥanbali's; where all four of them I say it's allowed to wipe over with the conditions that we've mentioned. The first one is the only one which is something of what we agree with. We agree that you can't wipe over a normal hat, but we said that with

certain types of hat you have to; whereas, the rest, 100%, we disagree with. You can wipe over a cloth which is wrapped around a foot, you can wipe over something which will fall off the foot by itself and you can wipe over that which allows a part of the foot to be seen.

The next statement is on page 6. In the Arabic, Imām al-Ḥajjāwi رحمه الله says,

فإن لَبِسَ خُفًّا على خُفٍّ قبلَ الْحَدَثِ فالحكْمُ للفَوقَانِيِّ،

If one leather sock is worn on top of a second one - before ritual impurity - the (wiping) rules apply according to the one on top.

That is what the text is saying, so what can we understand from that? What are the issues with respect to that? He goes that this happens a lot and I guess our modern day version would be wearing socks, normal cotton socks, and then a *khuff* on top. Or you could argue this as if we wear a cotton sock put a shoe on but that shoe is a boot.

A shoe is cut away from the ankle, isn't it? We're talking about a boot which pretty much covers/comes up the ankle, you know like a boot, ankle boots. That would be another kind of analogy. Imagine you're out there in the rough and you're camping or you're a soldier and you're not taking off the top one, then the rules of wiping will apply to the top boot. You can apply the rules to the boot itself and not necessarily go with the other thing.

In the Ḥanbali *madh-hab*, if you had a scenario (this is a side point that Shaykh al-ʻUthaymīn رحمه الله makes), if you had two *khuffs*, one which was completely torn from the bottom so the bottom of the sole is half showing. Then you had the top one (the second one that you put on), where the whole top of it is torn, like the top part of the foot. As a double, the job is done because you covered it. What do you think the Ḥanbali *madh-hab*'s position is?

Student: It's not enough

Ustādh: Because?

Student: The ruling applies to the top one…

Ustādh: Not quite.

Student: Both of them individually don't cover the foot.

Ustādh: So what are you trying to say when you say that statement? The answer is correct but you need to explain it better.

Student: Because the Ḥanbali *madh-hab* says that the sock or whatever it is has to cover all of the foot, so if it is individually taken apart…

Ustādh: That's exactly the correct answer. The Ḥanbali *madh-hab* basically treats each one as an individual. It applies the rulings of the *khuff* to each individual sock and they say that if there was one sock that was put on and then there was another sock that was put on; are you allowed to wipe over it? They say, if there is a sock that you are not allowed to wipe over (as an individual) because half of it is torn or there is a big hole, then even combining them makes no difference because not being allowed to wipe over individually even when combined does not allow you to wipe over them.

Shaykh al-ʻUthaymīn رحمه الله says that is one of the unique positions of the Ḥanbali *madh-hab*. He then says that we have no problem with them, (torn socks), even as an individual (item). When you put them together, then we definitely do not have a problem (with wiping them) because you have a double kind of (cover) going on.

He says that *ṣaḥīḥ jawāzi masliḥ ʻilayhima mutlaqan.* Shaykh al-ʻUthaymīn رحمه الله says that there is absolutely no problem with wiping over them in this way. I want to summarize this point now and close on this. How do you want to understand this issue? I read through these two pages and, to be honest, I did not find it very easy to explain. I think that if you ask a question, then it is more obvious (in explanation) and it is easy to understand.

I will tell you a little bit, *idha labisa khuffin ʻala khuff*... For example, you put a sock on and you (have) washed your feet. Your feet are dry and you are now clean and you put on a pair of socks. We know that the socks have come on and that the next time we make our *wuḍūʾ*, we do not need to take them off and we can wipe over those socks. From that second that you wipe over the socks, we have 24 hours of being allowed to do exactly the same, isn't it? By doing that wiping, we know that we have activated our 24 hour time period.

Shaykh al-ʻUthaymīn رحمه الله says, that a person makes *wuḍūʾ* and puts his socks on. He lasts a couple of hours and he breaks his *wuḍūʾ*. Then puts on a second set of socks, on top of the ones he's already got. He says that he then wipes, (he's obviously making *wuḍūʾ* again), the bottom pair,

ومسح الأسفل فالحكم للأسفل، كما لو لبسَ خُفًّا ثم أحدث، ثم مسح عليه، ثم لبس خفًّا آخر فوق الأوَّل وهو على طهارةِ مَسْحٍ عند لبسه للثاني، فالمذهب أنَّ الحكم للتَّحتاني؛

Let me put it in my own way. He's broken his *wuḍūʾ,* he's already got these pair of socks on and now he is making his *wuḍūʾ.* Now he does *wuḍūʾ* and he wipes his socks then he puts on the top sock. The timing rules with respect to the actual time period, the rules which are applicable, apply to the bottom sock. That is it. That is basically what is going on.

Student: So what if he breaks his *wuḍūʾ* and he puts on another sock. Does he wipe directly on the top sock or does he have to wipe on the bottom one?

Ustādh: Hold on, hold on. Whatever you said, just hold that thought because I just want to make sure that everyone understood what I said. The person has broken his *wuḍūʾ* and he has wiped over the bottom socks and he has put on the second one. We said that the ruling, moving forward, is based upon the first one (the bottom one). All rulings, all the time principles, everything, is based on the bottom one.

I am just trying to think of a way to present that. What would the difference be? If we were to say that, someone would say, that is fair enough. They might turn around and say fine but what is the difference between that and applying the rules on the top one?

Student: You would need less time.

Ustādh: Less time. How are you saying less time?

Student: You were doing *mas-ḥ* on one and then you have broken your *wuḍūʾ* and then you did *mas-ḥ* and then you put on a fresh one.

Ustādh: Yes. Correct.

Student: The time gap, whatever it might be (5 - 6 hours), is it upon the one that you put on initially.

Ustādh: You see, this is my point.

Student: Then that would mean you say that I put a fresh pair of socks on and now I get another 24 hours?

Ustādh: That is the clear advantage. I was not thinking like he was, I was not thinking about putting the socks on after he has made *wuḍūʾ*. Correct. I was thinking that if a person makes *wuḍūʾ* then he is putting on the socks, what is the difference? Imagine I make the *wuḍūʾ,* then right at that moment, I put on the top pair of socks. Okay?

I was saying that there is no difference between them anyway. The difference is (based on) how you say it. When I make *mas-ḥ* upon that first pair of socks, I have got

24 hours at play. If I then waited another 4-5 hours, while still in *wuḍūʾ,* and now I put on the second pair of socks, I may try to make it out that I have got another 24 hours since I put on the top pair. This is unacceptable because the time period was activated the second I wiped the bottom socks. That is basically what we are trying to say.

Now if the opposite scenario exists (which is what is mentioned in the text), which is that if one's leather sock is worn on top of a second one before ritual impurity, before you break *wuḍūʾ*, then the ruling is going by the top one. The ruling (in this case) is going by the one you put on top. The one I explained is when you have broken your *wuḍūʾ*. For example, let us say I make *wuḍūʾ* and I put on a bottom pair of socks. I do not break my *wuḍūʾ* and, six hours later, I put on a second pair of socks. All of my rulings are now based upon the top pair of socks.

Now, realistically speaking, there is no difference anyway because I have not broken my *wuḍūʾ*. Whether I'd put them on or not, I still would have 24 hours of play. That is why I think that this point is more semantic than anything else.

Student: Basically what you're saying is that I could, it's now permissible for the second pair of socks. Is it permissible to wipe then over that once you have not had a complete *wuḍūʾ,* but you're wiping, if you know what I mean? Once you've worn socks for half the day and you've broken *wuḍūʾ* three times and you've made *mas- ḥ*, then you've put your boots on and you're in the state of *wuḍūʾ.* You are now allowed to wipe over the boots for the rest of the day. For the remaining time that you have from the original 24 hours, you don't have to take off the socks, wash your feet, put on the socks and the boot on to then be allowed to wipe over the sock and the boot together.

Ustādh: I don't understand heads of tails of your question.

Student: The point is if you've got socks on and you're doing *mas- ḥ*, you've broken your *wuḍūʾ*, and you've done *mas- ḥ* on your socks.

Ustādh: Just one second, let me read something to you,

وعلى القول الثَّاني: يجوز له أن يمسحَ على الجورب، فإذا مسح ولبس خُفَّيه جاز له أن يمسح عليه مرَّة ثانية؛ لأنه لبسهما على طهارة، ولا شَكَّ أنَّ هذا أيسر للنَّاس؛ والفتوى به حسنة، ولا سيَّما إذا كان قد صدر من المستفتي ما قبل ذلك فيُفتى بما هو أحوط.

I wanted you to hear that before I answer your question. If you have some socks on and you've not broken your *wuḍūʾ* and you've put your shoes on, then you do not need to take your shoes off to wipe over the socks. We just make is massively

complicated. The point is that you can actually wipe over your shoe. Shaykh al-ʻUthaymīn رحمه الله says this is great.

Some people will say that the ruling is not applied to the top. You have to take your shoe off and you have to wipe over the sock. We are saying that the only time you need to do that is when you have broken your *wuḍūʾ* and then put your shoe on. It's as simple as that.

You've got socks, you've put them on fresh and you've not broken your *wuḍūʾ;* you are in top condition. Now you go and put on another pair of socks or you put on boots; you are allowed to wipe over those boots as a continuation of what's going on. The time period and everything is all about the top one, it doesn't matter what's going on, you can just wipe.

If you had put on your socks and you are at home and you break your *wuḍūʾ* and then you decide to go do *wuḍūʾ* at work. You put shoes on and you get to work (and your shoes cover your entire foot), and you are thinking that I'm not going to make *wuḍūʾ*. You can't wipe over those shoes now because you have broken your *wuḍūʾ* before putting your shoes on. You have to take your shoes off and wipe over the socks. If you hadn't broken your *wuḍūʾ* at home and you'd put those socks on and you are standing at the sink, you have now got the option of wiping over the shoes. The ruling is applied to the top part. Is that clear? That is basically what we are saying. Now we will do some questions.

Q & A

Q: If you put your socks on after you make *wuḍūʾ* you are at home and you broke your *wuḍūʾ*. Now you make *wuḍūʾ* and do *mas-ḥ* over your socks and then you put your shoes on. Are you still allowed to wipe over your shoes?

A: No because according to this position you have now broken your *wuḍūʾ* and now you have put on your shoes.

Student: But you made *wuḍūʾ* with *mas-ḥ…*

Ustādh: Okay so you have put on your shoes and you break *wuḍūʾ*, and now you want to make *wuḍūʾ* again, that is what you are saying? Do you now do *mas-ḥ* over the shoes or do you do *mas-ḥ* over the socks?

Student: You have put the shoes on having *wuḍūʾ* with *mas-ḥ* not *wuḍūʾ* with washing.

Ustādh: Understood. I don't know. We need to see if he has answered that question somewhere. Let me see if I've understood that question. The person has made *wuḍū*ʾ and then he has now put on the shoes…

Student: No! He has made *wuḍū*ʾ, he has put on his socks, broken his *wuḍū*ʾ, done *mas-ḥ*, and now he has put on his shoes and he does *wuḍū*ʾ again later, does he have to wipe over his socks or his shoes?

Ustādh: He is saying do I have to remove my shoes or can I wipe over the shoes or not? The reason why I think it is a good question is because when he wipes over the sock and then puts on the shoes he is actually in a state of purity. He is in a full state of purity but he is on a clock of 24 hours that is all.

My heart wants to say to him that it is permissible now to not have to take off your shoes and you can wipe over your shoes. I want to say that. However my mind and my experience says hold that tongue and do some research because it is a good question. I hope you understood his question. It's very different to what we said before because in the previous one we didn't break *wuḍū*ʾ or anything like that and here we have broken the *wuḍū*ʾ with the socks on. We have initiated our 24 hour period by wiping the socks. We have put on the shoes now and we are in a state of *wuḍū*ʾ, then we break *wuḍū*ʾ and now it's time to make *wuḍū*ʾ again. Do I now have to take my shoes off? My heart, body, almost my mind, is screaming that you don't need to take off your shoes but caution is better.

Q: You have done your *wuḍū*ʾ, you have put your socks on, now you put your shoes on and you have not broken *wuḍū*ʾ. Now you do *mas-ḥ* over your shoes…

Ustādh: …now you break your *wuḍū*ʾ, time to do a new one. Then you do *mas-ḥ* over your shoes, your 24 hour period starts on your shoes…

Student: Later on in the day you break your *wuḍū*ʾ and take off your shoes. Is it now permissible to wipe over your socks?

A: That is easier. Did you understand that? What we have now is a person who was in full *wuḍū*ʾ, he put his shoes on and he had not wiped over his socks. That doesn't matter though. You are now allowed to wipe over the bottom one without having to wipe over the top one. The ruling is given to the covering not to the fact that the foot itself wasn't touched.

The fact that you have taken off your shoe, because you are at home or something, now you are allowed to wipe over your socks, even though your original wiping was over your shoe. The real question is the time period (24 hour time period of wiping), when does it start? The 24 hour time period is already in play, you can't start a new

24 hour time period on the first wiping of the sock underneath. The shoe has now come off but the 24 hour time period has started already.

Student: So once he's taken his shoes off, he is still in *wuḍū*ʾ and he is okay to wipe over his socks.

Ustādh: Correct, and that's important. Remember that there are some people from the *madhāhib* that say once you have taken your shoes off you break your *wuḍū*ʾ. We've said there is no evidence for that. Remember that? Some people say you take your shoes off, you break your *wuḍū*ʾ. We said there is no evidence for that whatsoever. Or your socks off, there's no evidence for that. What breaks *wuḍū*ʾ are the breakers of *wuḍū*ʾ, which we are going to come to afterwards. Taking your socks off is not one of them.

Ustādh: In English this is what we would say, "You are not to wipe over the hat (and this is what I stated when I read the Arabic) and not over the wrapped up foot". In the text that you have in your notes it says, "You are not to wipe over the hat and the wrapped up foot". The second negation is not necessary is it? Is the second repeating of the negation necessary? It just clarifies that's all. That's not a major issue. That's something that might be a difference in manuscript. The meaning is clear, none of the four things can be wiped over.

Q: What if water seeps through the sock?

A: We have said this before, right? That there is nothing to actually prove that water is the *illā*, that lack of water is the *illā*. It's a general covering. If a little bit of water seeps through, then that is something which is not a problem. If it gets completely soaked, then you've kind of lost the plot there, haven't you? You've not wiped, you've not washed. Like if you were to stand, the example would be that you would go in your socks and you were to stand in the actual *wuḍū*ʾ area and then it’s all soaked through. You haven’t washed so you should then take them off. It's in doubt then.

Q: Coming back to the second point which is the wrapping of the foot, you said that the Shaykh says that the evidence is that Abu Ḥanīfah رحمه الله said that Prophet ﷺ told the soldiers that they can use that which they use to keep warm.

Ustādh: To keep their feet warm.

Student: So, if by that you've got the evidence for that. If you wrap your foot to keep warm, then you can wipe over. But, if you're doing it for any other reason, then you're not allowed to?

A: It could be read like that. But, the more obvious reading is that whatever is put on the foot to keep warm, which is the modern day sock even if it's not playing that role; it is still keeping your foot warm. You might put it on for a different reason. You might put it on because it is difficult to put shoes on. You might put it on because you look strange wearing no socks. But, the point is, that the permission has been given for it to be worn. It's not linked to the fact that it needs to keep you warm or not and Allāh ﷻ knows best.

33. The Chapter of Wiping Over the Footwear XI

Today is going to be a question and answer session to discuss, amongst the variations of the scenarios of wiping. This will give me an opportunity to explain [this topic] again. This is what I had in mind today and all of this comes under page 6 of the notes.

[Imām al-Ḥajjāwi] says,

فإن لَبِسَ خُفًّا على خُفٍّ قبلَ الْحَدَثِ فالحكْمُ للفَوقَانِي

If one leather sock is worn on top of a second one - before ritual impurity - the (wiping) rules apply according to the one on top.

Before ritual impurity means before you break your *wuḍū'*. The rules [of wiping] apply to the one on top. This is the position of the *madh-hab* and this is assuming that each *khuff* is a perfect one. Let's summarize this chapter according to the Ḥanbali *madh-hab*. A *khuff* is not going to be something that you can wipe over. It should not have holes or tears and it should cover from the foot to the ankles. In other words, it should cover the area that you will wash over.

Those are the understood parameters of the *khuff* [according to the Ḥanbali *madh-hab*]. As we said, both of them (socks worn together), have to fulfill these conditions. It does not matter if the first one is a cotton sock and the second one is a proper leather sock. Also if the first one is a leather sock and the second, (covering it), is a boot. What is Shaykh al-'Uthaymīn رحمه الله saying?

He says that he doesn't even consider applying those conditions to one *khuff*, let alone two of them together. His point is that if you look at the *khuff*, you should be able to look at it and say that it is a *khuff*. It doesn't matter if it is half torn or half ripped. It doesn't matter if it is covering the ankle or it has a hole for the little toe in it. When you look at it and you see that the foot is covered with something, the *ḥukm* is given to the covering item.

Shaykh al-ʻUthaymīn says that the Prophet ﷺ wiped over his *khuffs* and then he did not say that there has to be a condition. Therefore, if you want to give it conditions, you have to bring the evidence. How do we define something, in principle?

He says that it is according to the majority. If the majority of the foot is covered by something then that will be considered sufficient. [This applies] as long as it is a basic *khuff* and a person can look at it and say, 'that is a *khuff*.' It may only be covering the top part of his foot and that might be called a bandage or something. No one on earth would call it a *khuff*.

He [Shaykh al-ʻUthaymīn رحمه الله] says, if you have got two of these (different garments, socks, etc.) put together, which cover the foot as a whole, then it is even better. You do not need to worry about the individual nature.

The benefit of this is that it fits in nicely with a number of narrations from the Companions رضي الله عنهم and even the *ḥadīth* of the Prophet ﷺ where he said that he wiped over his *khuff* and his *naʻl* (slippers or flip flops). It is such a wide word; it can be used for flip flops, sandals and shoes. If you can wipe over all of them, you might then get confused as to exactly what is the nature of the wiping.

I want to sum up this chapter (have a discussion) in a modern day context. You have got bare feet and you make your *wuḍūʾ* (wash your feet). Now you put on a pair of socks. You then have to leave your home so you put a pair of shoes on. What is the first thing that we learned from Shaykh al-ʻUthaymīn's opinion?

You know that your shoes are normal and below the ankle shoes (not boots which are above the ankle). From the *fiqh* point of view, your shoes are the second (top) *khuff*. It does not cover the obligatory part of the foot which you would normally wash. If you wore this on a naked foot, your ankle would be clearly visible. Now, both together, the sock is covering your ankle and your shoe is covering the rest of it.

Shaykh al-ʻUthaymīn رحمه الله and a number of the *ʻulamāʾ* are saying that if a person was now to go [do ablution], he is allowed to wipe over his shoes without having to take his socks off. This is as if he had two *khuffs* on. He would wipe (without problem) and then pray. After we understand this, we then start to look towards the rulings in terms of the specifics. What are the time limits? What happens if he takes the shoe off? What happens with the sock? Etc. That is where the questions start to come up.

Let's start with one scenario. Let us say that you wipe over those shoes. You have made your *wuḍūʾ* and you put your socks on. [Then] you put your shoes on and go to work. Then you break your *wuḍūʾ*. Has the *mas-ḥ* period started?

Student: Not yet.

Ustādh: Not yet. Good. Now, an hour later, you try to make *wuḍū'*. You cannot be bothered with taking your shoes off, so you are just going to wipe over your shoes. Has the *mas-ḥ* period started? [Yes], the 24 hour period has started now. Let us make it more realistic.

You take your shoes off and you pray your *Ẓuhr* prayer at work. [You then] put your shoes back on and go back home. It is now *Aṣr* time at home and it is summer time. You broke your *wuḍū'* so now you need to make *wuḍū'*. If you are at home now and you are inside the house then you make *wuḍū'*. The next ruling is what has to happen now when you are making *wuḍū'*? You have taken your shoes off because you're in a *Pak* home and you're going inside.

Student: You can make *mas-ḥ* over your socks.

Ustādh: You can make *mas-ḥ* over your socks? What does everybody think about that?

Student: You put them on whilst you were in the state of *wuḍū'*.

Ustādh: You put your socks on whilst you were in the state of *wuḍū'*. You have still got the time period which started with the first wiping of the shoes.

Student: And you have not removed your socks either.

In the commentary on page 258, Shaykh al-'Uthaymīn dedicates an entire page to this discussion. The concept of [the discussion is] what is the nature of wiping on two different layers, such as an upper and lower layer? Is it permissible or not? What does the *madh-hab* say?

وإذا كان في الحال التي يمسح فيها الأعلى؛ فَخَلَعه بعد مسحه؛ فإنه لا يمسح التَّحتاني، هذا هو المذهب.

You see, according to the *madh-hab* and actually the majority of the scholars, it can be argued that if that person was to take off those shoes then this was the first thing that he wiped in that day. Now he is in *wuḍū'* which has come from *mas-ḥ*. I just want to identify a few things here and just take a step back. When we say that a person is in *ṭahārah*, we mean that he has got *wuḍū'*. There are two types of *ṭahārah* for the sake of this discussion. [First] *ṭahārah* is that which has been obtained by water and [it is] when you say that you feel the full *ṭahārah*. It is the one you did early morning when you washed your feet and everything. That is a full *ṭahārah*.

If you were to now go, you could do anything and everything with that *ṭahārah* or you feel comfortable with it. Then I want to say that there is a second *ṭahārah* and this is the *ṭahārah* that you had at *Ẓuhr* time. That is the one that you took from *mas-ḥ*, meaning that you did the full *wuḍū'* but then you wiped [the socks]. Now I want you to see that there are some scholars who did not give the same weight to these two [purifications].

They said that the *ṭahārah* that was made with water is a powerful one. The one that was made with wiping is of a lesser type. It is on this principle that the majority, and the Ḥanbali *madh-hab* for example, will not allow you to now wipe over your lower sock. They said because you took off your top layer or a shoe that you could wipe over. What did you say about us continuing to wipe over the sock [after we removed the shoe]? What is the condition that we said?

Student: As long as it is in a state of purity.

Ustādh: Right. We said that we can wipe as long as we put them on in *ṭahārah*. We had to have put them on in a state of purity [to wipe over the second layer]. The *madh-hab* will say that he put them on in a state of purity but now when he wipes over it, it is a state of purity of *mas-ḥ*. That is what they will argue. Then there is the minority position [which differs with them] and it is a real minority and it is Shaykh al-'Uthaymīn's رحمه الله position. Although [it is his position,] he did not promote it in a real big way.

The position is that if *ṭahārah* has been achieved, then *ṭahārah* has been achieved. It does not matter if it came from water or it came from wiping. Once you have taken your socks off and then there is another layer there, you are allowed to wipe over it. Then he goes upon a discussion that makes a *qiyās* on a *khuff* that has two types of layers.

There is a lower layer and an upper layer. The idea is that if one layer got separated, you would still be allowed to wipe over that bottom layer. You might not call it two *khuffs*; you would call it two layers of one *khuff*. The [main] point is that if you can wipe over the top sock, Shaykh al-'Uthaymīn says that there is no reason why you would not allow someone to wipe over the bottom layer. [This applies] in the case of two socks or in the case of a shoe and a sock.

This is what Shaykh al-'Uthaymīn رحمه الله chooses and it is very interesting what he says. He says on the bottom of page 258,

فالذين يقولون بجواز المسح على الخُفِّ الأسفل بعد خلع الخُفِّ الأعلى بعد الحدث قالوا: إنما هو بمنزلة الظِّهارة والبطانة،

He says that as for those who allow someone to take off the shoes and wipe over the socks, they allow it because they see the socks as [one of] two layers. It is [almost] like it is one *khuff* anyway. He then says that this position is one that makes it easier for the people.

This is some interesting *fiqh*. This is something which makes it easier for the people because many people put on *khuffs* on top of their *jawārib* (socks), and they wipe on their *khuffs* or in this case, shoes. When they go to sleep they obviously take off their shoes and according to the two *madh-hab's*, when they wake up in the morning, they will not be able to wipe over their socks. This is because according to the *madh-hab*, the time period for wiping over the socks has actually finished as soon as they took off that which is wiped over. We mentioned that before. According to the *madh-hab*, if you take off the thing which you are wiping, although the *madh-hab* doesn't say that you break your *wuḍū'*, it does say that your time period is basically finished for wiping on that layer.

However, according to this second position, it is permissible to wipe on the socks that are remaining. Therefore, it is permissible for him to wipe over it a second time because he put it on while it was pure. There is no doubt that this is something which is easier for the people and if someone gives *fatwa* for this, it is a good thing. [It is good] especially since some scholars have given the *fatwa* to allow this. This is something which is permissible. That is just one of the variations of this.

Sayyidina ʿAli ﷺ is very interesting in this category of *mas-ḥ*. He narrates *aḥādīth* on *mas-ḥ* after the death of the Prophet ﷺ, because some people will argue that they were abrogated, etc. [There are] many of the *aḥādīth* of ʿAli ﷺ on this topic. One important one is going to come up later. You will find that not just Sayyidina ʿAli ﷺ but even the Prophet ﷺ wiped over a surface on top of the *khuff* [ex. the *naʿl*]. As you said, he ﷺ [like ʿAli ﷺ] took them off afterwards and did not make *wuḍū'*.

These are all different things showing different points. Remember there is the argument out there that some scholars said that if you take off your *khuff*, it breaks *wuḍū'*. However, we said there is nothing in the Kitāb al-Sunnah which shows any evidence for that whatsoever. That was a very strong and clear position of Shaykh al-Islām ibn Taymiyyah.

Let's make a couple of points, this is what I wrote down as [a] summary from Shaykh al-ʿUthaymīn رحمه الله. If we say that you have *wuḍū'* (this is another position of Shaykh al-ʿUthaymīn. This is a minority position and this is one that we discussed on the LP retreat as well). A person makes full *wuḍū'*, he then puts on his socks, then takes off the socks and puts them back on again (after a couple of hours). What do you think?

Student: He's still in *wuḍū'*

Ustādh: He has not broken his *wuḍū'*? Throughout the entire process. He's made *wuḍū'*, put his socks on, kept his *wuḍū'* and then he takes his socks off, doesn't break *wuḍū'*, then he puts his socks back on and then later he does break *wuḍū'*. Can he wipe over those socks?

Student: Because the whole point was that when he put his socks on, he was in *wuḍū'*. Even if he was to take them off and back on again. He's still in *wuḍū'*, so yes he can wipe.

Ustādh: Okay, so one argument is that actually the *wuḍū'* is still there so why does it matter that the socks come on/off or not. The majority of the *fuqahā'* said that once the socks have come off then it can't be used, even if the *wuḍū'* is not broken. It cannot be used now for another *mas-ḥ*. They'll give the concession because as I said before, the minority (there's a small, vocal minority), that say that as soon as the socks have come off the *wuḍū'* is broken. That is a rejected position and Allāh ﷻ knows best.

There is no evidence whatsoever to show that taking socks off breaks *wuḍū'*. The majority is saying that you can't take liberties now and claim another concession and just put the socks back on again and carry on wiping. No, you have to wash your feet and then put on your socks again and then you can carry on wiping. The super minority position is Shaykh al-'Uthaymīn position.

I want to say to you that Shaykh al-'Uthaymīn رحمه الله does not promote this position. You can see in his book and in his *fatāwa* that there are not many scholars that will back him up on this.

Let's now look at another scenario. You've got socks and shoes. You've done *wuḍū'* [and] washed your feet, put your socks on [and] put your shoes on. Now you take your shoes off, you pray, then you put your shoes back on again and now you go and break your *wuḍū'* again. For A*ṣr*, you're still at work and now you're going to make *wuḍū'*, where do you wipe?

Student: On your socks?

Ustādh: So you've got to take your shoes off, that is what you are saying? Why?

Student: Because he's removed the shoes that had the *mas-ḥ* on, they've been removed.

Ustādh: The shoes that he did the *mas-ḥ* on were removed, okay.

Student: And so now he can either make *mas-ḥ* over his socks only, or he washes his feet and puts socks and shoes on and then he can make *mas-ḥ* over the socks and shoes.

Student: The way Shaykh al-ʿUthaymīn has been saying, it will probably be that it is okay to wipe over the shoes.

Ustādh: Okay.

Student: Possibly, because he put the shoes back on in a state of *wuḍūʾ*, correct?

Ustādh: Yes.

Student: Yeah, then he broke his *wuḍūʾ.*

Ustādh: He put the shoes back on again in a state of *wuḍūʾ?* No, hold on.

Student: So he's made *mas-ḥ* and taken the shoes off.

Ustādh: He's made *mas-ḥ* on the shoes. He's now taken the shoes off, prayed, and put them back on. Put them back on again whilst he's in that *mas-ḥ wuḍūʾ.*

Student: *Mas-ḥ wuḍūʾ*, yeah.

Ustādh: There's a new phrase by the way, like a *Pak* one, '*mas-ḥ wuḍūʾ*'. What we mean is *al-ṭahārah ʿalā ʾl-mas-ḥ*.

As we said there's two types, purification that comes from water and purification that comes from *mas-ḥ*. He's done the second one. Now the question is that do we now say that he can wipe over his shoes the second time he breaks it [*wuḍūʾ*], again. Now I want to stop you there because I brought this question up from the previous point. The previous point was what? [The] person has wiped over his socks. He washed his feet then he took the socks off and then he put the socks back on again. Now can you wipe on them or not?

The difference between the two is what? The first scenario, imagine that he hasn't even made *mas-ḥ*. I made *wuḍūʾ*, put my socks on (I still have my *wuḍūʾ*). I take my socks off and then five hours later I put my socks back on again; still have *wuḍūʾ*. Can I make *mas-ḥ* over my socks? The two scenarios are the same aren't they? What's the difference between the two?

Student: One's got two layers and one's got one layer?

Ustādh: Nope, that's an obvious difference, what's the actual difference, in the context of what we've been talking [about]?

Student: One's still in his original *wuḍūʾ* from washing while the other one's in the *wuḍūʾ* from *mas-ḥ.*

Ustādh: Correct. The one with the sock, is in an original *wuḍū'* from water or a pure state and hasn't even been broken. It seems that some of the *'ulamā'* were even a bit more lenient in this issue. A pure state is one that has not been broken. As for the second state, it is clear that he is in a state of *wuḍū'* from wiping and not from an original water state. Shaykh al-'Uthaymīn رحمه الله is basically saying that the scholars who differed over this differed because of the different strengths of the two.

As I said to you from the very beginning, Shaykh al-'Uthaymīn says there is no difference between the two purifications. When you are purified, you are purified. If someone was going to pray, would you say you can pray *Ẓuhr* properly (first scenario) and you cannot pray *Ẓuhr* properly (second scenario)? No, you would be able to go and do everything properly, afterwards.

Therefore, [Shaykh al-'Uthaymīn's رحمه الله] position is that even though the scholars differed over it, he will allow a person to do that. We will also give that ruling because there is no evidence to show, and Allāh ﷻ knows best, that a person who takes off his socks or his shoes cannot use them again (to wear). I want to say to you that this is the ruling I will give but I will not practice it myself.

I will always restrict myself to the majority and that is what I have done all my life. Even if someone asks me if this is what they need to do, I will let them do it (put socks back on after taking them off). This has always been the *fatwa* of Shaykh Kehlan as well. Shaykh Kehlan has always allowed the people to do this. There is a difference, of course, with personal practice based on doubt. For me, this matter of taking the socks on and off has a lot of risks to it from beginning to end.

This is why I do not practice it and I do not like it. However, can I find any evidence to suggest that it is not a valid position? No, and have some *'ulamā'* allowed it? Yes. Shaykh al-'Uthaymīn, himself, allows it. Any further questions from that?

Student: You mentioned that Shaykh al-'Uthaymīn رحمه الله holds a super minority position but he does not promote it. Why would a scholar not promote a position that they generally hold to be true?

Ustādh: Because sometimes that position is a risky one and the scholars recognize that it requires a level of *ijtihād*. Why do I say that it is a valid position but I do not practice it? Because I recognize that there are certain areas in *fiqh* that require an incredible amount of *ijtihād*. (They require effort), far more than a simple point. You have to make many judgment calls. If you are making a single judgment call, that is straight-forward. If you are making a judgment call based on a judgment call or trying to apply a principle based upon a principle, you are going far out.

There is nothing from Prophet ﷺ on this issue. There is no *ḥadīth*. This is an *ijtihād* issue. When you have *ijtihādi* matters, in principle we like to stick to the safe position. The safe position is always the best position. That doesn't mean that if someone has a scenario and they need *fatwa*, they have some kind of problem, then they shouldn't be given some space.

This is of course one of the more delicate matters in *deen*, far off the development of the student of knowledge. That is clear when they go across their studies. Look at these, 250 odd pages we have studied now of Sharḥ Al-Mumtiʿ. It has a number of *fiqh* points. There's only a few of them where we stopped and said that there is doubt in that. The rest of them are pretty straight forward, even though there is difference of opinion. We are very happy to say that we are going to practice the minority position because that's actually a straight forward minority position. It hasn't taken a big amount of risk. Person 'A' has read the *ḥadīth* one way, we have read it a different way, no problem.

When you have another scenario which is based on a *ḥadīth*, where interpreting it upon this and then based on the interpretation we are going to assume this principle. Based upon the principle, we are going to wing it and basically make a call and this is obviously a higher level and a more risky level of *ijtihād.*

Also, Shaykh al-ʿUthaymīn mentioned that this is key when there is a lack of verses from the earlier *salaf* and from people of knowledge. I haven't heard any of the *Ahl'l ʿilm* go out on a limb and state this point, then you are going to be careful. This is a really valuable point, *Subḥān Allāh,* for all the students while learning.

We have always said that we are proudly upon a *Salafi* methodology. What does a *Salafi* methodology actually mean? What does it actually come down to? We are here promoting *fiqh*, following *madh-hab's*, following teachers and that's the thing that basic masses think that is completely anti *Salafi*, or anti *Wahhābi*.

The *Salafi* methodology has two basic principles. First, that our belief is the belief of Prophet ﷺ and Companions رضي الله عنهم and not the later people. That's what the *salaf* methodology is based upon. Its key pillar number one. That when we talk about Allāh ﷻ and Prophet ﷺ, it's exactly how Allāh ﷻ has spoken about Himself and how Prophet ﷺ has described himself, simple as that. We don't try to turn and interpret and deny. This is all *taʿkeel* and *taʾwīl* and so on. That's the *ʿaqīdah* part. Second, we follow the methodology of the *salaf.* What's the methodology of the *salaf*? Basically we give an incredible amount of respect for those first three generations. If they make a statement and we don't understand, we start questioning ourselves.

Whereas, if my teacher in this time, differ from me, I am not going to question myself so much. I have got much more confidence to think he is wrong and he is not living in a blessed time. He does not have high quality knowledge and he does not have that status of those early people. He does not have the stamp of authority from the

Prophet ﷺ who said with the best of people are his generation and then those after them.

Those are the best and those who are after them are the best. When you look at what Imām Mālik said, to stick to the early generations because what saved them will save you. You always have a problem and so you go back to them and you will always find a solution to your problem in their explanation and in their discussions, etc.

Now following that *Salafi* methodology means that we are always trying to find the *salaf.* That is the actual meaning of the word *salaf*. The word *salaf* actually means precedence. When an *ʿālim* says that I didn't find the *salaf*. He does not talk about an individual although he can be referred to an individual. He is actually referring to the fact that he didn't even find anyone discussing it. Or that he didn't even find a fatwa given towards it. Now one who is upon the *salaf* methodology is going to be careful. He might believe in himself but he might say that if no one from my amazing generation had something to quote forward then I'm going to be careful.

This is one of the aspects of the second pillar of the *salaf* methodology. If you explain to the brother or to the sister, the point is that we can believe the minority position. Especially when it's a risky one that we might offer as a solution to people because we want to make the *deen* for people but we all know as every student of knowledge must understand and every practicing Muslim must understand that we treat ourselves in a much stricter way. We are not people who take upon concessions. We are not people who take easy *fatwa* or an easy way out.

An example would be [the] issue of summer prayer. Praying in the UK, Canada, and Europe. The *ʿIshāʾ* prayer is coming in so late. We said it's permissible for you, at home, to combine between your *Maghrib* and *ʿIshāʾ* if you are falling unconscious literally at 10 o'clock. You are dying, you can't even think, you had [a] massive long day. *Fajr* is at 3 o'clock or 4 o'clock and if you want to then it's because of the difficulty which is the *ḥadīth* of Ṣaḥīḥ Muslim. It's allowed for you to combine (not every single day like a joke) but the person who has got some kind of situation. We allow it because it's a *fatwa.*

Would we do it? No. We do not take concession upon ourselves. We are harder because we are students of knowledge, we are example of community and practicing Muslims. We don't want to take the easy option all the time. We are going to keep pushing ourselves as far as we can go and then if we have a genuine need for it then we will take the concession as well. An entire chapter of wiping of the feet, all the aspects of wiping is a *rukhṣah* (concession).

There is a big discussion. Is it better for a person to wash or is it better for a person to wipe? There is a really big discussion between the scholars on that. Some said that a concession is as good as *deen*, whilst you are bringing the concession down. My position which is a minority position is that a concession is a concession. There is a

lesser level of *deen* in it; there is a lesser level of sacrifice and therefore it cannot be the same as the one who tried harder. You know what the response to that [is] going to be? When the Prophet ﷺ was given two options he always chose the easy option.

The problem is that this statement has also been misinterpreted. It doesn't mean he took the easy option himself all the time. In fact Nabi ﷺ in his personal-private practice was the exact opposite of that. He obligated on himself that [which] was not even possible for other people. He obligated on himself as Allāh ﷻ obligated the *tahajjud* prayer. It was obligated upon him and he kept it up and going. Even when it was taken off as an obligation, he carried on. When the companions knew it was not an obligation, they asked him what are you doing to yourself, your feet are swelling up? He said, "should I not be grateful slave?" Meaning that he knew that he can push himself further and so he did. This has to be the attitude amongst the students of knowledge and that to be able to have a position and believe something and practice something else. Just for the safety and just for the sake.

A lot of times there is a financial thing involved. The classic one is the issue of paying on gold. People will start asking about that now because *zakāh* is coming and *Ramaḍān* and people need to revisit the chapter of *zakāh* again. The only time people do it is in *Ramaḍān*. They will ask do I need to pay *zakāh* on gold. *Zakāh* on gold is another, really difficult, *ijtihādi* matter and the scholars differed over it big time.

You have some fascinating statements from the *fuqahā'* like Imām Shāfiʿi said and it is a famous statement *Subḥān Allāh*. He said that on the issue of paying on gold, which is jewelry which a woman wears, but does not wear every day and keeps it at home. Do you pay *zakāh* on that? I genuinely believe we shouldn't. You know the Ḥanafi School obligate it and modern scholars like Shaykh Albāni and *Ahl'l-ḥadīth* obligate it and it is a big thing. You can maybe argue, more scholars than not actually say that you pay *zakāh* upon the wife's jewelry. I personally believe that the position of Mālikīyyah and the Shāfiʿi School is a stronger one. One doesn't and it is a personal possession like your clothes and your car and house, etc. These are not bought for business or profit either. They are not bought for investment, even if there might be a theoretical concept that later on in hundred years you might sell it.

In principle, you've got that to wear. I am just giving you a very quick summary. There are a number of *aḥādīth* in play - direct *aḥādīth* - that suggest one or the other position. And I believe that you don't have to pay, but I always do. I always every year pay the *zakāh* even though I genuinely believe that you don't have to.

When I teach this position to students I will also say that when we go through all of the evidences and we study it properly, the position is that we don't. Okay, but if I do, then so what? There are a number of scholars who said you should and there are a number of *aḥādīth* that seem to suggest that you should. If I pay [on jewelry], then I pay a bit extra *zakāh* and so what? That's fine.

These are the areas of *fiqh* and *deen* which themselves are tricky. Where the *ʿulamāʾ* went out on a limb. How much more out on a limb can you be? You know what Imām al-Shāfiʿi said about this? Anyone [here] know the famous statement of al-Shāfiʿi on this issue? He said, it is the only issue in *fiqh* that I had to pray *ṣalāt al-istikhārah* on to make a decision of which way to go. This is al-Shāfiʿi, so this is serious stuff. That is narrated from him by Imām al-Nawawi, I think. Sometimes you come across these scenarios which are tricky and you make a judgment call. It is not a life and death scenario but it is a personal kind of thing. What else do we have on this issue?

You have got your socks on and you have broken your *wuḍūʾ.* If you take your socks off, can you then put your socks back on and make *wuḍūʾ* (make *mas-ḥ)*?

Student: So wait you have broken your *wuḍūʾ* and then you put your socks on.

Ustādh: No, no. You have not done anything [except] put your socks back on.

Student: No, you don't.

Ustādh: Why not?

Student: You are putting them in a state of impurity.

Ustādh: You are putting them back on in a state of impurity. Very good. Everyone is happy with that? Let's get that under the belt and that is a very clear one. Pretty much, all the scholars agree on that. That if you did break your *wuḍūʾ* and you took off that layer, whether top or bottom, and then you tried to put it back on again, you are not putting it back on again in any form of purity. Alright? Okay.

If you take a sock off, what is off? And if you keep a sock on, what is on? And the answer to that is the *ʿurf* of the people. This is the answer to most of these questions. If I had a sock and it was kind of like hanging off, if someone later was to say to you, like in a murder scene, when you saw him, what was he like? And you said that he was wearing a white thobe and then he had socks but they weren't really on to be honest or you'd say he had socks but they were on. You make a judgment call isn't it? Alright? By what you remember from a picture of what the socks were. Now that judgment call is based on what you understand. Like if the socks were up to the heel then you'd still consider them to be on, you know if they're only cutting the top part then basically that's off. Do you understand? That's the rule. If they come off to that extend then you can't wipe over them. If you got some stones in there and you have to put your hand in and that obviously loosens the sock and shows a bit of skin here and there and you were to pull it out then that's okay.

The disaster is if you put your socks on too quickly and they are the wrong way round. I've been there many time. First of all, it's a hard time putting the socks on in the first place. Then to have to take them off because you turned them the wrong way

around and then break your ability. Theoretically speaking of course, because as I said I don't practice the position that if you can take your socks off, in *wuḍūʾ* even, that you should then make *mas-ḥ*, even though we have said that's allowed. As you've learned today, if you just make *wuḍūʾ*, pull the socks out the drawer and you put your socks on the wrong way round and you took them back off and put them back on again, according to the taught position of this class and Shaykh al-ʻUthaymīn's رحمه الله position, it's allowed that's no problem, because you didn't break *wuḍūʾ*. We are talking about when you have actually broken *wuḍūʾ*, and now you are just trying to make sure you don't take the socks of that much so that you can actually keep wiping over them. Does that make sense?

Ustādh: Any questions online? Alright, let's do it.

Q: Regarding the gold, in South Indian culture everyone gives the bride lots of gold which they keep as an investment for the future and not as a personal possession. Would you say your opinion applies to this situation as well?

A: I don't want to get into that because we are going off the topic big time. I will answer that question because I mentioned it and opened up that chapter. Any gold which is taken and kept for investment has to have the *zakāh* paid upon it, no doubt about that. If a person receives huge amounts of gold and knows that they will only be wearing this set of bangles. The rest of it is going into the bank to make it grow or something like that, full *zakāh* is applicable. That's the most *zakāh* thing on the planet to be honest.

What we are talking about is when a person gets a couple of sets and that's their set, standard normal women kind of situation not this kind of scenario. I think this is an exception, isn't it?

Student: No.

Ustādh: Why are you saying no?

Student: My mother says that it is for her investment and for her protection. When she will give the gold to her daughters, it will be for their security in the future.

Ustādh: That's interesting. We have this idea that basically sometimes the gold is given with the clear intention to be an investment or to be sold. It does come back down to that of course.

I just want you to know that's the ruling in *zakāh* with other properties as well. When you have properties (rental properties) and you have the intention of holding onto it for actual selling or you are going to sell it immediately we then take *zakāh* upon the entire value.

Whereas, if you have a property where you are happy just to take the rent from it and you are not going to sell it immediately and there is no immediate plan then you don't have to pay *zakāh* on them. Okay? The same ruling applies to the gold.

Q: The whole point of *mas-ḥ* is a concession. Therefore, if you wipe over your shoes and then take them off surely you didn't need that concession to start off with. It makes sense that it is not permissible to wipe over your shoes when you take them off once. Is that a valid evidence logic for the impermissibility of this act?

A: It's a valid thought process for why I don't do it. What the student just said there is a valid thought process for why I do not wipe over a second pair if I have taken them off, even if I have not broken *wuḍūʾ.* Like I just said that I believe it as permissible. It's the taught position of the class. Shaykh al-ʿUthaymīn رحمه الله allows it. Shaykh Kehlan gives *fatwa* for it. You know he's always giving *fatwas* like that. The point is that I agree as well.

The idea even when I used to have discussions with Shaykh Kehlan on this issue, I can easily catch him out. Shaykh Kehlan is a very *uṣūli* kind of guy. He always goes back to principles very quickly.

I remember reading a feedback of myself recently of a class, and that's why it's so important to have feedback and to open it up. I get big (*māshāʾAllāh*) feedback from people. I don't know whether that's a good thing or bad thing. They are eager to write back. One of the really useful feedback that I read is, "he spends too much time on principles and doesn't therefore communicate the details." I thought about that and I thought it is a very accurate representation and I know exactly who I got that from and that's Shaykh Kehlan as well. Shaykh Kehlan is another person who is very big on principles and is happy to sacrifice the details for it.

Now, the reality why I've chosen this is that because ultimately the details are irrelevant. You live life on principle, you're able to get yourself through the most of everything. That's why I'm more biased towards that kind of approach. That's our school.

I remember once Shaykh Kehlan discussing this and he said, "Listen, it's simple. Anything which is difficult for you to be taking on and off on your feet and all of its variations, you're allowed to make *mas-ḥ* over it."

Now, that's the kind of statement that he thinks will defend his position of allowing you to wipe over the shoe. Actually what the student just said there is the exact response to that. If it was so difficult for you to wipe over that, you were able to take it off and then put it back on again and then wipe over it. We're not exactly sticking to the true ethic or moral of this being so difficult to wipe over. If it was that easy for you

to take it off and then suddenly put it back on again. That's not an evidence and even the student himself is saying this, it's not an evidence. But what is it? Is it logic?

I'm saying it is the thought process, which would allow a person to be more cautious and choose the position of the majority and not take benefit from that concession. If that makes sense?

Q: Should we opt for the concession for praying during traveling even though we know the timings of the prayer of that city? For example, we are traveling from one city to another, which is a distance of two hours but we know the prayer timing of that city?

A: I do not think that the question is very clear. The question does not make any sense to me, from an actual *fiqh* point of view. I don't understand what the question is. I mean if it is generally that we are traveling and we are *musāfir*, should we take advantage of concessions? Again, you look to yourself and see what it is that you should do.

I can tell you that this is the bone of contention between me and many of the *ʿulamāʾ* and the students of knowledge. Whenever I am on journeys with people, many of my colleagues and friends will combine because they are *musāfir*. They will even be in a hotel and they will be combining. Now that is something which is permissible but that should not be done because the idea is that for something to be a concession that should be there for a difficulty of traveling. When you are in your hotel and you're lying around all day and night, why are you just only praying three times a day? Imām al-Tirmidhi, as I teach in Fiqh of Ṣalāh, has the big statement in this. He said that it is the consensus of the people of knowledge, *ahlʾl ʿIlm*, that one does not combine the prayer except whilst in state of traveling. Meaning on the road, like when you arrive at an area. Once you are a traveler but stationery, then you shouldn't.

He is not saying that it is *ḥarām*, he's saying the people of knowledge do not do that. The people who are looked up to should not be taking liberties even though it is permissible. This point that I am talking about, that ruling is one thing and practice something else, is a well-known and well spread out. We are much stricter upon ourselves because we can handle it. We should be stricter on ourselves and that is closer to *taqwa*. We should always open up these options to the new people, those who are learning. Also, we should also keep the options open for ourselves when we need it. When you need it, then you will value it more when you use it.

The other day I combined *Maghrib* and *ʿIshāʾ* and went straight to sleep. That is what it is there for. Theoretically, it does not fit in *safar* because I was at home but it comes under hardship. My head was spinning. It’s there, you use when you need to, but in principle you know?

Q: If we made *mas-ḥ* upon the socks then we put the shoes on. Can we wipe the shoes now or we must take off shoes and wipe the socks to make *wuḍūʾ*?

A: Obviously I think she's talking about another *wuḍūʾ*. If she has wiped the socks already that means she started the process in action. She has wiped the socks already and now the time, twenty-four hour period, is ticking then she puts on her shoes. She can do what she wants now. She breaks her *wuḍūʾ*. The question is can she wipe now on the shoes or does she have to wipe over the socks? What's the answer?

Student: Wipe over the shoes.

Ustādh: Why?

Student: She put the shoes on in a state of purity, she can wipe over the shoes.

Ustādh: According to?

Student: According to Shaykh al-ʿUthaymīn.

Ustadh: Okay, correct, this is the point we're studying. In answer to Aisha's question, we'll say that it is allowed for her now in her second *wuḍūʾ*, to wipe over the shoes. Why? Because she put on the shoes in a state of purity. It wasn't purity from water but it was purity from *mas-ḥ*, the lower level, but it's still purity. Therefore, she can wipe over the shoes. What about the time period?

The ruling starts and applies according to the bottom pair. The time period is now based upon that [the bottom pair]. It's not that you can just wipe on the top pair and say that my twenty-four hour period starts now. It's in play from the first time you wiped on those socks underneath.

Q: What about the statement of Sayyidina ʿAli ﵁ that you mentioned that he took off his *naʿl* after making *mas-ḥ* and prayed, would it be still safe to give *fatwa* based upon this incident? Also some description of *naʿl* in those times is like sandals which does not cover all of the foot, or even just straps in the front and nothing around the ankle.

A: I am not sure what the exact question is, but the point is that if Sayyidina ʿAli ﵁ wipes over the *naʿl* (sandals) then takes it off, that actually does not prove much. What does it show? It shows that the *wuḍūʾ* is not broken. The mass majority of the *ʿulamāʾ* said that the *wuḍūʾ* does not break if you take off the layer *al-mamṣūḥ*. What does *mamṣūḥ* mean? *Mas-ḥ* is the practice and *Māsiḥ* is the one who does it and *al-mamṣūḥ* is the thing which it happens to.

If you take the *mamṣūḥ* off, virtually no one says the *wuḍūʾ* is broken except a few. There are a slightly larger number that said your time period is finished now, which makes more sense. The main point is that taking off that layer does not break *wuḍūʾ*, first of all.

Secondly, the *naʿl* is flip-flops, in its original sense. There is nothing covering the ankle. Some people, here is *fiqh* as well, said can you take any ruling from this *ḥadīth*. Is this a ruling for the top and bottom layer? Many of the scholars said no, it has no function in the top/bottom layers. The top/bottom layer discussion needs to have two *khuffs*. They said that the wiping of ʿAli ﷺ on the *naʿl* with the socks on, shows something else. What is the main function to understand from this action?

Student: You can wipe over the *naʿl*.

Ustādh: Okay. Which is saying what basically?

Student: Technically, it is wiping over the socks because of the lack of foot cover that it's got.

Ustādh: Correct. It is basically saying that when you are wiping, you do not have to go over every single part. It is basically a wiping and if we know that there are straps which were obviously going to block what's underneath. Remember I talked about the issue of the ring, that it is permissible to wipe over some *na'l* even though there's straps and it is seen as the sock has been wiped. Just like we know that the Prophet ﷺ would make *wuḍūʾ* and there is no evidence to show he took off the ring. There is no doubt that some time even when doing this [scrubbing the finger around the ring area], there's going to be some dry part underneath the ring. This shows that in the [larger] scheme of things, a small area that does not get wiped does not matter even if it is the head, etc. We also said that the wiping is less rigorous or rigid than the washing, as well.

Q: In regards to combining prayer, sometimes due to excessive tiredness looking after the baby I feel so exhausted that I fall asleep after *Maghrib*.

A: Yes, this is [a valid reason for concession]. Lisa should be praying *Maghrib* and *ʿIshāʾ* together. [It is] better than waking up at 2 am or 3 am and I do not know what is going on, not sure if you're going to wake up. This is a legitimate use of the *fatwa* or legitimate use of the concession. According to the *ḥadīth* of Ibn ʿAbbās ﷺ, it is permissible. Try not to do it every night. On the odd occasion where there is true tiredness, do it.

Jazākum Allāhu khayr.

34. The Chapter of Wiping Over the Footwear XII

On page 7 of the notes, Imām al-Ḥajjāwi says in the *matn* of *Zād'l-Mustaqniʿ*,

ويَمْسَحُ أكثرَ العمامةِ وظاهرَ قَدَمِ الخُفِّ من أصابعِه إلى ساقِه دونَ أسفَلِه وعَقِبِه، وعلى جميعِ الجَبيرةِ

One must wipe over:
1. The majority of a turban,
2. The top of the foot from the toes to the shin - not the sole or the ankle and number
3. The entirety of a splint.

The Nature of Wiping

What is happening here is we have come to a section of the nature of the wiping. Till now, we have just been talking about the rulings in terms of time and a lot of theoretical stuff. Now is the actual physical [practical] aspect. Since we understand wiping (over socks); that is what we think about when we think about *mas-ḥ*. However, as we have seen already, *mas-ḥ* has three clear aspects: the wiping of the turban, wiping of the socks and the wiping over a splint and area which is completely covered by a plaster. [The area could be covered] also by a bandage or cast, etc.

You heard the statements of the *madh-hab*. For the turban, one has to wipe over the majority of it (but) not all of it. For the shoes or socks or leather socks (*khuffs*), [one wipes] the top of the foot [and] not at the bottom. One starts from the toes and comes up to the shin (I will explain that) and [does] not [start from] the sole of the foot [or] the ankle. Why is the ankle mentioned?

Student: Because the ankle is, of course, what is obligatory to wash when you are washing your feet. It is an important distinction to make.

Ustādh: Then number three, [one wipes] the entirety of a splint. It is not treated like an *ʿimāmah*, it is the whole thing against the full treatment. What does that (the entirety) even mean? We have to be careful because when we say entirety, there is a difference in wiping. We have established that when we talked about *wuḍū*ʾ. (For example), when wiping the head, we have wet hands and will you have to wet your entire hair? We say that you shouldn't because if you did, it will be washing. There is a clear difference in the washing and the wiping. A principle of wiping is that you do not expect the entirety of every single aspect to be covered.

When we say the entirety of something is to be wiped, what does that mean? We'll look at that. That is on page 259 in Al-Sharḥ al-Mumtiʿ, which is the commentary of Shaykh al-ʿUthaymīn رحمه الله. He says,

ويمسحُ أكثرَ العِمَامة

He says that this section is referring to what we do to *al-mansūḥāt*. What is *al-mansūḥ*? Anything that fits the *wazan* (weight) of *mathūl*. *Faʿala mathūl* means the thing which is done to. *Masaḥ* is on the weight of *faʿala*. When you do the action of *faʿala*, it becomes the *mathūl*. When you do *masaḥ* to something, it becomes *mansūḥ*. *Mansuhāt* is to wipe things (plural). We are talking about the turban, *khuffs*, splint, etc.

Wiping Over a Turban

Shaykh al-ʿUthaymīn says that for the turban, you must wipe over most of it. If you were to wipe on a bit of it (like you can for the head), this is not acceptable. For the head, it's sufficient to do one wipe on a portion. If you are having the *ʿimāmah*, then you need to wipe the majority of it but not necessarily every single part of it.

فلو مسح جُزءاً منها لم يصحَّ

Only if a part of it is wiped, then it is not valid. If you wipe all of it (in its entirety), there is no problem with that. Shaykh al-ʿUthaymīn رحمه الله says that this is from the action of the Prophet ﷺ. If you are wiping over *the ʿimāmah*, include the forelock if there is hair and if not than the forehead should be included. This is *mustaḥabb*.

وظاهر قَدَم الخُفِّ

Then the top of the foot.

The Prophet ﷺ in the *ḥadīth* of Mughīrah,

مسح خفيه

He wiped his khuffs.

فإِنَّ ظاهره أن المسحَ لأعلى الخُف

Now theoretically that could mean underneath, on the sides, anything. The *ẓāhir* (apparent) meaning is that he wiped on top of them because this is the easiest thing to do, the simplest move. That's common sense but it's not going to help us. We need more.

Now we have a very interesting statement of Sayyidina ʿAli ibn Abi Ṭālib ﷺ. Sayyidina ʿAli ﷺ has a very famous statement,

لو كان الدِّين بالرَّأي، لكان أسفلُ الخُفِّ أولى بالمسح من أعلاه، وقد رأيت رسول الله صلّى الله عليه وسلّم يمسح أعلى الخُفِ

If this religion was based upon logic (*bi'l-ra'ī*) then it would have been the bottom of the *khuff* that should be wiped over, not the top. Indeed I saw the Messenger of Allāh ﷺ wiped over the top part (*aʿla'l khuff*).

This *ḥadīth* interestingly has been narrated by Imām Aḥmad and Imām Abu Dāwūd (in the *Book of Purification, The Chapter How to Make Mas-ḥ*, *ḥadīth* number 162) and also by Abu Ya'lā. (See footnote 2 in Sharḥ, page 259).

Ibn Ḥajr said,

إسناده صحيح

Its chain is authentic.

Remember in *ḥadīth* studies, when you find a *ḥadīth* scholar that makes a statement that the chain is authentic, then I want you to know that he's also making an indication there. Not always [but] it's a little indication. I want to say to you that when a person is delighted with a *ḥadīth* from every kind of angle he says, *ḥadīthun ṣaḥīḥ*. The narration is *ṣaḥīḥ*, meaning that its text, its chain, its circumstance, everything about it is authentic. When he's not sure what the *ḥadīth* means, whether the *ḥadīth* might be contradicted by something else etc., then he will stay away from making a judgment upon the meaning of the *ḥadīth.* It may be a bit strange for him, a bit difficult for him, maybe there's something he doesn't understand; he'll just stick to the chain and just declare its authenticity. Then we'll just pass this on to the *fuqahāʾ* and if they want to do some stuff with it then let them deal with it. But from our [i.e. the *ḥadīth* scholars] the *isnād* is *ṣaḥīḥ*. If you want to play around with the *matn* and try and understand what it means that's your game. They would often say; *isnāduhu ṣaḥīḥ* (its chain is authentic).

Student: It may be a silly question but do you ever get a *ḥadīth* where the *isnād* is *ṣaḥīḥ*, like you said, and the *ḥadīth* itself is [weak]?

Ustādh: Yes you do. This is the very highest and most advanced aspect of *ḥadīth* scholarship. This is where all the controversy exists. This is where the scholars discuss and not the students. This is where people call into question a *ḥadīth* in Ṣaḥīḥ Muslim for example. This is where some people will look at another *ḥadīth*, etc. This is where we are looking at a chain and by all accounts, everyone was at the right time, right place, all the right kind of conditions have been met but the text itself contradicts something that is in the Qur'an. Or contradicts something else which is in the *Sunnah* which is more authentically narrated. This is possible. This is what we would call textual criticism in English; *naqd-ul mataan*, the most difficult, the most risky science that exists in *Sharīʿah*. It is basically you saying, "I do not think that is authentic." It is very controversial.

I think it was last week that I was talking about *ribah*? The *ḥadīth* of adultery. One *dirham* of *ribah* is worse than that. I do not know what the question was, whatever the question was, there is some *ḥadīth* which by the apparent nature of the chain (we talked about this in a previous lesson I seriously remember), the chain looks great but the text has got such an *ajeeb* kind of nature to it. The text is there saying one *dirham* of *ribah* is worse than thirty-six accounts of *zinah* with your mother. Now the problem with that is that it is a very shocking statement. If you are from a western, liberal background, you will be like, "nah, I'm not having that."

That is just your own ignorance coming through. We ignore those people. We ignore people who are not qualified to talk. You are from a western, liberal, background so you have basically disqualified yourself. You have got to be a scholar. You have got to

be objective, strong, fair, and at the top level. They are the only people who can deal with a narration like this.

When I did an analysis of this *ḥadīth*, I did not trust myself at all. It is very important to know your own limitations because a lot of people will tell you one thing, but it is a whole different thing to accept the truth yourself. We are all biased, even when you think you are not biased. Think about it 35-40 years in my case, grown up in an environment, breathing and living and drinking values, ethics and morals which are taught to us by neighbours and teachers. Like the other day, we talked about the *ḥadīth* about camel urine. In this society, no one would ever think of drinking the urine. It is never going to register with me, never going to like the idea, yet it is *ḥadīth ṣaḥīḥ*.

Another guy, maybe my age, who has not studied abroad and lived abroad and not got a scholarship with teachers and been worked upon will probably find great difficulty in accepting it. *Alhamdulillah* I have no problem in accepting it. The majority of Muslims, *Masha 'Allāh*, base it upon the *Imān*. They think it is test to their *Imān*. They will accept it, whether we like it or not, whether we understand it or not. That is the right attitude of course. If it is *Ṣaḥīḥ*, if it authentic, then we need to accept it. It is you who does not understand what is going on.

Ibn Khuzaima has a very famous statement in this that I tell the students all the time. If you have a problem with a *ḥadīth* which seems to contradict everything, another narration, what you believe, something which you understand to be the case. Bring it to me and I will reconcile between the two. Meaning, the problem is with you, not the sources themselves. This is a delicate point. Most of the time when people try to look at a text and try to ascertain whether this truly is correct, only the highest of people can do it. I mean like a Bukhāri and talking like Dar Qutni. This is where we start to draw massive gaps in knowledge and quality of people, like Shaykh al-Bani of our recent times, who was a great *muḥaddith*. He was not *thaqi*. He was not what we can consider to be a jurist, one who would we consider to go to for *fiqh*, obviously an *alim*.

There is a difference between specialists in *fiqh*, therefore that affects his ability and may Allāh ﷻ have mercy upon the one who knows his limits (as the Arabs say). That means that a *muḥaddith* of the current, contemporary time; when he is making an interpretation of a *ḥadīth*, we will say, "Easy tiger." Maybe it will be accepted, maybe it won't be. Let us see if he has some precedence. Let us see if he has got some big names behind him from the early times and then we feel a bit more confident.

If you look at Shaykh al-Bani there is a much higher number of times where he says, "*isnaduhu ṣaḥīḥ*". Lots of times saying the *sanad* is correct and not going full on the *ḥadīth* itself. I'm not saying he's scared to give a ruling, I'm just saying that is the way it is.

Whereas the early times like Bukhāri, he is a *faqīh*, a *muḥaddith* and a *nāqid*; combining all of the disciplines in one. Therefore, this is what Sufyān al-Thawri and

the big *Imām's* used to say. That you could give them a *ḥadīth*, and just from the reciting of the *ḥadīth*, they can tell whether it is from the Prophet ﷺ. They've got that real connection to the *ḥadīth*. They can feel it.

I've given this example before. I've found this with prescriptions. A prescription which has been written completely fine but because the pharmacist has dealt with maybe a million prescriptions over his five year career, he'll be able to look at a prescription and tell if its fake just by tiny things. He just feels it and when there is some doubt, he'll make a phone call. He won't automatically say that this is wrong. He will make a phone call to the doctor, "Just checking about this patient. Have you seen him recently? Did you write a prescription?" "No I didn't write a prescription." Then you know, guy's trying to get some drugs on the sly. Or, "Yes, I did write a prescription out for him." "Okay, I was just checking as I had some doubts." "Yeah, I used a different pen today" or something like that. I'm saying that the scholar, if he does feel some kind of suspicion, he stops and he goes and checks.

That is the example I gave you of the *ḥadīth* on *ribah*. This *ḥadīth* just does not sound right and when you go back, you do find a massive discussion on this *ḥadīth* by the scholars. [They indicate] that this *ḥadīth* is weak or it is fabricated. [This is] not just because of the language. We said that the Prophet ﷺ has used harsh language before and sexualized language, as well. We also do not often accept the point that *ribah* is very serious.

Actually, it is not so shocking that such a *ḥadīth* would be authentic but it does seem [to be] out of context. It does seem disproportionate in comparison to [other *aḥādīth*]. This is just an example and so *isnādu ṣaḥīḥ* or *isnādu ḍaʿīf* is not always an indication that that *aḥādīth* may not have something else to it.

After narrating the *ḥadīth,* Shaykh al-ʿUthaymīn رحمه الله says,

وهذا الحديث وإِنْ كان فيه نَظَرٌ؛ لكن حسَّنه بعضهم.

He says that even if there is something to be said about [the *ḥadīth*], *fīhi naẓar*. *Fīhi naẓar* means that there is something to be said about it. It is not straight forward or it is not all the way authentic. He said, *ḥassanahu baʾḍahum*, or other scholars came after and made it good. [They made it] *ḥadīth ḥasan;* not the chain but the *ḥadīth*.

Now this is mostly because of the chain and not because of the meaning. What is fascinating for me is that there is an issue in the meaning as well. What did we say? He [Shaykh al-ʿUthaymīn] says it here again,

وفي قوله: «لو كان الدِّين بالرَّأي» إشكال، فإن الرَّأي هو العقل.

First of all, Shaykh al-ʻUthaymīn ﵀ says that he has a problem with this statement from Sayyidina ʻAli ﵁. What do I have a problem with? The word used here is *ra*ʻi, but here *ra*ʻi, it means *ʻaql*. It means logic or it means common sense. He says does the *deen* ever contradict common sense? He says that it does not [contradict common sense]. He then says,

الجواب: لا، ولكن مرادُ عليٍّ رضي الله عنه . إن صحَّ نسبته إليه . هو باديَ الرَّأي

I find Shaykh al-ʻUthaymīn's discussion really fascinating. First, he says that the *deen* does not contradict common sense. Let us talk [about it]. What is this narration saying? What did he actually say? If this *deen* was based upon common sense, then...

Student: Wiping over the bottom of the socks...

Ustādh: We would have wiped underneath [the socks] but I saw the Prophet ﷺ wipe on the top part. If this *deen* was based upon common sense, Shaykh al-ʻUthaymīn ﵀ says that this *deen* is based on common sense. This *deen* is logical [so] what do you mean?

He says that if this is authentically narrated, and this is where you see the point coming through from Sayyidina ʻAli ﵁. If it really is from Sayyidina ʻAli ﵁, then we need to understand this statement as *ra'ī*. That his statement doesn't mean common sense and logic. Allāh ﷻ says in *Surat Hūd* (verse 27),

﴿ فَقَالَ الْمَلَأُ الَّذِينَ كَفَرُوا مِن قَوْمِهِ مَا نَرَاكَ إِلَّا بَشَرًا مِّثْلَنَا وَمَا نَرَاكَ اتَّبَعَكَ إِلَّا الَّذِينَ هُمْ أَرَاذِلُنَا بَادِيَ الرَّأْيِ وَمَا نَرَىٰ لَكُمْ عَلَيْنَا مِن فَضْلٍ بَلْ نَظُنُّكُمْ كَاذِبِينَ ﴿٢٧﴾ ﴾

"But the prominent disbelievers among his people said, 'We can see that you are nothing but a mortal like ourselves, and it is clear to see that only the vilest among us follow you. We cannot see how you are any better than we are. In fact, we think you are a liar.'"

This is what they said of course, this is the people of Nūḥ ﷺ. They're speaking to Nūḥ ﷺ. Alright, so when he is giving them *daʿwah*, they're saying, "Why shall we follow you? Who are you anyway? Listen, we can see who follows you. The lamest of people. It is so clear to us." What's the point here? They said common sense. What were they making the judgment on? They were making a judgment based upon what they were seeing. What they were seeing was not a considered appreciative view of who that people were, they were making a judgment based upon the external. Therefore, the word, '*bādiyaʾl-raʾī* 'as Shaykh al-ʿUthaymīn says,

أي: في ظاهر الأمر

What was apparent?

Therefore, what he wants to say is that *raʾī* means, what seems obvious. That's what he wants to translate it as. Now if we were to re-translate that statement, it would read as, "If this *deen* was based upon what seems obvious, then we would have wiped on the bottom of the *khuffs* as opposed to the top part but I indeed saw the Messenger of Allāh ﷺ wipe on the top part."

I guarantee you that everyone watching this and everyone here has never heard that translation. You've always heard it. Famous narration isn't it? Now the word "obvious" is not that different in meaning, but actually, in its implication it is massively different. [It] changes it completely because it indicates that there is some kind of sense in that.

First of all, one thing that we've been making clear all the way in this class is what is *wuḍūʾ*? Is *wuḍūʾ* about cleaning? No, we said we can do that [cleaning] much better with a shower or soap. We cannot clean anything with *turāb* or with wiping it [the hair or socks]. It is like a ritual ablution cleaning and does not have a clear cleaning function. How can I say this? The purpose of it [ablution] is not to have a person coming out fresh. The actual point is to make sure that the ruling of Allāh ﷻ is achieved by a ritual ablution.

It is an act of *ʿibādah*. Actually, it does make sense to wipe the bottom part [of the sock] if we were going to say that it is about cleaning. Right? Now we understand what the statement means. If the *deen* was about what is obvious, we would have wiped over the bottom of the socks. The *deen* is not about what is obvious; it is about falling in line with logic and everything but the main thing it concerns itself with is *taʿabbad*.

Why do we not pray 7 times a day? There is no answer to that. Why is it 5 times? We do not know but Allāh ﷻ said so. Why do we have to wash our face before our arms and not our arms before our face? The hands are washed anyway and we have

washed our hands and our nose. We might as well finish our hands properly and then go to the face. I mean, that is what common sense would argue. But Allāh ﷻ said no, we go to the face first and then the arms.

Alright, [this exists] because it is a matter and it is not there for the human mind to work out. This is a really beneficial point that the Shaykh gave on this *ḥadīth*. I am glad that we were able to cover that. Any questions on that or is that clear? We learn from this that the narration is not absolutely super authentic. Second, if it allowed to be used or workable, the actual translation is *raʾī* and it is the word being used as Allāh ﷻ used it in the Qurʾān.

Bādiyaʾl-raʾī is what the *kuffār* said. The people who follow you are *ʾarādhilunā*. They are the worst and most disgusting folks from us and they were not. Subḥān Allāh, they were *muwaḥḥidīn*. They were people who follow Nūḥ ؑ. They were on *tawḥīd* and they were the best of people but [the nobles] were making the judgment based on their social class. They were making the statement based on [the followers] strength and their miskeen-ness. They were making the judgment based on what was obvious to them.

They were obviously wrong but they said it with certainty. Using the same logic of the word *raʾī,* this is the thing that comes to mind. We now understand that the statement does not mean logic but it means what seems obvious. We understand that if it was [based on] cleaning, then only the bottom part would get dirty. If cleaning is the issue, you would wipe the bottom part [of the sock]. But cleaning is not the issue; *taʿabbud* is the issue. The Prophet ﷺ wiped the top part so we follow him in that [action].

Student: I'm just grappling with that issue. That translation that you've just given seems obvious.

Ustādh: Change it to what then?

Student: No, no. I agree with it. What I am saying is that I've heard that, not that translation [but] the original translation. Especially in the kind of science environment that we live in, sometimes you end up thinking that the *deen* isn't rational or follows common sense.

Ustādh: Correct, and that's a mistake. That is one of the reasons why we must challenge the meaning of the narration. This is my own hypothesis from my own pocket so don't take it too seriously. That is why some of the earlier *ʿulamāʾ* were hesitant about the text; they didn't like it. Which is why they kind of stuck to the chain; criticizing the chain or authenticating the chain. They weren't overall delighted with the meaning of the *ḥadīth* because that required some big statements. Maybe when they authenticated the chain and they looked at the text and they thought that this *deen* is not based on common sense? Well it really is.

They're kind of thinking that this *ḥadīth* is saying something different. I am believing something different. You know what, I'm just going to step back and let the *ḥadīth* go and let the scholars deal with it. That's my own kind of thing. Like I said, if you interpret it as we have just interpreted it. It is about what seems obvious. That solves a lot of things. It affirms that this *deen* is about common sense and when it comes to that point where it's not about common sense, it's not that it's not about common sense, it's about the fact that is working of divine framework.

Obviously, in a politically charged environment where Muslims are under pressure every time, you're always asked to go on TV and tell your opinion on things. They are not really that bothered about whether they want to know your opinion on X policy or Y policy. They just want to prove and keep proving to the wider public that the Muslims are [a] crazy, freaked out bunch. Which is why, instead of sticking to the topic, they will say, "What do you say about segregation? Etc."

We get this whole Trojan horse stuff and whatnot and there could be some changing about of the syllabus. The shock and the outrage should be about people changing the syllabus in a secular school. I accept that. If you sign up to that system, that's what you've got to stick to. You've got to stick to the secular syllabus, you can't go around changing it. That's a fair enough outrage and I go onto the programme and say, "Yes, I agree with you. If there is proof of a plot that was trying to change this then that is acceptable and it is good that the education minister got involved.", etc. If there is no proof of a plot and you've fabricated it and you've created all this then that's a major problem.

You've already well established yourself. You've represented yourself strongly and confidently, and they're not going to stop there. They're going to say, "That's fine, interesting what they said here. They were stopping homosexuality being taught and about accepting them in. It might not be true, what do you say about homosexuality?" [It] had nothing to do with the topic whatsoever but that's exactly what he wants to do; he wants to show you up.

I want to say to you, if you can understand that is why scholars are generally a lot more dealt with. Scholars might not necessarily be a lot more eloquent or put a point forward/across. A proper scholar I mean, but because they have knowledge, they will understand how to respond to something like this far better than anyone else.

Whereas, he got the eloquent and clever kind of guy who is going to just try and smart his way out of it and not understand from a religious point of view. If a scholar who knows what he is talking about is there, he will go straight to the issue of common sense. If I'm there, I say, "Listen, you want me to answer that question genuinely or you just wanting some fun? Do you want to really understand the question from an Islamic theological point of view or not?" That is when they start to hear alarm bells ringing because they are realizing their 'one shot kind of, one quote on the papers', moment has gone. Then he will say yes, and then you will have to explain to them.

You say that there are aspects of our religion which are basically human sphere on a human framework. Which are able to be understood and empirically be proven and shown, processed, etc. There are many aspects of this religion that are in the divine framework and that which is outside of the opinion of mankind. Such as, the belief that Christians have, that Jesus was a son of God. By your definition of God; a God cannot have a reproduction like a human would. This is something which Christians wholeheartedly accept, such as, his resurrection. We all know that when someone dies, they dies. Therefore, do not empirically prove that someone comes back to life. If we show that person comes, this is not part of human sphere or the human mind. This is obviously talking about something divine and we are in the realm of the theological. In the realm of the theological we accept what we are told we don't claim to understand what is going on.

They don't want this explanation, but if this explanation is given and they are forced to accept this first part, then you say, "Homosexuality is something which I don't understand either." This is something which you can put forward. I have friends who then claim that they have this. There is difference between my personal relationship with someone who has these feelings and for me to understand all the reality, the sin and the trial of homosexuality is. Our attitude in our approach and our scriptures say exactly that. These scriptures are talking in a theological sense and so this is not where the mind and common sense and logic can be applied. If you are asking me for logical explanation, you are not going to get it because I can't give it. That is the story. He was looking for something quietly different and I'm saying a scholar would go about an answer like that. He answers from *uṣūl* and from knowledge. That might not be the best kind of answer for TV but it shows the difference about how scholars respond to a scenario and how other people respond to scenarios.

Like I said, if you understand this issue, it will help you in many areas. The principle and the application of common sense. We call this a *taʿabbudi* matter and a *taʿabbudi* matter is a worship matter. Meaning that we don't really understand why.

Student: You don't put the *naql* over the *ʿaql*, is that in the theological sense then again?

Ustādh: Correct. When we described this concept, *ʿaql* is referring to intellect or common sense and *naql* is referring to the text. We said that the *naql* is on top of the *ʿaql,* always. If you don't understand it and it's authentic (the *naql* is clear), then it is the *naql* which is okay and your *ʿaql* is deficient. The *naql*, if it is in the realm of human understanding, it makes complete sense. It is at complete parity with the *ʿaql*, but if it doesn't make sense your *ʿaql* is the problem and not the *naql*. That is the understanding of the correct methodology of the *Ahl'l-Sunnah*. The correct methodology of the *salaf* is that we authenticate the *naql*, the sources, the *ḥadīth* and the Qurʾān. If it does not make sense to us, we have the problem. We just need to study more, question more, read more, do more and we will come to it. If you have a pure intention and a pure process, then it will work out for you.

Let's now quickly finish some *fiqh*. He said then from the top of the foot, from the toes to the shin. Shaykh al-ʿUthaymīn ﵀ also said that is it narrated from the Prophet ﷺ and his companions that he would do that with the hands open. You would not do it with the [fingers closed together], you wouldn't keep your hands closed and wipe. You would be wiping with the fingers open. The narration says,

حتى يُرى فوق ظهر الخُفِّ خُطوطٌ كالأصابع

That they would wipe over the *khuff* and you could actually see the lines of the wiping; you could see the individual lines on the top of the *khuff* itself. It has been narrated by Ibn Mājah and a few others. Imām Nawawi considered that to be *ḍaʿīf* (weak), Ibn Ḥajr said that it's chain is *ḍaʿīf jiddan* (very weak), the narration that shows the line. In any case that is what has been narrated.

You might argue that the *ḥadīth* is weak so we should keep the fingers closed. Let's think about this and you might respond to me now that you just used a *ḥadīth* which Imām Nawawi considered to be weak and Imām Ḥajr said is *ḍaʿīf jiddan*. No one considered it to be authentic. What would a good answer be?

Student: It's logical

Ustādh: What logic?

Student: Common sense.

Ustādh: What is common sense?

Student: You won't close your fingers and wipe over would you?

Ustādh: No, so Shaykh al-ʿUthaymīn is saying that we should wipe with our fingers open because the Prophet ﷺ and the companions did that. You could see the separate lines on the *khuffs* or on the sock, but it is weak.

Student: Although the *ḥadīth* is weak, it covers the meaning of covering the majority by opening the fingers.

Ustādh: That is a good point. In the narration, never has there been a statement that has said that the Prophet ﷺ wiped over the majority. It said wiped over. It could be argued that when you say wiped over, it means the majority. When you wipe over something that is what is assumed. There is another thing I want you to say though, in terms of what you would do. Would you do it fingers closed or fingers open?

Student: It is common sense.

Ustādh: What is common sense?

Student: It's natural.

Ustādh: What is natural? What is common sense? What is natural? Correct, the natural, default position is fingers closed; and this [closing the fingers] is not a normal scenario. To close your fingers we would require an evidence. That is the non-natural state. If you said no, you've got to do it with closed fingers, we would say, bring your evidence. The natural state, is fingers open. Not with [fingers fully spread out], just normal fingers. Make sense? That is just a point. Even though the narration is not very strong, we learn a good principle there, in f*iqh*.

Not the sole of the foot and not the ankle. Now, why the shin? The shin has been mentioned here only to ensure that up to the ankle is covered. The shin is not actually part of anything. When we say we are wiping; we start at the toes and we wipe up towards the shin. The shin, in and of itself per se, is neither part of the washing nor the wiping. When we say up to the shin, that means we covered the area parallel to the ankle. We don't wipe on the actual ankle itself because that has not been narrated by the Prophet ﷺ. Is that clear?

A question that Shaykh al-ʻUthaymīn رحمه الله puts out is, what if you are wearing a *khuff*, which is actually bigger than your foot? I am talking about a *khuff* which is covering your ankle but is bigger outwards past your toes, some extra space [beyond where your toes reach]. You have two options. You are either going to start from the top of the *khuff* or you are going to start where your toes start. He says that if we look to what is obvious, than we should start from the tip of the *khuff* and then go up to the top. If we look at what is actually narrated, the intention behind wiping is to wipe the foot.

Therefore, technically speaking, we should be wiping from where the toes start to the ankles with [a single motion of both hands simultaneously wiping the corresponding foot from the toes up to the shin]. He says that if somebody was wearing something larger than that, it is *aḥwaṭ* to do it from the tip of the *khuff*. Meaning, it is safer and more encompassing. You go down a little bit further and you cover both possibilities in terms of *fiqh, al-Ẓāhir* and *al-maʻnā;* the obvious meaning, and the actual intended meaning. Just by going a bit further you cover both.

Again, that brings in to play a principle we talked about before. That we always look for *al-aṣlam wa'l-aḥwaṭ,* the safest position and the most encompassing (widest position) that covers the difference of opinion amongst scholars. We do not necessarily want to restrict ourselves to just one person's opinion when a small

action would encompass all four *imām's'* positions. Which means you couldn't possibly make a mistake on the *ijtihād* that you are making on a certain specific issue. Shaykh al-'Uthaymīn says that he did not mention whether a person does it right or left or vice versa, etc. What is the *Sunnah*? This is Shaykh al-'Uthaymīn's رحمه الله strong position and he talks about this a lot.

Just imagine I've got the feet here [in front of me] and these are my fingers that are to wipe at the same time. Literally, put the fingers on the toes and wipe up [with a single motion of both hands (fingers naturally spread apart), simultaneously wiping the corresponding foot from the toes up to the shin]. Do not keep spreading [the fingers in order to try and reach the maximum area of the foot]. Do not do it twice or three times. Just one wipe with hands. They don't need to be soaking wet, just the normal wetness is fine. The only time you would wipe right and then left is if you only had one hand or if the hand was hurt and then you would use one hand wipe on the right and then wipe on the left. If you've got both hands then it's right and left in one go.

Student: Is it ok to do right then left?

Ustādh: You shouldn't, its *khilāf* of what is the basic principle. Some scholars said no right and left should be applied. Why?

Student: Because it is the *Sunnah* is to do right and left.

Ustādh: The *Sunnah* is to do right then left, in what? In *wuḍū'*. They said that the right and left is only for washing, no evidence for that for wiping. They said the washing of the Prophet ﷺ was from the right. It's a *khilāf*, an *ijtihād* issue. An area we can differ over.

Someone could argue and say, so what about the Prophet ﷺ putting on sandals? That's not washing and he used to like putting the right first in everything. It's possible that that person could make *ijtihād*. I think that Shaykh al-'Uthaymīn's position is better and safer and because the Prophet ﷺ has specifically indicated all of the aspects of *wuḍū'*, the right and the left, etc. With regards to the *khuffs*, he just mentioned that he wiped over them. The nature of the statement that he wiped over them seems to suggest it was done at the same time. This is my position, the taught position. Wipe both at the same time, once. If you got something in your hand or some kind of problem then right and then left.

Wiping Over a Cast

As for the *jabīrah* which is the cast, wipe all of it. The *`alayha* of the *jabīrah* in the *ḥadīth* seems to indicate that it is all of it. Under it and over it, etc. It is its own specific category. If a question is asked, "What if the thing which is being wiped, is washed?" You got the *khuffs* on and then you have a blond moment, instead of wiping them you

wash them. He says that some of the people of knowledge *fa qāla ba'dh ahlu'l ilm* said that it is something which is not acceptable.

فقال بعض أهل العلم: لا يجزئ

It is something, which is not acceptable.

لأنَّه خلاف ما جاء به الشَّرع

This is invalid. Why is that? It is invalid because it is not what the *sharīʿah* has brought. *Sharīʿah* (*the Law*) has not established that.

وقد قال النبيُّ صلّى الله عليه وسلّم: «من عمل عملاً ليس عليه أمرنا فهو رَدٌّ

Prophet ﷺ said in a famous *ḥadīth*, "Whoever does an action, which is not from our actions, it will be rejected." *Ḥadīth* in Bukhāri; a very *ṣaḥīḥ ḥadīth*.

ثم إننا بالغسل نقلب الرُّخصة إلى مشقَّة

He says that if you think about it, to support this opinion. If we were to wash it, we will turn the concession into a mission. What was given to us as a mission, we have actually made even worse. We turn the *rukhṣah ilaʾl mushaqqah*. We turn the *rukhṣah* the concession into a *mushaqqah*.

وقال بعض العلماء: يجزئ الغسل لأنَّه أكمل في الإنقاء، وإنما عدل إلى المسح تخفيفاً

Some of the *ʿulamāʾ* said that the *ghasl* (the washing) would be acceptable. Meaning, the *wuḍūʾ* will be okay because it is actually even more complete in purification.

وتوسَّط بعضُهم فقال: يجزئ الغسلُ إن أَمَرَّ يده عليها لأنَّ إمرار اليد جعل الغسل مسحاً، وهذا أحوطُ؛ لكن الاقتصار على المسح أفضل وأَوْلى

Shaykh al-ʻUthaymīn ﷺ says that there was a middle opinion as well. If a person was doing *ghasl* (wiping his hands) on the actual thing, then this is something which is not the complete soaking in water. This is something which is acceptable. It's just basically a *mas-ḥ*. Anyway, all of the *ʻulamāʾ* have agreed that if a person is wearing something, he is not to wash it. It is not good to wash it. It is risky to wash it. We should stick to doing the wiping.

Student: The wiping?

Ustādh: Yeah.

Student: All of it or the majority of it?
Ustādh: The *Jabīrah*? The actual thing itself?

Student: Yeah the splint, the cast or splint.

Ustādh: Hold on. This is now a different part. You are going back to the previous point. The one we just mentioned was anything which is wiped. The issue of if you were to wash something which is wiped, that is applying to anything, not just to the splint per se.

Student: No, I am talking about the splint. With the splint, you said to wipe over all of it, not the majority of it?

Ustādh: All right! Good! *Jazāk Allāh Khayr*. I forgot to say that. When we say wipe over it, we don't mean that there is not a single place which is missed out. That would be effectively washing. When you wipe, you don't wipe [as if you are rubbing]. That is not wiping. Wipe indicates the separation of fingers. It indicates a lighter touch and there is going to be some speed involved. For speed to occur, friction has to be less, etc. Definitely there are going to be parts that are left over and that's a part and parcel of wiping. When we say all of it, we mean by that underneath to the side and not 100% of surface area. That's the point I want to make. Let's do some questions. Any more questions on here?

Q & A

Q: Is it okay to consider *ḥadīth* from secondary sources like Mishkāt?

A: Of course, a *ḥadīth* is acceptable even from Facebook. Forget about Mishkāt al-masābīḥ or Riyāḍ-al-Ṣāliḥīn. Secondary sources, only means that someone else has collected the *ḥadīth* and is narrating it. What's more important for us is that the source of the *ḥadīth* is mentioned and not where it is read or seen. Mishkāt is a collection of a*ḥādīth* and sometimes it is mentioned and sometimes it is not. That's the reason why they're not recommended to read. If you were to read from Bukhāri, all of the *ḥadīth* are referenced and you know that they are all authentic. If you were to read a book from Riyāḍ-al-Ṣāliḥīn and you were to ask me which book I would recommend for reading. I would say Bukhāri of course, to study from. Not Riyāḍ-al-Ṣāliḥīn. Riyāḍ-al-Ṣāliḥīn mentions some *ḥadīth* that are not from Imām Bukhāri or Muslim and they will just give the source. That means that you have just got a little bit of extra work to find out whether the *ḥadīth* is authentic or not.

Does that mean that we do not read Riyāḍ-al-Ṣāliḥīn? No, of course you read Riyāḍ-al-Ṣāliḥīn. You see the *ḥadīth,* you know that it's sourced somewhere else so you go check it out. Mishkāt or the contemporary books today; these are places where you can go read the *ḥadīth*. Once you have a collection which is not Bukhāri and not Muslim, there is always going to be doubt in the authenticity of that collection when it mentions a *ḥadīth.* Unless of course, I wrote a book called AE's Collection and I only quoted 30 *ḥadīth* from Bukhāri. Then my collection is perfect isn't it? It is only quotes from Bukhāri. Obviously Mishkāt is talking about many *aḥādīth* from many different places. All these books are fine.

Q: Does there have to be a logical reason behind why we are told to wipe on top of the socks?

Ustādh: Does there have to be a logic? No, there doesn't have to be a logic. We said that it is a matter of *taʿabbud*. It's the same question of, does there need to be six prayers as opposed to five, etc. You know what I'm saying? Does that make sense?

Q: What I'm still confused about is why we wipe over socks if we are in a state of ablution from water. Whether we take it off and put it back on, why do we still have to wipe the sock? Is it because it might be dirty?

A: If you think that we have to wipe the sock just because you have a sock on then I've not clarified that and there is a misunderstanding going on. To make it very clear, the whole chapter to do with *mas-ḥ* (wiping) is only if you have broken your *wuḍūʾ*. If I was to make my *wuḍūʾ* (I've washed my feet and am done everything), I put socks on then I don't need to do anything. That's it, I'm in *wuḍūʾ*. I can now carry on for the rest of my day (pray, etc.). When I come back home, I can take my socks off and have a shower. The whole chapter of the wiping on the sock is a concession (a favor from Allāh ﷻ). It is basically saying that if at twelve o'clock you had the socks on, instead of having to take your socks off to wash your feet, now (because of Allāh's ﷻ favour) you are allowed to wipe over the socks.

We are not saying that if you put socks on and you still have *wuḍūʾ* you have to wipe over them. We are saying that if you have *wuḍūʾ* and you put your socks on and you don't break your *wuḍūʾ*, you just carry on. If you were to break your *wuḍūʾ* and you wanted to take your socks off; let's say you went to the *masjid* and you've broken your *wuḍūʾ* and you want to make *wuḍūʾ* again. You will take your socks off and make *wuḍūʾ* and that's fine. Now imagine that you are at work and you want to make *wuḍūʾ*. You have to make *wuḍūʾ* because it's time for *Ẓuhr* and you don't have *wuḍūʾ*. You put socks on in the morning (4 or 5 hours ago) after you made *wuḍūʾ*. Now at lunch time you need to make *wuḍūʾ* at work but you don't want to take your socks off. It'd be a mission, you know the whole sink thing, etc. Now you make all of your *wuḍūʾ* right up until washing the feet but you don't wash your feet. All you do is wipe over your socks. That's what the concession is.

Q: Going back to wiping over a plaster where only a part of the limb is covered, the rest needs to be washed or is it all wiped?

A: What did we say about that? We had a whole session on that; a whole lesson. We talked about the ruling of *tayammum.* We talked about the ruling of what happens if it (the wound) is covered or not, etc. I am going to say to that person, they need to go back and find that session. Otherwise, there is no need for anyone to study anything. There was one whole lesson, may be four to six lessons ago, where we spent the whole session just on that ruling. If you have an area that is hurt, what are the rulings? You need to go back and check that out, it would be good for you. I am doing that as a favor to you because you going back and reading the whole session, everything again, will make sure that you learn the issue properly.

Q: What I was getting at with my previous question was that if there isn't any logical reason behind why we are told to wipe on top of the socks, then surely the meaning of *ra'i* being logic in Sayyidina ʿAli's ﷺ statement isn't a problem.

A: Correct, he is right. If we are happy to say that everything that doesn't make sense to us is a spiritual matter from the divine then yes, we could take the meaning of the *ḥadīth* or the narration as common sense and logic and it would work. Your answer is correct but we are trying to say that we believe that everything from the religion is a matter of common sense. We believe that it is correct and that it is according to the intellect. What I mean by that is for example the prayer, five times a day. If we sit and think about it long enough we'll find a logical reason why it is five times a day. It is the breaking of the day into manageable parts to make sure you remember Allāh ﷻ at key moments. Waking up in the morning and blessing your morning with it; we have seen the difference it makes in someone who doesn't pray F*ajr* and someone who prays *Fajr.* Closing off the day with a prayer to Allāh ﷻ makes all the sense.

You can make so many arguments, just obligating *wuḍū'* in a hot country at lunch time. A person might not be praying and you would still like the opportunity to go and make *wuḍū'*. Meaning, if you really sit down and think hard enough you can think of reasons for everything and anything.

What we are scared of with that narration is to translate it in a way that it indicates to the reader that this religion is not based upon common sense; that it's not based upon logic. Our d*een* is perfectly logical, makes perfect sense, but it's not what immediately seems obvious. That's why when you think about what I just explained, if this religion was based upon what seems obvious then we would have wiped the bottom of the foot because when we think about it, we are doing *wuḍū'* which is purification. We are cleaning the bottom of the dirty part. Then we stop and we say that actually this is not purification, this is ritual ablution, which is different. Therefore, 'logic' is not a good translation, it's 'what seems obvious'.

Q: If someone insists on washing their feet only and refuses to wipe over the socks since that is a concession only and washing is *atheem,* is this the right approach?

A: Yes it is an acceptable approach. I advise you to go back to, I think it might be the first lesson of *mas-ḥ,* where I explained that the ruling upon the *mas-ḥ* can differ.

A consensus is something that is part of *deen* and it's a *Sunnah* as such. I said that it is something which is permissible to do and it is something *Sunnah* to do. If people are doubting it, the action that has been left by the people becomes an obligation to revive. Does that make sense? It all depends on time and context of the people.

For example, if I am in a community where everyone is rejecting the action then it becomes an obligation on me to prove to the people what the *Sunnah* is. That's a rare scenario. If everyone accepts it; it is seen everywhere then you can say to yourself, "I'd rather wash my feet because there is no need.", then that's acceptable.

Some scholars of course said that's not correct. They said that there is no proof that the Prophet ﷺ only wiped on his socks out of seeking a concession. Some say it was in a normative scenario. There is a difference of opinion upon that.

In my opinion it is acceptable for a person to rather wash. That opinion is even stronger if the thing that you are going to wipe is a sock and not a *khuff*. We said before that there are scholars who don't accept wiping on socks. They said it's got to be thick and it's got to be leather like. If you were doing it to keep on the safe side and not maintain any doubt, this is very good. You wash your feet only because you don't want to get on the wrong side of the other three *imām's*, etc. This is good and the right kind of attitude.

35. The Chapter of Wiping Over the Footwear XIII

We are at the very end of the chapter of wiping over footwear, which of course includes wiping of the turban, *khimār*, and over bandages and plaster casts as well. It was a chapter of wiping in its entirety.

The Arabic then of the notes is on page 8, and it is the statement,

ومتى ظَهَرَ بعضُ مَحَلِّ الفرْضِ بعدَ الْحَدَثِ أو تَمَّتْ مُدَّتُه استَأْنَفَ الطهارةَ

Imām al-Ḥajjāwi ﵀ says that after one becomes ritually impure (one breaks his *wuḍū'*), if a part of what is obligatory (to wash) becomes visible or the time-period (for wiping) expires, then one will need to renew his purification.

Uncovering of Areas of *Wuḍū'*

Let us do it in order. Page 262 is the commentary right in the middle. Basically what Imām al-Ḥajjāwi ﵀ is saying is that if you have the sock on, covering the obligatory parts of the foot to wash, as soon as any of those parts of the foot become uncovered then according to the Ḥanbali school, you have broken your *wuḍū'* already. Now you cannot do anything (with it) but what has to happen is to do your *wuḍū'* again, a fresh *wuḍū'* is the correct phrase- a new fresh *wuḍū'*. I am going to talk about this in detail because there is a lot of discussion on this point between the *'ulamā'*.

First of all, as Shaykh al-'Uthaymīn ﵀ says, we're not talking about little cuts and holes and things like that, this is literally talking about if the sock falls off halfway or you pulled it off. Let us just get straight into the actual examples the Shaykh gave. For example, if the foot or the ankle is shown or if the *'imāmah* goes off the head more than what is normal (it might get pushed back a little bit that is fine but let us say it came off completely like to one side), it is completely unacceptable to be assuming that a person would go around looking like that and that is more than what is normal. If it comes off so much so, if this happened you would have to wipe your head completely now because you have lost basically the ability to be wiping over the turban, it is like being cancelled almost. If your socks came off from your feet you will

have to wash your feet because you have lost the ability now to wipe over. The first point is this is dependent upon the opinion that you need to have *wuḍū'* before you put on the *'imāmah* . We discussed this before (in our previous lessons).

There's no evidence that you need *wuḍū'* before you put on the *khimār* (*ḥijāb*), turban or the bandage (cast). As for the *khuff* (socks), you must have *wuḍū'* before you put them on and then wipe over it afterwards.

The *Shaykh* says,

وبالنسبة للخُفَّين

He's talking about socks, shoes or leather socks. It needs to be washed if the heel is exposed. We can't have half washing and half wiping.

فإن الغسلَ لا يُجامِعُ المسحَ

It is not possible to have both of them combined. We have to now do purification again. That means to wash the feet and then put the socks back on after that.

The *Shaykh* says,

وقول المؤلِّف رحمه الله: «بعد الحدث»، يُفهم منه

When he says after the *wuḍū'* has been broken, what this actually says to us is that if this happens before you break the *wuḍū'* then there is no problem. He gives an example,

كما لو لبس خُفَّيه لصلاة الصُّبح

He has woken up in the morning for *Fajr*, he makes his *wuḍū'* and he puts his socks on. Then he remains in full *wuḍū'* until Ẓuhr time. At around 10 o'clock in the morning, he takes his socks off and then he puts them back on again (while still in his original *wuḍū'*). What does he have to do? He doesn't have to do his *wuḍū'* again (or

wash his feet again) because he did not break his *wuḍū'*. This is what is understood from the Ḥanbali *madh-hab*.

Let's discuss the real issue. If a person takes off his socks (*khuffs*) after he's made *wuḍū'*, does the act of taking off shoes, socks (*khuffs*) obligate upon you to repeat your *wuḍū'*? He goes that this has been divided into positions. There are four (well-known) opinions. This is an old classic debate.

القول الأول

The first opinion; this is the position of the Ḥanbali school, also the position of Imam al-Ḥajjāwi رحمه الله. The second those socks come off after he's broken *wuḍū'*, the *wuḍū'* must be done again.

حتى ولو كان ظهورها بعد الوُضُوء بقليل وقبل جفاف الأعضاء، فإنه يجبُ عليه الوُضُوء

Listen to this carefully. You've done your *wuḍū',* washed your feet and everything. Then you put on your socks and then you, even whilst the rest of your body is still wet, you take off your socks and so,

فإنه يجبُ عليه الوُضُوء، والعِلَّة: أنَّه لما زال الممسوحُ بطلت الطَّهارة في موضعه، والطَّهارةُ لا تتبعّضُ، فإذا بطلت في عضوٍ من الأعضاء بطلت في الجميع، وهذا هو المذهب.

If you were to take off your socks right there and then, even if your limbs are still wet from *wuḍū'*, your *wuḍū'* is cancelled. The reason for that (the *'illah*) – this is the Ḥanbali *madh-hab* – is because purification is something which cannot be divided. If it has been invalidated in one area then it is invalidated in the entire *wuḍū'*. Therefore you have to make the entire *wuḍū'* [again].

This is the first position. What I mean in this first position is that if you take off those socks you have to make your entire *wuḍū'* again.

The second position,

القول الثاني: أنه إذا خلع قبل أن تَجِفَّ الأعضاء أجزأه أن يغسل قدميه فقط، لأنَّه لما بطلت الطَّهارةُ في الرِّجْلَين؛ والأعضاء لم تنشَفْ، فإنَّ الموالاة لم تَفُتْ، وحينئذٍ يبني على الوُضُوء الأوَّل فيغسل قدميه

Is that if he were to take off his socks whilst his limbs are still wet, it is permissible for him just to wash his feet. This is because the purity has been negated in his feet only, i.e. the purification of his feet has been invalidated and the rest of the limbs are still in the state of wetness and legally speaking *al-muwālāh* (continuity) is still in play.

It is almost like the person was just washing himself and he has got his socks on and he wipes over his socks and then for some reason he just takes his socks off or they fall off or whatever. This is the second position. What is happening here? You are building upon the existing *wuḍūʾ* right up until the feet; that is already assumed and then you basically just wash the feet.

The third position,

القول الثالث: أن يلزمه أن يغسلَ قدميه فقط، ولو جفَّت الأعضاءُ قبل ذلك، وهذا مبنيٌّ على عدم اشتراط الموالاة في الوُضُوء

Is that it is acceptable to just wash the feet and it does not matter if it happens, half an hour after, one hour after, if the limbs are dry or not. What is this based upon? This third opinion is based upon that it is not a condition to have *muwaliʿ*, this continuity, we discussed *muwaliʿ* properly this year, and we do of course believe that *muwaliʿ* is a condition, just that our *muwaliʿ*, what did we say? It just has nothing to do with the limbs being dry. That was our position, we said it was more to do with a time-scale.

The fourth position,

القولُ الرَّابعُ

This is the position of Shaykh ul-Islam ibn Taymiyyah رحمه الله – that was chosen by him in *al-Ikhtiyārāt*.

أن الطَّهارة لا تبطل سواء فاتت الموالاة أم لم تَفُتْ

That purification does not become invalidated whether continuity is there or not there; purity is something which continues until one of the well-known invalidators of *wuḍūʾ* takes place. What he wants to say is that: *wuḍūʾ* itself is a constant state and whether it has been interrupted or not interrupted by a length of time, it will remain institute until something actively breaks it, such as you go to the toilet, you pass wind,

you go to sleep for a long time, etc. These are the things that have to happen, that is of course the first chapter that we will study in academic year three, the *Nawāqiḍ al-Wuḍūʾ*. *Nawāqiḍ* is the *jamʿ of nawafid* - the things which invalidate *wuḍūʾ*.

لكن لا يعيده في هذه الحال ليستأنف المسح عليه؛ لأنَّه لو قيل بذلك لم يكن لتوقيت المسح فائدة؛ إِذ كلُّ مَنْ أراد استمرار المسح خلع الخُفَّ، ثم لَبسه..

What does he basically say? He says that the situation is very clear. A person remains in *wuḍūʾ* until there is an evidence which establishes that he has broken his *wuḍūʾ*. There is no way that we can assume that there is something - there is no evidence for that whatsoever. This is what Shaykh al ʿUthaymīn رحمه الله says, if you look at his *huja* (evidence) he is saying that purification is something which is established with a *Dalīl sharʿi*, with a *sharʿi* evidence, and to break *wuḍūʾ*, you also need *Dalīl sharʿi*, you need a *sharʿi* evidence and in the absence of any legal evidence which shows that his *wuḍūʾ* is broken then his *wuḍūʾ* continues. Shaykh al ʿUthaymīn رحمه الله says this is the correct opinion, and this is something which is clear and without any doubt. He says, even if you think about an analogy (he gives us an analogy which is an interesting one), he says,

ويؤيِّده من القياس

If a man had lots of hair and he wipes over his hair, meaning full *wuḍūʾ*. The whole point of lots of hair is that it is very far away from the scalp. Then he has a haircut (completely). There are two points here, let us use Nazeef as an example. Nazeef has his wonderful locks, the main thing is that no water reaches the actual head, which it has to if you have no hair.

Then you take off all of the hair. Does taking off all of the hair remove the *wuḍūʾ?* It doesn't. That is what the Shaykh says,

فطهارته لا تنتقض

It has not been invalidated. His purity has not been invalidated. Then he gives some evidence which I don't think is relevant.

Anyway, what is our conclusion? Our conclusion upon this point is this: it doesn't matter if a person has his sock or *khuff* removed or not, as long as he has kept his *wuḍūʾ*, he is in *wuḍūʾ*. Simple as that. If he breaks his *wuḍūʾ* he has to do it again. It's

straightforward. S*ubḥānAllāh* it is a very simple argument. That is the simplicity of the Sharīʿah. It is very simple.

Student: What you are saying in the first opinion is, you make *wuḍū*ʾ and you put your socks on and immediately you take your socks off, and that breaks your *wuḍū*ʾ? Is that because they are saying you are making *wuḍū*ʾ with the intention of *mas-ḥ*?

Ustādh: Is that on the basis that they are...

Student: Suppose somebody...because you have two scenarios. A guy [makes and] has no intention of making *mas-ḥ* and he makes his *wuḍū*ʾ and puts his socks on. Then he says; you know what, it is too hot so I am going to take them off. The [other] person says I am going to make *wuḍū*ʾ in the morning and I have the intention to make *mas-ḥ* over my socks all day.

Ustādh: The *ʿillah*, Shaykh al-ʿUthaymīn's رحمه الله says,

والعِلَّة: أنَّه لما زال الممسوحُ بطلت الطَّهارة في موضعه، والطَّهارةُ لا تتبعّضُ،

It is like the example that we gave,

والطَّهارةُ لا تتبعّضُ،

Which is that the thing which is *mansūḥ* or the wiped thing, if it is removed, then the purity in that area is also removed. It is almost like you imagining that you wiped over your socks and then you took them off. The way it is seen is that the purity is on the sock. The sock is going to go over there so your feet are being removed from their purity. They [all the schools] agree with that [point] that your feet are not pure anymore.

This point leads to those first 3 positions. They all agree that purity is done on the *mansūḥ* and then the sock is taken off. If the feet do not have purity, how does [the last position] respond to that? The second position said that if it happens there and then, then you can wash the feet. If it happens after a long time or 20 minutes, then you have to do *wuḍū*ʾ again. The third position said there is no need for any of that [logic of socks being purity less], just wash the feet.

The Ḥanbalis are saying you cannot do this half mutated type of *wuḍū*ʾ in positions two and three. They say that you either say the *wuḍū*ʾ is broken or you say the wuḍūʾ is not broken. This is because of *la tataba*ʾ*ḍ*, or you cannot divide *wuḍū*ʾ. You cannot

divide *wuḍūʾ* into different parts. They say you have to make the *wuḍūʾ* again.

Student: The thing that was confusing in the beginning is you were making *wuḍūʾ* upon a sock. You have socks on already, which have *mas-ḥ*.

Student 2: No, we are not talking about *mas-ḥ*. We are talking about you doing *wuḍūʾ* and then you put on your socks. You did not do *mas-ḥ* but your intention is to do it.

Student: No, no you are doing *wuḍūʾ* and you put the sock on, ready for the day. You are doing a fresh *wuḍūʾ* and then you put the sock on.

Ustādh: Yes.

Student: So you are still wet and then you took the sock off.

Student 2: That is what we understood when you started [with the explanation]. That is why it is so confusing. [Another student echoes his agreement here] So what you are saying is that you are in *wuḍūʾ* with your socks on. Then you are going to do your [next] *wuḍūʾ* and when you get to your feet, then you...

Ustādh: I do not know. Did I read that out properly?

مسألة: إذا خلع الخُفين ونحوهما هل يلزمُه استئناف الطَّهارة؟

The issue is that if a person takes his socks off, okay, does that require him to do *wuḍūʾ* again? What did you understand from that?

Ustādh: We're talking about a person in *wuḍūʾ. S*o what do we take out of this conversation? We're taking that breaking the *wuḍūʾ* is out of the conversation, we're now just talking about a person now who's in *wuḍūʾ*, he's got *wuḍūʾ* and he's got his socks on and in all three positions he is taking his sock off.

Student: What is the situation of the person before these four positions came, cause what's understood by the first position: a person's making *wuḍūʾ* and he's washed himself and he's made *wuḍūʾ* and everything's wet and he's put his socks on [after] complete *wuḍūʾ.* Now having washed his feet, he's put his socks on and then he's broken his *wuḍūʾ*, how's that happen? Because he's still got *wuḍūʾ*, he's not broken any *wuḍūʾ*, the point here is that he's made *wuḍūʾ* and he's still wet and he's made *mas-ḥ* over he's feet then has he? What's the precondition that he's in?

Ustādh: Yeah, I wonder whether the original state is not clear. Let me just try and think how I can reword this to make it clearer. A person, he takes off his *khuff*, okay, and right, does that break his *wuḍūʾ* or not?

Student: In what state?

Ustādh: If he now needs to make *wuḍūʾ*, does he have the ability to be able to wipe over his socks or not?

Student: He's just taken it off though

Ustādh: Let's say he needs to make *wuḍūʾ*

Student: No, no, but what's his state? Is his state when he takes his socks off, is he in *wuḍūʾ* and then the three opinions says, one, no, he has to do the complete *wuḍūʾ* again, two, no, he just washes his feet, three, if it was done, or *wuḍūʾ* was done a short while ago, then he can just wash his feet and four, no, when he takes his socks off then he is completely fine.

Ustādh: I don't know whether I have confused myself or whether I've gone back or upside down.

Student: You need to tell us, is this at the beginning of the day, where he's done a complete *wuḍūʾ* and then he's put his sock on. Are we talking about that's his prerequisite state, or are we talking about *Ẓuhr* time? He's done his *wuḍūʾ* in the morning, he's put his sock on, it's *Ẓuhr* time and now he's doing *mas-ḥ* over it, which one of those two situations is he in?

Ustādh: And he hasn't broken his *wuḍūʾ*?

Student: He hasn't broken his *wuḍūʾ*

Ustādh: Actually, let me just make it clear what I'm talking about and then you tell me what you guys have understood from me. I'm talking about a person, who literally is making *wuḍūʾ*, him taking his sock off, doesn't make sense does it? I mean that's the whole point, it's not a realistic scenario. Does taking the sock off after he has made the *wuḍūʾ* break the *wuḍūʾ* or not? That's the point I'm trying to [get at], that's how I understand it. I don't know whether I have portrayed that. The clear position, the class position, the common sense position, Shaykh al- ʻUthaymīn's رحمه الله position, the fourth position, is that a person who takes his socks off, does not break *wuḍūʾ*.

Student: That is what I understand because the first...

Ustādh: Everything should be based upon that predicate.

Student: Yes. The third position is that if he has taken his socks off, [then he should] just wash his feet. Yes?

Ustādh: Yes.

Student: The second position is that he has taken his socks off...

Ustādh: Hold on, hold on. If you understand it, then I you understood it as I have. For me, it is simple and the question is a straight forward one. [The question] is whether [if someone is] taking the socks off, [does it] break [their] *wuḍūʾ* or not?

Student: But that is when you have already had *mas-ḥ* over a sock? It is not when you have not done *mas-ḥ* over a sock because then you go [wash feet] off.

Ustādh: But then what is the point? Yes. I agree with you.

Student: Because you have washed your feet and then you have put your socks on. Then when you take the socks off, nothing has changed. This is what I understand from this [scenario]. This scenario is asking what happens if you take your socks off after you have had a *wuḍūʾ* of *mas-ḥ* over your socks.

Ustādh: How else could it be other than that? Like, if I am saying to you, the ruling on a person [if he has] *wuḍūʾ* with socks on and he takes his socks off is that he has broken his *wuḍūʾ*. Is that true or not? I say no, it is not [true]. What is that assuming as his base statement?

Student: His base state is assumed as he has made *wuḍūʾ* and he is already done *mas-ḥ* over his socks. He has already broken his *wuḍūʾ* and made a new *wuḍūʾ* with *mas-ḥ* over his socks.

Ustādh: Correct.

Student: Now he is in the four scenarios.

Ustādh: Yes. So what did I say?

Student: We understood, from what you said, that he makes *wuḍūʾ* in the morning and washes his feet and then he puts his socks on. Now the four scenarios begin. He takes his sock off...

Ustādh: What is the actual difference between those two [scenarios]?

Student: Because if he has made his complete *wuḍūʾ* and put his socks on and then takes them off, he has not broken his *wuḍūʾ*. He is still in *wuḍūʾ*.

Ustādh: Okay [I understand] and [now explain] the second scenario. The other scenario...

Student: He has made *wuḍūʾ...*

Ustādh: He has made *wuḍūʾ* at one time...in the time slot.

Student: In the morning, he has made *wuḍūʾ* and he has washed his feet and he has put his socks on.

Ustādh: Yes, in the morning.

Student: [He did it at] 10 o'clock in the morning. He has broken *wuḍūʾ* and now I want to pray *Ṣalāt'l ḍuḥā* and he makes *wuḍūʾ* [with] *mas-ḥ* over his socks. Then it comes down to *Ẓuhr* time and he has broken his *wuḍūʾ*. No, no, he is still in *wuḍūʾ*.

Ustādh: Whoa, whoa man. You are making it complicated.

Student: Wait, no, no, no. It is *Ẓuhr* time and he is now in a *wuḍūʾ* of *mas-ḥ* on his feet.

Ustādh: Because...

Student: He made *wuḍūʾ* for *Ṣalāt'l ḍuḥā*. Now he has got his *wuḍūʾ* and he has got his *mas-ḥ* over his socks. Then he says, you know what, it is a hot day man. I want to take my socks off [because] my feet are burning.

Ustādh: Yes.

Student: So I want to pray *Ẓuhr* without my socks on.

Ustādh: Correct.

Student: I have taken my socks off. So what am I doing now?

Ustādh: Correct. This is what I am describing. I am describing that scenario without all of the rest of the theatrics.

Student: I do not think that was very clear.

Ustādh: Right.

Student: You need to base it...

Ustādh: Tell me what I need to say to make it super clear.

Student: The base state of the person who finds himself in those four scenarios is [that] he is in a state of *wuḍūʾ*, having made *mas-ḥ* on his socks.

Ustādh: Yes. [That is] correct.

Student: But you did not say that in the first one. What you said in the first one is that he did not do *mas-ḥ* and he put his sock on. Then he thought I am feeling hot [so] I am taking my socks off and his limbs are still wet...

Ustādh: Let me repeat, word for word. Let me do a literal translation of the first opinion. Shaykh says, the question is: if he takes off his socks or his shoes, does that mean he must make *wuḍū*ʾ again?

They differed over this into four positions. The first position (and this is what the author decided was his position, may Allāh ﷻ have mercy upon him), that he must repeat his purification. Even if that sock coming off, that exposing of the sock, happened after *wuḍū*ʾ, after only a very small time and before his limbs have even dried. It is obligatory upon him to do full *wuḍū*ʾ. The reason is, that once you have wiped over something and then that goes away (you remove it), then the purification has been invalidated from that area - and purification cannot be divided. So, if purification is invalidated in one limb, then it is invalidated in all of the limbs. This is the position of the *madh-hab*.

Student 1: That makes sense now

Student 2: It's the complete opposite to the position before.

Ustādh: Okay, but first of all you are saying it makes sense now

Student 2: No, it doesn’t. He hasn’t specified the base state

Student 1: No, it does, it does.

Ustādh: Okay go on.

Student: The way you said it the first time round was, imagine that I woke up, I've done *wuḍū*ʾ...

Ustādh: Okay forget that, forget that. How do you understand it now?

Student: I understand it now as he's done *mas-ḥ* and then his ankle has been revealed (that invalidates his *wuḍū*ʾ...

Ustādh: He's done *mas-ḥ* on this *khuff* and he's washed the rest

Student: Yeah, it's still wet and socks come off

Ustādh: Socks come off, now does he have to make *wuḍū*ʾ again or whatever whatnot? So his base state is that he was in *wuḍū*ʾ and he did *mas-ḥ* at this moment in time. This is what I understood it as. That didn’t come across clear? We wasted ten minutes of absolutely...

Student: [inaudible] That's why I stopped you at point one and you said, "no, be quiet"

Student 2: True, true, it's true, it's true

Ustādh: I should always listen to Shazad, that said let's discuss it after four points, *sah*? And after that decision cost us ten minutes

Student: And now when we review of the classes, what they're going to be like from now on, we're like, "Oh my God, we're going in reverse"

Ustādh: Okay, I think everyone is clear now. Alright, let us make it absolutely clear, alright, that the Ḥanbali *madh-hab* consider that if you were to make *mas-ḥ* over your socks, and then take them off after you've just made *wuḍū*ʾ, then that's not good enough. You have to make *wuḍū*ʾ again.

We said that all the evidences go to what is clear, that if you make *wuḍū*ʾ and you wipe over your socks that is it. You are now in a *sharʿi wuḍū*ʾ. You have done *wuḍū*ʾ exactly as Allāh ﷻ has commanded you to do it and now for you to be taken out of that state - something clear has to take you out of that state, and taking the socks off is not good enough because there is no evidence for that. There is no evidence for this concept that the purity is in the sock and when it gets taken out then the *wuḍū*ʾ has gone with it.

The purity is in the sock, then when it gets taken out then the *wuḍū*ʾ has gone with it. There is no evidence for that.

Wuḍū Remains After Period of Wiping Ends

Then the final statement is that if the time period expires, then one would need to renew his purification. So if the time period expires, this is the *madh-hab* position even if he has *wuḍū*ʾ, then it’s obligatory upon him to repeat his *wuḍū*ʾ.

For example a person on Wednesday he wipes at 12 o’clock he puts on his *khuffs* at maybe 9 o’clock he breaks his *wuḍū*ʾ at 10 o’clock and he wipes at 12 o’clock. When does the time period start?

Students: 12 o’clock

Ustādh: why?

Student: [inaudible]

Ustādh: [It] starts from the time he wipes and then on Thursday at 12 o'clock what has happened?

Student: [inaudible] according to *madh-hab* he has to make *wuḍū*ʾ again

Ustādh: Correct, according to the *madh-hab* at 12 o'clock on Thursday regardless of his current state, if he is in full *wuḍū*ʾ or not suddenly, it's like the *wuḍū*ʾ drained out of his body. It's like gone that is the *madh-hab* position and that is what the *muʾallif* has just emphasized. Imagine Shaykh al-ʿUthaymīn رحمه الله is going to go to town, he says:

ولا دليل على ذلك من كتاب الله تعالى، ولا من سُنَّة رسوله صلّى الله عليه وسلّم ولا من إجماع أهل العلم

That is when you know when someone is angry. There is not a single evidence for this other than from the book of Allāh ﷻ, neither from the *Sunnah* of the Messenger ﷺ and neither from the consensus of the people of knowledge. I think this is pretty straight forward.

The next portion is a pretty kind of a nice rant. The Prophet ﷺ gave time for the wiping so that people will know the length of time that you can wipe not the length of time for your *wuḍū*ʾ. It wasn't a period of time which says that your *wuḍū*ʾ lasts for 24 hours and that is something as we said which *wuḍū*ʾ is established by clear *sharʿi* evidence and it needs to have clear *sharʿi* evidence to break it.

The basic principle in *ṭahārah* is remaining its continuity - its existence once you enter into *wuḍū*ʾ. Then the basic principle is you are always in *wuḍū*ʾ until it's broken and actually this is why it's nice to talk about this. He says what if someone says, "well you know what, you should make *wuḍū*ʾ out of *aḥtiyāṭ* " and you know we always liked the principle of *aḥtiyāṭ* out of safe side. You are not sure. Is this 24 hours period the Prophet ﷺ said? Was this applying to *wuḍū*ʾ or was it applying for *mas-ḥ* so what is it? Because we don't know let's then go on the safe side and make *wuḍū*ʾ again.

Shaykh al-ʿUthaymīn رحمه الله says that the concept of *aḥtiyāṭ*, being on the safe side, is a big chapter and a big issue. The question we should ask is actually, "what is the safe position here?", "what is the safe position to do?". Is it that we should stick to which is easy, which is a *sharʿi* position isn't it? The Prophet was never given two scenarios except that he would choose the easier one. Is that the safest position to take or is it to be strict or is it actually to stick to that which is indicated by the *Sharīʿah* and of course the last one is the one which is the safest.

Shaykh al-ʿUthaymīn رحمه الله says what if then we have doubts on whether what the *Sharīʿah* has established in actually in play, as in what the *Sharīʿah* is saying. Shaykh

al-ʿUthaymīn ﷺ says some of them (the Scholars) say that take the easiest position, they said the easiest position because,

الأصلَ براءة الذِّمَّة

The basic position is that one is free of having to do anything; one is not obligated to do just because sake of doing it and therefore the religion is based upon ease and so on. Others said, "No, what we will do is take the stricter position and that is what is safer".

Shaykh al-ʿUthaymīn ﷺ makes a good point and says that we do not need to go to any of these two positions. He says that in this particular scenario, we already have an *aṣl;* a principle. We have a basic principle which has been given by the Prophet ﷺ and he has made it very, very clear. If there is an issue of doubt, I will tell you what to do. And that is the *ḥadīth* we all know: "If one of you imagines that he might have felt something, (as in you might feel that you might have passed wind and you are not sure. You feel in it your stomach, or you feel it in your intestine or in your anal canal and you are not sure) the Prophet ﷺ said he does not need to leave the prayer, until he hears a sound or there is a smell".

It is clear that doubt is not good enough. There has to be clear evidence afterwards to make it very clear that what has happened is actually which broke the *wuḍūʾ*. Shaykh al-ʿUthaymīn ﷺ says there is no difference in this whether the reason is something which is theoretical or legal or practical, because some people might say that the doubt here that you are talking about in this *ḥadīth* is something physical, something which you could see and the one we are talking about it based upon evidences and theory. Shaykh al-ʿUthaymīn ﷺ makes a really good legal point here, it is irrelevant whether the issue of doubt appears in the theoretical legal text or whether it appears in actual practical that happens to you, like a physical bodily function. The principle is the same.

If you have doubt in your *wuḍūʾ*, then the principle is that your *wuḍūʾ* is intact until you have certainty that it is not broken. Really good answer actually if you think about it from the legal point of view. Based upon this, the *rājiḥ*, the correct opinion is which was chosen by Shaykh Ibn Taymiyyah ﷺ that the *wuḍūʾ* is not broken by the time period running out, because there is no evidence for that.

Wiping Over a Plaster Cast

What Shaykh al-ʻUthaymīn رحمه الله says on the final page is that if you had a plaster cast, they said the same thing would happen according to the *madh-hab.* If it got better (the cast was removed), your *wuḍū*ʾ is broken. Imagine where they (the *madh-hab*) are going. You have a big wound or a plaster *cast* and you have been wiping over that and as a result of that wiping you are in *wuḍū*ʾ.

Now that it has gotten better and your still in *wuḍū*ʾ your *wuḍū*ʾ is now broken. Because wiping now is invalid, because your wound has been fixed [according to the *madh-hab*].

What do we say? We say that no, just as we had said before, *wuḍū*ʾ once it has been entered upon legitimately then it can only be broken legitimately not just by a theory or whatever. Even if it [washing the arm] is better underneath [the plaster cast], the *wuḍū*ʾ is still valid. Now, if you need to make *wuḍū*ʾ again it is not permissible to wipe over that plaster cast because it is fixed underneath and you now need to remove it and if you need to make *wuḍū*ʾ again then it's a new fresh *wuḍū*ʾ. That is basically, the chapter and Allāh ﷻ knows best.

Q & A

Q: What is the Arabic word for "safe side"?

A: *al-aḥwaṭ* or *al-aḥtiyāṭ* - the same as in the Urdu language as well; *aḥtiyāṭ* means cautious or caution, *al-aḥwaṭ* is the more encompassing position.

Q: Can it be argued that the first three opinions almost imply *wuḍū*ʾ is about physical cleanliness of the limbs, when in actual fact it is an act of worship which brings one into a spiritual state?

A: That's a good question and the answer is no. I don't think so at all even though there are right, the question is right that it could be seen that the issue is all about physicality, it's not at all. It's purely about that analogy, that false analogy that we put forward, that they think the purity is in something which has been removed. So no, it is not that, it's not that at all.

Q: The word "*baṭnihi*" regarding losing *wuḍū*ʾ by passing wind, refers to what again?

A: So the word "*baṭn*" means stomach. Okay? But the implied meaning is not the stomach here. The implied meaning is whether you feel something in your stomach, or intestine, or towards the very end. But it does actually mean that you feel like you might have passed wind. So, it is referring to the process. It doesn't really in this *ḥadīth*, the focus is not actually on the stomach itself, the focus is on the person

actually believing that he has broken his *wuḍū'.* Is that enough or not? Is that doubt by its very nature enough or not?

So let me say then in summary of this chapter of wiping the socks. Wiping over the socks is an action which was practiced by the Prophet. Its ruling depends upon the time one is doing it. If it is a time where people have rejected it and are fighting against it, then it is something which might be an obligation to do. Otherwise, it is a *Sunnah* of the Messenger of Allāh ﷺ. A question that often comes up is wiping something which is a concession in principle - yes it is, it is a concession.

Is wiping therefore something that is good to do? Meaning that if a person had socks on, leather socks on, so he's got *wuḍū'* and then he puts his leather socks on and he is at home and he's got all the opportunity now to do whatever he is going to do - should he now take them off and make full *wuḍū'* because to wash the feet is better or should be wipe? The majority of the *ʿulamā'*, Abū Ḥanīfa رحمه الله , Imām Mālik رحمه الله , and Shāfiʿi رحمه الله - they said definitely to wash the feet when you are at home and so on because the *aṣl*, the basic principle, is to wash the feet and the concession is something which is allowed. The Ḥanbali School said no, it is a *Sunnah* to maintain, to do it. Actually, to be honest with you, Imām Aḥmad ibn Ḥanbal رحمه الله himself as the Imām of the *madh-hab*, he was very, very pro-wiping and he said actually it is better to wipe. The reason he said it is better to wipe is because he is an Imām of *ʿaqīdah*, and he really used to hate the *Shīʿa* for their kind of *bakwās*, yeah. And he goes for *Ahl'l-Sunnah* to prove to them that is something permissible, that's something which is *Sunnah*, which makes them freaked out yaʿni, it's good that you do it and so on. So, actually according to Imām Aḥmad ibn Ḥanbal رحمه الله it is better to wipe.

The position we take and Allāh ﷻ knows best, is the position of Ibn Taymiyyah رحمه الله and Ibn al-Qayyim رحمه الله , that it is *Sunnah*, it is better to wipe over the socks if your socks are on, and you have your *wuḍū'* in that state. And it is better to wash your feet if that is the state that your feet are in, meaning that you don't have socks then it's best to just wash your feet. Ya'ni to do whatever is done. The evidence they use for that is a really simple understanding from the Prophet ﷺ, when people would pour water for him to make *wuḍū'*, he would, and the one time that Mughīrah came to take off his socks when he was doing it, he said, "Leave them, I put them on when I was pure". So Ibn Taymiyyah رحمه الله is saying, look, if the socks are there, wipe, if the socks are not there then wash, and that is the *Sunnah*, that is the way. I think it is a nice, simple, and powerful way and that's how we should approach it.

When we are wiping then we understand that once you wash your feet and you put your socks on then it can be *khuffs*, the leather socks that we all know, and it can be a shoe, it could be a Gore-tex sock, and it could be cloth sock as well. It could be clear, transparent, opaque, but what it can't be is to be completely non-sock like, it can't be woman's tights, it does need to have some kind of sock kind of feature. We don't mind

if it has holes in it or has tears in it, this is something which is normal, as long as the sock is covering the foot in its totality, in its general totality, then it's fine.

If the sock is more off the foot than on the foot, if the sock is seen to be covering less of the foot than more of the foot, then the ruling is based upon what is majority. Otherwise we are easy on the sock.

The wiping period of time starts once you have wiped. So if you were to make your *wuḍū'* and start at 9:00 in the morning, then you broke your *wuḍū'* at 3:00 in the afternoon, but you only prayed 'Aṣr at 8:00 in the evening and that is when you made *wuḍū'*, then your time period starts from 8:00 in the evening, which shows that a person can be wiping and so on and so forth for far, far longer periods of time than just 24 hours.

The time periods are 72 hours and 24 hours. If one is ever in doubt about the period of time then they always assume the position of being at home, 24 hours. Otherwise if you are a traveller and you have not removed your socks and especially if you have not wiped and you start traveling, then you can take advantage of the 72 hour period (as we covered in the last couple of weeks).

The issue of the wiping is that it should be done at the same time, starting from the top and then going along the toes to the middle of the shin, it doesn't need to be all of it, done with fingers wide open [naturally open, not open to their extent and not closed]. Many of the Companions ﷺ would wipe over the socks, so many that there should be no doubt about it. The narrations about them are about seven or eight and the like, and authentic. That I think is the summary that I think that needs to be said about wiping over the socks.

Contemporary Issues

Allāh ﷻ

The topic I chose to quickly want to talk for a few minutes which is topical, is the murder of sister Naheed, may have mercy on her and accept her as a *shaheedah*. There are a few points I wanted to make relating from a *sharī'ah* point of view. A lot of people are emotionally charged. The problem is that when you are emotionally charged because something shocking happens a) emotionally charged because we have oppression and hypocrisy, b) that leads people take the decisions and do things which are not all together the correct Islamic approach.

For example, we know that when a non-Muslim dies in any kind of manner, Muslims are going to be blamed for it before evidence is found. When it is found, it's never considered a simple murder. It considered terrorism, etc. we know about that and the media goes crazy about it. When it happens to a Muslim (like it happened to

Muhammad Saleem from Birmingham), it's pure hypocrisy, no one really cares, blah, blah, blah.

I want to say that with the murder of this sister, there were responses by the media that say she was murdered because of her dressing, *niqāb*, etc. In Islam, our standards are far higher than the media's or other people. Whether they have evidence or not, or if the Essex police release a statement saying that one of our lines of inquiry is the fact that it was her dress that led to it [the murder] or not. They've made that line of inquiry, but from the *sharīʿah* point of view that is not something we would do.

From the *sharīʿah* point of view, we require evidence which is clear. All options are on the table. Until we see a proof, we don't treat this as some kind of thing to go crazy over, or protest over and so on and so forth, because that evidence is just not there. That's not right, that's not the way that the Muslims should be dealing with this.

There are people saying, do you not see how the people reacted to Lee Rigby, there was this kind of a response, and now when this sister she has been killed, then there's this kind of response, no response. Which is one of the most pathetic statements and most ignorant statements I have ever heard. No one even knows who killed this sister, there wasn't a video that was released, it wasn't done live on TV, passers-by weren't told record what I'm about to say, no political statement was made that we are the Muslims and we are killing as a result of these people, these are the *kuffār*, blah, blah, blah. This is a completely different crime, where the crime was literally done, the knife and everything is there in front of whatever. We have the scenario in Essex, where they genuinely do not know actually what's gone on. At the moment, their closest line of inquiry is this is someone who is a repeat killer, the other person who was killed was a white guy, a non-Muslim, and even that we don't know. We just don't know, and when you don't know, then you don't protest. I personally believe that is the Islamic response. I am not saying that what other people I don't think that we need to be se account is wrong or haram, we should hold the media to account. But I don't think that we need to be second guessing them in these scenarios. So I am not happy with response.

The other thing that I was going to say is, the *sharīʿah* and its acts of worship are not political play tools or to be used for PR as people do. I'm not happy with that. I noticed brothers and sisters are talking about sending messages that they are going to pray *ṣalāt'l janāzah* for the *ghaib* (the prayer in absentia) at Regence Park Masjid. You can see that the motivation is more like a protest, telling people to show up for support. There is no problem and it's good that we show our solidarity for this sister, and if there is protest for some kind of basic well established principle that you are protesting for then that should be protesting. But the acts of *ʿibādah* should not be used in this way.

Ya-ʾani, the prayer for absentia is not something that is just done randomly, for anyone at any time. This was actually a sister who had a bigger and better gathering waiting to pray over her. She was returning back to Saudi and the pictures of her

janāzah have gone everywhere. She was definitely well prayed over and it is not the system of the Muslims that they just pray *janāzah* over someone for the sake of praying over them. I understand that it is an issue of *fiqh* and there is a difference of opinion [on it].

What is disliked is how an act of *ʿibādah* was being used more for public relations [than for its essence]. Its instigation was to show that we are not going to accept this as a community. You know what, we will not accept any *ẓulm* as a community and we will protest whenever there is something to protest about, so do that. But to use the act of the funeral prayer as a toy almost, is unacceptable. I am not supporting this. I don't know who sanctioned this, and if they did, then it is of course a matter of *ijtihād*, I wish that they didn't play with the prayer like that. Its conditions are specific, and even if you were to argue for the most lenient position, because there are many opinions with respect to whether it is allowed to pray for other people, whether it's allowed to be repeated, whether it's something. And you know people have said that it's only allowed to happen if it has been confirmed that it has never been done for them, or if a person is really important or really big and we need to show respect and so on. If that last opinion is being applied here, that this sister is being seen as really, really important, and we should show respect, then that might be an acceptable excuse.

But to instigate this for public relations is something that is a problem. You are going to set a precedent, which is going to stop where? Let us say for example that one of us in Manchester gets killed in this manner, and half of Manchester pray over this person. But there were people in London who could not make it to Manchester, so they want to do a protest in London and they want to do a *janāzah* prayer for him in London as well. Where does it end?

That that is the kind of precedent that the scholars need to speak out against. This is not the right way of dealing with the *sharīʿah*. The final thing I want to say about this situation. This is a Saudi student, and I wish that the *Saudiyyah* authorities, the embassy staff, and Royal Family recognize that their own people, and the members of their own families are key members in the system that allowed this woman, if she has been killed in an Islamophobic attack, and even if it weren't her, a lot of the vitriol that is happening - they are at the root of that.

People like Walīd ibn al-Talāl, he is someone who has a controlling stake in Fox News and News International I think and whatever and what not. These are the people who fund them and support them and they are the ones who are ramping up that rhetoric which allows for people to be attacked. I am not saying that this attack is an example of that but if you look at the three Emirate sisters, and other crimes that have happened where they are seen as a soft touch. That is something which of course our sisters are at a threat of and people who are at that level.

I also know that this class is being broadcast and is being supported by an organization that is involved with the Royal Family. That is why I wanted to mention

this, because they will see this and they will hear this - that they also need to do their own part which is to put pressure on their own people who are investing in these kinds sources, which are leading to more difficult situations. Anyway, so those are a few points that I wanted to state and Allāh ﷻ knows best.

I hope and pray that we all benefited in this year, that our intentions were made purely for His sake, and that we act upon this knowledge in the correct way. We ask Allāh ﷻ to forgive us for any mistakes we made along the way, and I am sure there were many and that is the nature of *fiqh*. *Alḥamdulillāh*, it was not *ʿaqidah*. We ask Allāh ﷻ to make *Ramaḍān* an easy one for us. This is not even difficult man, all the times are decreasing. Next year though there will be some increasing times then in the next couple of years they will just be increasing. So next three years, five years it is time to make to *Hijra*, you know where? You know where we are making *Hijra* to?

Student: Nigeria.

Ustādh: Argentina. Argentina has the shortest daily fasts in the summertime, 9 hours or something like that. I like the idea of that.

Student: Wow. They make good steak as well.

Ustādh: They make good beef as well, *qasam*. They got good meat, Argentinian beef and Argentinian steak. So we hope *in shā Allāh* that you guys have a good *Ramaḍān* and, *in shā Allāh*, all the best, and all the *duʿāʾs* from the LP team. A request for all of you watching online to make *duʿāʾ* for these *miskīn* guys, mostly *miskīn* Naẓīf and Widad, who both run the whole program. Shazād seems to have retired, I don't know where he is these days, enjoying himself these days, *Allāhu ʿalam*. Hopefully, everyone will take part in the reviews. The forums will also come back to life in a week's time, when I sort my life out *in shā Allāh*, make *duʿāʾ.*