

الْوَجِيز

فِي

فقه السنّة و الكتاب العزيز

**Al-Wajeez fee
Fiqhis-Sunnah
wal-Kitaabil-`Azeez**

by

`Abdul-`Azeem ibn Badawee al-Khalafee

BOOK OF PURIFICATION

Lesson 2: Types of water: (3 types)

Lesson 3: Impurities: (8) + (5)

Lesson 4: How to purify impurities

Lesson 5: Sunnahs of the Fitrah

Lesson 6: Toilet manners: (15 points) + (2)

Lesson 7: Purification for the Prayer

-The wuḍoo.: Its description

-The conditions for its correctness: (2)

-Its Obligations: (8)

Lesson 8: Sunnahs of the wuḍoo.: (10)

Lesson 9: Those things which break wuḍoo.: (5)

Lesson 10: -Those things which wuḍoo. is obligatory for: (2) or (1)

-Those things wuḍoo. is recommended for: (9)

Lesson 11: Wiping over the leather socks.

Lesson 12: *al-Gh^hu^sl*-The Bath.

Lesson 13: The recommended baths. (8)

Lesson 14: Tayammum.

Lesson 15: Menstruation and After-birth bleeding.

(Lesson 2) :

THE BOOK OF PURIFICATION (AT-TAHAARAH)

Purification (at-Tahaarah) in the language is: cleanliness, and keeping free of from states of impurity.

In the terminology of the legislation: removing a state of impurity or removing impurities.

1. The Chapter of types of Water (al-Miyaah):

All water which descends from the sky or comes out from the earth is pure and purifying (*tahoor*), in accordance with the Saying of Allaah- the Most High:

[[Meaning: And We sent down from the clouds water which is pure and purifying]]

[Sooratul-Furqaan (25):48]

Also due to the saying of the Prophet (salallaahu 'alaihi wassallam) with regard to the ocean,

"It is pure and purifying with regard to its water, lawful with regard to its animals which die."¹

And due to his (salallaahu 'alaihi wassallam) saying with regard to the well,

" Water is pure and purifying and nothing causes it to become impure"²

And it remains upon its pure and purifying state, even if something pure becomes mixed with it, as long as it does not depart from its absolute state.

Due to his (salallaahu 'alaihi wassallam) saying to the women who carried out the funeral preparations for his daughter,

"Wash her three times, or five times, or more than that if you see fit, with water and lote- tree leaves; and place in the last one camphor or something from camphor."¹

¹ Saheeh: Sunan Ibn Maajah (309), Muwatta. Imaam Maalik (26/40), Sunan Abee Daawood (1/152/83), Sunan at-Tirmidhee (1/47/69), Sunan Ibn Maajah (1/136/386), Sunan an-Nasaa.ee (1/176) from a hadeeth of Aboo Hurairah [as-Saheehah:480]

² Saheeh: Irwaa.ul-Ghaleel (no.14), Sunan Abee Daawood (1/126,127/67&66). Sunan at-Tirmidhee (1/45/66), Sunan an-Nasaa.ee (1/174) from a hadeeth of Aboo Sa'eed al-Khudree.

And water is not judged to be impure even if impurity falls into it, unless it causes a change in it.²

Due to the hadeeth of Aboo Sa`eed, who said: "It was said: O Messenger of Allaah! Shall we perform wuḍoo. from the well of Buḍaa`ah (a well in al-Madeenah)? (And it was a well into which menstrual rags, and carcasses of dogs, and foul-smelling things became carried)". So he (salallaahu `alaihi wassallam) said

" Water is pure and purifying and nothing causes it to become impure."³

¹ Saheehul Bukhaaree (3/125/1253), Muslim (2/646/939) from a hadeeth of Umm `Atiyyah al-Ansaariyyah

²Meaning a change in its taste, or its smell, or its colour. al-Bukhaaree mentioned its like from az-Zuhree (The Book of Wudoo. : Chapter 67) [transl.]

³ Saheeh: Irwaa.ul-Ghaleel (no.14), Sunan Abee Daawood (1/127/126/67/66). Sunan at-Tirmidhee (1/45/66), Sunan an-Nasaa.ee (1/174). al-Mubaarakfooree said in 'Tufhatul Ahwadhee (1/203) at-Teebee said: "the meaning of his saying: 'it is cast into' is that the well was in the path of flood water from some waadis wherein some bedouins would settle, and they would throw those filthy things outside of their houses. Then the flood water would carry it to the well. So the narrator expressed this in a manner which might give the false impression that it was the people who threw these things (into the well) because of their weak adherence to the Religion. However this is something which no Muslim would permit, so how can that be thought about those who were the best and purest of generations." al-Mubaarakfooree said: "this was also the statement of some of the people of knowledge and it is what is apparent, and this is what has to be stated."

(Lesson 3) :

2. The Chapter of Impurities (an-Najaasaat):

Najaasaat (impurities) is the plural of *najaasah* (impurity), and it is everything which the people of sound nature hold to be dirty, and which they guard themselves from, and which they wash their clothes from if it fall upon them, such as urine and excrement.¹

And the basic principle for all things is permissibility (*ibaaḥah*) and that they are pure (*at-Tahaarah*). So whoever claims that a particular thing is impure must bring evidence. So if he produces it then that is the case; but if he is unable to do so, or he comes with something that does not establish proof, then what is obligatory upon us is to remain upon what is necessitated by the basic principle and the basic natural state.² This is because passing a judgement that something is impure is a ruling which will bring about general duty and responsibility, so it is not permissible except after proof has been established.³

So from that which has been proven to be impure are:

1 & 2: Human urine and excrement:

As for excrement (*al-ghaa.it*), then because of the hadeeth of Aboo Hurairah that Allaah's Messenger (salallaahu 'alaihi wassallam) said:

"If one of you steps with his shoe upon something harmful (*al-Adhhaa*), then the earth will be purification for it."⁴

And '*al-Adhhaa*' is everything which harms/offends, from impurities, filth, rocks, thorns, and other then that.⁵

And what is meant by it in the hadeeth is impurity (*najaasah*), as is clear. As for urine, then because of the hadeeth of Anas: that a bedouin man urinated in the mosque, so some people stood up to restrain him. So Allaah's Messenger (salallaahu 'alaihi wassallam) said:

"Leave him, and do not interrupt him."

¹ ar-Rawdatun-Nadiyyah (1/12)

² as-Saylul-Jarraar (1/31) of ash-Shawkaanee.

³ ar-Rawdatun-Nadiyyah (1/15) of Siddeeq Hasan Khaan.

⁴ Saheeh: Saheeh Abee Daawood (no. 834); Aboo Daawood (2/47/381)

⁵ Awnul-Ma`bood (Sharḥ Abee Daawood) (2/44)

He said when he finished he (salallaahu 'alaihi wassallam) called for a bucket of water, and poured it upon it.¹

3 & 4 Pre-seminal fluid (al-Mad^hee) and al-wadee:

As for pre-seminal fluid, then it is clear, thin, slippery fluid which discharges when there is (sexual) desire. Its discharge does not itself give a feeling of delight, nor does it shoot out all at once, nor is it followed by slackness. The person may not notice its discharge, and this happens to men and women.²

And it is impure (najas), and therefore the Prophet (salallaahu 'alaihi wassallam) ordered that the penis be washed from it.

From `Alee who said: I was a man who had profuse pre-seminal discharge, and I felt shy to ask the Prophet (salallaahu 'alaihi wassallam) because of my position with respect to his daughter. So I told al-Miqdaad ibn al-Aswad, and he asked him. So he said:

“He should wash his penis and perform wu^doo..”³

As for 'al-wadee', then it is a thick white fluid which may come out after urination,⁴ and it is impure.

From Ibn `Abbaas who said: “Semen, and 'al-wadee', and pre-seminal fluid (al-mad^hee). As for semen, then it is what necessitates a bath (gh^usl); and as for 'al-wadee' and 'al-mad^hee', then he said: “Wash your penis, or: the parts of your penis, and perform wu^doo. in the manner in which you perform wu^doo. for the Prayer.”⁵

5. The dung of animals whose meat may not be eaten:

From `Abdullaah who said: The Prophet (salallaahu 'alaihi wassallam) wanted to go out to the toilet, so he said:

“Bring me three stones.”

¹ Agreed upon. Muslim (1/236/284), and the wording is his; and al-Buk^haa^ree (10/449/6025).

² Shar^h Sa^hee^h Muslim: (3/213)

³ Agreed upon: Muslim (1/247/303), and the wording is his; al-Buk^haa^ree (1/230/132) in abridged form.

⁴ 'Fiq^hus-Sunnah' (1/24).

⁵ Sa^hee^h...al-Bayha^qee (1/115)

So I found two stones for him and a piece of dung from a donkey. So he took hold of the two stones, and he threw the piece of dung away, and he said:

“It is something impure.”¹

6. Menstrual blood:

From Asmaa. bint Abee Bakr who said: “A woman came to the Prophet (salallaahu ‘alaihi wassallam) and said: ‘If menstrual blood falls on the garment of one of us, what should she do?’ So he said:

“She should scrape it off, then she should rub it with water, then she should wash it (all). Then she can pray whilst wearing it.”²

7. The saliva of a dog:

From Aboo Hurairah who said: Allaah’s Messenger (salallaahu ‘alaihi wassallam) said:

“The purification for the vessel of one of you if a dog licks from it is that he washes it seven times, the first of them being with earth.”³

8. Animal carcasses:

Referring to animals which die without having been slaughtered in the legislated manner, because of his (salallaahu ‘alaihi wassallam) saying:

“When an animal skin is tanned then it has become pure.”⁴

And an ‘animal skin’ (ihaab) is the hide of an animal which has died.

And exceptions to that⁵ are:

(i) Dead fish and locusts, because of the hadeeth of Ibn `Umar-(radiyallaahu `anhu)maa - who said: Allaah’s Messenger (salallaahu ‘alaihi wassallam) said:

¹ Saheeh: Saheehul-Jaami`: (253); Ibn Khuzaymah (1/39/70), and it is reported by others without the words ‘from a donkey’. It was reported by al-Bukhaaree (1/256/156), an-Nasaa. (1/39), at-Tirmidhee (1/13/17), and Ibn Maajah (1/114/314).

² Agreed upon: Muslim (1/240/291), and the wording is his; al-Bukhaaree (1/410/307)

³ Saheeh: Saheehul-Jaami` (3933); Muslim (1/234/91/279).

⁴ Saheeh: Saheehul-Jaami` (511); Muslim (1/277/366), Aboo Daawood (11/181/4105).

⁵ i.e. to the condition of being impure (transl.)

“Two dead animals and forms of blood have been made lawful for us. As for the two dead animals, then they are fish and locusts; and as for the two forms of blood it is the liver and the spleen.”¹

(ii) Dead animals which do not have blood which flows, such as flies, ants, bees, and their like.

From Aboo Hurairah-(radiyallaahu `anhu)-that Allaah’s Messenger (salallaahu ‘alaihi wassallam) said:

“If a fly falls into the vessel of one of you then let him immerse it in it, totally. Then let him throw it out, for indeed in one of its wings there is a poison and in the other there is a remedy.”²

(iii) The bones of a dead animal, and its horn, claws, hair, and feathers. All of that is pure, in keeping with the basic principle, which is that things are pure; and because of what al-Bukhaaree reported in disconnected form,³ saying: ‘az-Zuhree said about the bones of a dead animal, such as the elephant and its like: “I met people from the Salaf of the scholars using it as combs, and as pots for oil. They did not see any harm in that.” And Hammaad said: “There is no harm in (using) the feathers of dead birds.”

¹ Saheeh: Saheehul-Jaami` (210); Ahmad (1/255/96), al-Bayhaqee (1/254)

² Saheeh: Saheehul-Jaami` (837); al-Bukhaaree (10/250/5782), Ibn Maajah (2/1159/3505)

³ (1/342)

(Lesson 4):

HOW IMPURITY IS TO BE PURIFIED.

You should know that the bringer of the legislation, who made us aware that a thing is impure, or causes other things to become impure, has also made us aware of how we are able to purify it. So what is obligatory upon us is to follow his saying and to comply with his command. So whatever it is reported about that it must be washed until no colour, smell, or taste remains from it, then that is its purification; and whatever it is reported about that water must be poured upon it, or sprinkled upon it, or that it should be scraped, or wiped upon the earth, or merely walking upon pure earth, then that is its purification. And you should know that water is the basic substance for purifying impurities, since the bringer of the Legislation described it with his saying: **“Allaah created water as being pure and purifying”**, so nothing else besides it is turned to, unless that is established from the bringer of the legislation; otherwise not, since it would be a case of turning aside from something known to be a purifier towards something which is not known to be a purifier, and this would be a departure from what the legislated manner of proceeding demands.¹

So when you know this, then here is what occurs in the legislation regarding the manner of purifying substances which are impure or which cause impurity:

1. Purifying the animal through tanning:

From Ibn `Abbaas, (radiyallaahu `anhu)maa, who said: I heard Allaah’s Messenger (salallaahu `alaihi wassallam) say:

“Whichever animal skin is tanned, then it becomes pure.”²

2. Purifying the vessel which a dog has licked:

From Aboo Hurairah, (radiyallaahu `anhu), that Allaah’s Messenger (salallaahu `alaihi wassallam) said:

“The purification of the vessel of one of you when a dog has licked it is that he washes it seven times, the first of them being with the earth.”³

¹ as-Saylul-Jarraar (1/42, 48)-with some paraphrasing. And you should know that regarding his saying “Allaah created water as being pure and purifying” al-Haafiz (Ibn Hajr) said in ‘at-Talkhees’ (1/14): “I have not found it in this form, and it has preceded as a hadeeth of Aboo Sa`eed with the wording: **“Water is pure and purifying, nothing causes it to become impure.”**”

² Saheeh: Saheehul-Jaami` (2907); Ahmad (1/230/49), at-Tirmidhee (3/135/1728), Ibn Maajah (2/1193/3609), an-Nasaa’ee (7/173).

³ Saheeh: Saheehul-Jaami` (3933), Muslim (1/234/91/279)

3. Purifying a garment which menstrual blood has fallen onto:

From Asmaa. bint Abee Bakr, *radiyallaahu `anhaa*, who said: A woman came to the Prophet (salallaahu `alaihi wassallam) and said: "If menstrual blood falls onto the garment of one of us, what should she do?" So he said:

"She should scrape it off, then she should rub it with water, then she should wash it (all). Then she can pray whilst wearing it."¹

If a trace still remains after that, then there is no harm: From Aboo Hurairah- (*radiyallaahu `anhu*)-that Khawlah bint Yasaar said: "O Messenger of Allaah! I have only a single garment, and I menstruate whilst wearing it." He said:

"When you become clean wash the place of the blood, then pray whilst wearing it."

She said: "O Messenger of Allaah! If its trace is not removed?" He said:

"The water will suffice you, and its trace will not harm you."²

4. Purifying the trailing hem of the woman's garment:

From a slave-girl who gave birth to a child of Ibraaheem ibn `Abdir-Rahmaan ibn `Awf that she asked Umm Salamah-the wife of the Prophet (salallaahu `alaihi wassallam): "I am a woman who makes the hem of my garment long, then what if I walk upon a filthy place?" So Umm Salamah said: "The Prophet (salallaahu `alaihi wassallam) said:

"What comes after it will purify it."³

5. Purifying the garment from the urine of a suckling baby:⁴

From Abus-Samh, the servant of the Prophet (salallaahu `alaihi wassallam), who said: "The Prophet salallaahu `alaihi wassallam) said:

"It should be washed from the urine of a girl, and sprinkled with water from the urine of a boy."⁵

¹ Agreed upon: Muslim (1/240/291), and the wording is his; al-Bukhaaree (1/410/307)

² Saheeh: Saheeh Abee Daawood (351); Aboo Daawood (2/26/361), al-Bayhaqee (2/408)

³ Saheeh:Saheeh Ibn Maajah (430), Muwatta. Imaam Maalik (27/44), Aboo Daawood (2/44/379), at-Tirmidhee (1/95/143), Ibn Maajah (1/177/531).

⁴ i.e. the baby who is still breast-fed and has not been weaned onto solid food (transl.)

⁵ Saheeh: Saheeh an-Nasaa.ee (293), Aboo Daawood (2/36/372), an Nasaa.ee (1/158)

6. Purifying the garment from pre-seminal fluid (madhee):

From Sahl ibn Hunayf who said: I used to experience difficulty and trouble on account of pre-seminal fluid, and I used to frequently take a bath from it. So I mentioned that to Allaah's Messenger (salallaahu 'alaihi wassallam), and he said:

"The wudoo. would suffice you for that."

I said: "What about that which fall upon my garment from it?" He said:

"It will suffice you to take a handful of water, and to rub your garment with it wherever you see it has fallen upon it."¹

7. Purifying the underneath of the shoe:

From Aboo Sa`eed-(radiyallaahu `anhu)-that the Prophet (salallaahu 'alaihi wassallam) said:

"When one of you comes to the mosque, then let him turn his shoes over and examine them. So if he sees some filth, then let him wipe it upon the earth, then let him pray whilst wearing them."²

8. Purifying the earth:

From Aboo Hurairah-(radiyallaahu `anhu) who said: "A Bedouin stood and urinated in the mosque. So the people began raising their voices against him. So the Prophet (salallaahu 'alaihi wassallam) said to them:

"Leave him, and pour a bucket of water upon his urine; for you were sent as people who make things easy, and you were not sent as people who make things difficult."³

And the Prophet (salallaahu 'alaihi wassallam) commanded that in order to quickly purify the earth. So if it had been left until it became dry, and then the trace of the impurity departed, then it would have become pure, because of the hadeeth of Ibn `Umar, (radiyallaahu `anhu)maa, who said:

¹ Hasan: Saheeh Ibn Maajah (409), Aboo Daawood (1/357/207), at-Tirmidhee (1/76/115), Ibn Maajah (1/169/506)

² Saheeh: Saheeh Abee Daawood (605); Aboo Daawood (2/353/636)

³ Agreed upon: al-Irwaa. (171); al-Bukhaaree (1/323/220), an-Nasaa. (1/48 & 49); and it is reported in longer form by Aboo Daawood (2/39/376) & at-Tirmidhee (1/99/147).

“Dogs used to urinate in the mosque, and come and go, in the time of Allaah’s Messenger (salallaahu ‘alaihi wassallam), and they had not used to sprinkle anything upon it.”¹

¹ Saheeh; Saheeh Abee Daawood (368); al-Bukhaaree in disconnected form (1/278/174), Aboo Daawood (2/42/378).

(Lesson 5):

THE SUNNAHS OF THE FITRAH:

From Aboo Hurairah-(radiyallaahu `anhu)-who said: Allaah's Messenger (salallaahu `alaihi wassallam) said:

"Five things are from the Fitrah¹: Shaving the pubic hair (al-Istiḥdaad),² circumcision (al-Khitaan), clipping the moustache, plucking the hair of the armpits, and cutting the nails."³

And from Zakariyyaa ibn Abee Zaa'idah: from Muṣ`ab ibn Shaybah: From Talq ibn Ḥabeeb: from Ibn az-Zubayr: from `Aa.ishah who said: Allaah's Messenger (salallaahu `alaihi wassallam) said:

"Ten things are from the Fitrah: Clipping the moustache, leaving the beard to grow, the tooth-stick (siwaak), entering water into the nostrils, clipping the nails, washing the finger-joints,⁴ plucking the hair from the armpits, shaving the pubic hair, sprinkling (the private parts) with water-meaning washing after using the toilet (al-Istinjaa)."

Zakariyyaa said: Muṣ`ab said: "And I forgot the tenth, unless it was washing the mouth (al-madmadah)"⁵

Circumcision (al-Khitaan):

¹ an-Nawawee said: "As for the Fitrah, then they differ about what is meant by it here, so Aboo Sulaymaan al-Khattaabee said: 'The majority of the scholars hold that it is the Sunnah', and a group besides al-Khattaabee mentioned its like. They said: And its meaning is that they are from the sunnahs of the Prophets salawaatullaahi wa salaamuhu `alaihim. And it is said: It is the Religion. Then most of these characteristics are not obligatory in the view of the scholars; and there is disagreement about some of them-such as circumcision, washing the mouth, and washing the nose..." (transl.)

² al-Istiḥdaad is to shave the pubic area. It is called 'istiḥdaad' (using iron/a razor) because of the use of the razor. It can be done by shaving, clipping, plucking, and by other means.

³ Agreed upon: al-Bukhaaree (10/334/5889), Muslim (1/221/257), Aboo Daawood (11/252/4180), at-Tirmidhee (4/184/2905), an-Nasaa'ee (1/14), Ibn Maajah (1/107/292).

⁴ Al-Baraajim: the plural of burjumah, and it is all of the knuckles and joints of the fingers.

⁵ an-Nawawee said: "al-Qadee `Iyaad said: 'And perhaps it was circumcision, which was mentioned along with the five; and this is more probable, and Allaah knows best.' "

an-Nawawee said: "And they are not restricted to the ten, and he (salallaahu `alaihi wassallam) indicated that they are not restricted to that by his saying: "from the Fitrah", and Allaah knows best." (transl.)

Ḥasan: Mukhtaṣar Muslim (182); (1/223/261), Aboo Daawood (1/79/52), at-Tirmidhee (4/184/2905), an-Nasaa'ee (1/14), Ibn Maajah (1/107/292).

Circumcision is obligatory upon the men and the women, because it is from the visible signs of Islaam, and the Prophet (salallaahu ‘alaihi wassallam) said to a man who had accepted Islaam:

“Cast off from yourself the hair of Unbelief, and get yourself circumcised.”¹

And it is from the religions practice (millah) of Ibraaheem: from Aboo Hurairah that the Prophet (salallaahu ‘alaihi wassallam) said:

“Ibraaheem the especially beloved one of the Most Merciful-circumcised himself after he had reached the age of eighty years.”²

And Allaah said to His Prophet Muḥammad (salallaahu ‘alaihi wassallam) :

[[Meaning: Then We revealed to you: Follow the religious practice of Ibraaheem, who was a Muslim upon the true Religion]].

[SOORATUN-NAHL (16):123]

And it is recommended that the circumcision should be performed on the seventh day after the birth, because of the hadeeth of Jaabir:

“That Allaah’s Messenger (salallaahu ‘alaihi wassallam) performed the `Aqeeqah for al-Hasan and al-Husayn, and he circumcised them on the seventh day.”³

And from Ibn `Abbaas who said:

“Seven things are from the Sunnah with regard to the baby on the seventh day: he should be named, and circumcised...”, the hadeeth.⁴

So even though each of these two hadeeth contain weakness, then each of the two hadeeth strengthens the other, since their sources are different, and they do not contain any narrator accused of lying.⁵

Leaving the beard to grow:

¹ Hasan: Saḥeeḥul-Jaami`: 1251; Aboo Daawood (2/20/352), al-Bayhaqee (1/172).

² Agreed upon: al-Bukḥaaree (11/88/6298), Muslim (4/1839/2370).

³ at-Tabaraanee in ‘al-Mu`jamus-Sagheer’ (2/122/891); ‘Tamaamul-Minnah’ (p. 67).

⁴ at-Tabaraanee in ‘al-Awsaf’ (1/334/562); ‘Tamaamul-Minnah’ (p.68).

⁵ Tamaamul-Minnah (p. 68)

Leaving the beard to grow is obligatory (waajib); and shaving it is forbidden (haraam), since it is altering the creation of Allaah, and it is from the actions of Satan who said:

[[Meaning: **And I will command them to change the nature created by Allaah**]]

[SOORATUN-NISAA. (4):119]

And shaving it results in resemblance to the women, and “Allaah’s Messenger (salallaahu ‘alaihi wassallam) cursed those men who imitate the women.”¹

And the Prophet (salallaahu ‘alaihi wassallam) commanded that it be left to grow, and his command results in an obligation-as is known.

From Aboo Hurairah (radiyallaahu `anhu)-who said: Allaah’s Messenger (salallaahu ‘alaihi wassallam) said:

“Clip the moustaches, and leave the beards to grow, and act contrary to the Magians.”²

And from Ibn `Umar-(radiyallaahu `anhu)maa - from the Prophet (salallaahu ‘alaihi wassallam) that he said:

“Act contrary to the Mushrikoon: leave the beards to grow, and clip the moustaches.”³

The siwaak (tooth-stick) :

The siwaak is recommended in all conditions, and its recommendation is emphasised:

1- Along with wudoo.:

From Aboo Hurairah-(radiyallaahu `anhu)-who said: Allaah’s Messenger (salallaahu ‘alaihi wassallam) said:

“If it were not that I would make a difficulty upon my nation I would have commanded them to use the siwaak with every wudoo..”⁴

2- At every Prayer:

¹ Saheeh: Saheehul-Jaami` (5100); al-Bukhaaree (10/332/5885), at-Tirmidhee (4/194/2935)

² Saheeh: Mukhtasaar Muslim (181); Muslim (1/222/260)

³ Agreed upon: al-Bukhaaree (10/349/5892), Muslim (1/222-54/259)

⁴ Saheeh: Saheehul-Jaami` (5317); Ahmad (1/294/171)

From Aboo Hurairah-(radiyallaahu `anhu)-from the Prophet (salallaahu `alaihi wassallam) who said:

“If it were not that I would make a difficulty for my nation I would have commanded them to use the siwaak at every Prayer.”¹

3- When reciting the Qur.aan:

From `Alee-(radiyallaahu `anhu)-who said: “He commanded us to use the siwaak, and he said:

“When the servant stands in Prayer an Angel comes to him and stands behind him, listening to the Qur.aan and drawing closer. So he continues listening and drawing closer until he places his mouth upon his mouth. So he does not recite any Aayah except that it enters within the Angel”²

4- When entering the house:

From al-Miqdaam ibn Shuraih: from his father, who said: I asked `Aa.ishah, saying: “What had the Prophet (salallaahu `alaihi wassallam) used to begin with when he entered his house?” she said: “With the siwaak.”³

5- When getting up (to pray) during the night:

From Hudhayfah-(radiyallaahu `anhu)-who said: “When Allaah’s Messenger (salallaahu `alaihi wassallam) got up to pray tahajjud Prayer at night he used to rub his mouth with the siwaak.”⁴

The dislike of plucking out grey hairs:

From `Amr ibn Shu`ayb: from his father: from his grandfather who said: Allaah’s Messenger (salallaahu `alaihi wassallam) said:

“Do not pluck out grey-hairs. There is no Muslim who grows a grey hair in Islaam except that it will be light for him on the Day of Resurrection.”¹

¹ Agreed upon Muslim (1/220/252), al-Bukhaaree (2/374/887), at-Tirmidhee (1/18/22), an-Nasaa.ee (1/12); except that the wording of al-Bukhaaree is: “with every Prayer.”

² Saheeh Lighairihi: as-Saheehah (1213); al-Bayhaqee (1/38).

³ Saheeh Ibn Maajah (235); Muslim (1/220/253) Aboo Daawood (1/86/58), Ibn Maajah (1/106/290), an-Nasaa.ee (1/13).

⁴ Agreed upon: Muslim (1/220/255), and this wording is his; al-Bukhaaree (1/356/245), Aboo Daawood (1/83/54), an-Nasaa.ee (1/8); and the wording of the three is: “When he got up (to pray) during the night.”

Dyeing grey hairs with henna and *katam* and their like, and the forbiddance of using black:

From Aboo Dharr-(radiyallaahu `anhu) who said: Allaah's Messenger (salallaahu `alaihi wassallam) said:

"The best of that which you use to dye grey hairs is Henna and al-Katam."²

And from Aboo Hurairah-(radiyallaahu `anhu)-who said: Allaah's Messenger (salallaahu `alaihi wassallam) said:

"The Jews and the Christians do not dye their hair, so act contrary to them."³

From Jaabir-(radiyallaahu `anhu)-who said: "Aboo Quhaafah was brought on the day of the conquest of Makkah, and his head and his beard were white like the *thughamah* bush, so Allaah's Messenger (salallaahu `alaihi wassallam) said:

"Dye this with something, and avoid black."⁴

And from Ibn `Abbaas-(radiyallaahu `anhu)maa-who said: Allaah's Messenger (salallaahu `alaihi wassallam) said:

"There will come a people at the end of time who dye their hair with black, like the crops of pigeons; they shall not smell the fragrance of Paradise."⁵

¹ Saheeh: Saheehul-Jaami` (7463); Aboo Daawood (11/256/4184), an-Nasaa.ee (8/136)

² Saheeh: Saheehul-Jaami` (1546); Aboo Daawood (11/259/4187), at-Tirmidhee (3/145/1806), Ibn Maajah (2/1196/3622)-and the wording is his, an-Nasaa.ee (8/139)

³ Agreed upon: al-Bukhaaree (10/354/5899), Muslim (3/1663/2103), Aboo Daawood (11/257/4185), an-Nasaa.ee (8/138).

⁴ Saheeh:Saheehul-Jaami` (4170); Muslim (3/1663/69-2102), Aboo Daawood (11/258/4186), an-Nasaa.ee (8/138), Ibn Maajah (2/1197/3624)-with its like.

⁵ Saheeh: Saheehul-Jaami` (8153); Aboo Daawood (11/266/4194), an-Nasaa.ee (8/138).

(Lesson 6):

TOILET MANNERS (Aadaabul-Khalaa.):

1-It is recommended for the person who wants to enter the toilet that he should say:

بِسْمِ اللَّهِ اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْخُبْثِ وَالْخَبَائِثِ

(Bismillaah), (Allaahummaa innee a`oodhu bika minal-khubuthi wal-khabaa.ith) (with the name of Allaah), (O Allaah! I seek Your refuge from male and female devils).

This is because of the hadeeth of `Alee (radiyallaahu `anhu) that the Prophet (salallaahu `alaihi wassallam) said:

“The screen between the jinn and the private-parts of the descendants of Aadam, when one of you enters the toilet, is that he says:

‘Bismillaah’ (with the name of Allaah).”¹

And because of the hadeeth of Anas-(radiyallaahu `anhu)-who said: “When Allaah’s Messenger (salallaahu `alaihi wassallam) went to the toilet he used to say:

‘Allaahummaa innee a`oodhu bika minal-khubuthi wal-khabaa.ith’ (O Allaah! I seek Your refuge from male and female devils).”²

2-And it is recommended that when he departs he says: (غفرانك): (Ghufraanaka): (I seek Your forgiveness), because of the hadeeth of Aa.ishah-radiyallaahu `anhaa- who said: “When the Prophet (salallaahu `alaihi wassallam) came away from the toilet he would say:

“Ghufraanaka” (I seek Your forgiveness).”³

3-And it is recommended that he should enter with his left-foot first, and depart with the right-foot first.

¹ Saheeh: Saheehul-Jaami` (3611); at-Tirmidhee (2/59/606)-and this is his wording; Ibn Maajah (1/109/297)...

² Agreed upon: al-Bukhaaree (1/242/142), Muslim (1/283/375), Aboo Daawood (1/21/4), Ibn Maajah (1/109/298), at-Tirmidhee (1/76), an-Nasaa. (1/20)

³ Saheeh: Saheehul-Jaami` (4714); Aboo Daawood (1/52/30), at-Tirmidhee (1/7/7), Ibn Maajah (1/110/300)

This is because the right-side is used for noble actions, and the left-side for actions which are not noble actions; and there are reports which indicate this generally.¹

4-And if he is in an open place, then it is recommended for him to move far enough away so that he is not seen:

From Jaabir-(radiyallaahu `anhu)-who said: "We went out along with Allaah's Messenger (salallaahu `alaihi wassallam) on a journey, and Allaah's Messenger (salallaahu `alaihi wassallam) would not go to the toilet until he had gone far enough so that he would not be seen."²

5- And it is recommended that he does not raise his garment until he is close to the ground:

From Ibn `Umar, (radiyallaahu `anhu)maa: "That when the Prophet (salallaahu `alaihi wassallam) wanted to relieve himself he would not raise his garment until he was close to the ground."³

6-And it is not permissible to face or to have ones back towards the qiblah, whether in the open desert or within a building:

From Aboo Ayyoob al-Ansaaree-(radiyallaahu `anhu)-from the Prophet (salallaahu `alaihi wassallam) who said:

"When you go to the toilet, then do not face the qiblah and do not have your back towards it, but rather turn to the east or to the west."⁴

Aboo Ayyoob said: "So we came to Shaam, and we found toilets which had been built facing towards the Ka`bah. So we would turn aside from it, and we would ask for the forgiveness of Allaah-the Most High."⁵

7- And it is forbidden to go to the toilet upon the path-way of the people, and in the places where they take shade:

From Aboo Hurairah that the Prophet (salallaahu `alaihi wassallam) said:

¹ 'as-Saylul-Jarraar' (1/64). Shaiikh al-Albaanee said in his notes upon 'Ta.seesul-Ahkaam' (1/34) concerning entering the toilet with the left-foot: "I do not know anything from that in the Sunnah" (transl.).

² Saheeh: Saheeh Ibn Maajah (268); Ibn Maajah (1/121/335), Aboo Daawood (1/19/2)-with its like.

³ Saheeh: Saheehul-Jaami` (4652); Aboo Daawood (1/31/14), at-Tirmidhee (1/11/14) from a hadeeth of Anas.

⁴ Saheeh: Mukhtasar Muslim (109), [Muslim (no.264)], Saheeh Abee Daawood (7).

⁵ Agreed upon: al-Bukhaaree (1/498/394), Muslim (1/224/264), at-Tirmidhee (1/8/8)

“Beware of the two things which bring about curses.” They said: “And what are the two things which bring about curses, O Messenger of Allaah?” He said: **“The person who goes to the toilet upon the path-way of the people, or where they take shade.”**¹

8- And it is disliked to urinate in the place where he takes a bath:

From Humayd al-Himyaree who said: I met a man who had accompanied the Prophet (salallaahu ‘alaihi wassallam), just as Aboo Hurairah accompanied him² who said: “Allaah’s Messenger (salallaahu ‘alaihi wassallam) forbade that one of us should comb his hair every day, and that he should urinate in the place where he takes a bath.”³

9- And it is forbidden to urinate in standing water:

From Jaabir: from the Prophet (salallaahu ‘alaihi wassallam) that he forbade urinating in standing water.⁴

10- And it is permissible to urinate standing, but sitting is better:

From Hudhayfah-(radiyallaahu `anhu): that the Prophet (salallaahu ‘alaihi wassallam) came to the rubbish dump of a people, and he urinated whilst standing. So I moved away, so he said: **“Draw near.”** So I drew close to him until I stood at his heels. So he performed wuḍoo., and wiped over his leather socks.⁵

And we said that sitting is better because that was his (salallaahu ‘alaihi wassallam) general practice, to such an extent that `Aa.ishah-radiyallaahu `anhaa-said: “Whoever narrates to you that Allaah’s Messenger (salallaahu ‘alaihi wassallam) urinated whilst standing then do not believe him. He had not used to urinate except whilst sitting.”⁶

And this saying of hers does not negate what occurs from Hudhayfah, since she informed about what she had seen and Hudhayfah informed about what he had seen; and as is known the one who affirms is given precedence over the one who negates, since he has additional knowledge with him.

11-And it is obligatory to keep oneself clean of urine:

¹ Saḥeeh: Saḥeehul-Jaami` (110); Aboo Daawood (1/47/25), Muslim (1/226/269)...

² The narration of an-Nasaa’ee contains the additional wording “for four years.” (transl.).

³ Saḥeeh: Saḥeehun-Nasaa’ee (232); an-Nasaa’ee (1/130), Aboo Daawood (1/50/28)

⁴ Saḥeeh: Saḥeehul-Jaami` (6814); Muslim (1/235/281), an-Nasaa’ee (1/34)

⁵ Muslim (1/228/273), at-Tirmidhee (1/11/13), al-Bukhaaree (1/329/225), an-Nasaa’ee (1/19), Aboo Daawood (1/44/23), Ibn Maajah (1/111/305).

⁶ Saḥeeh: Saḥeehun-Nasaa’ee (29), an-Nasaa’ee (1/26), at-Tirmidhee (1/10/12)....

So from Ibn `Abbaas-(radiyallaahu `anhu)maa-: that the Prophet (salallaahu `alaihi wassallam) passed by two grave, and said:

“They are being punished, and they are not being punished for something serious. As for one of them, then he had not used to keep himself clean of his urine; and as for the other, then he used to go between the people with reports to cause trouble (nameemah).”¹

12-And he should not hold his penis with his right-hand whilst he is urinating, nor clean himself with it:

From Qataadah-(radiyallaahu `anhu)-who said: Allaah’s Messenger (salallaahu `alaihi wassallam) said:

“When one of you urinates, let him not hold his penis with his right hand; and let him not clean himself with his right hand.”²

13- And it is permissible to clean oneself with water, or with stones-or with whatever is like them, and water is better:

From Anas-(radiyallaahu `anhu)-who said: “Allaah’s Messenger (salallaahu `alaihi wassallam) used to enter the toilet, and I and a boy of similar age to me used to carry a pot of water and a spear. So he would clean himself with the water.”³

And from `Aa.ishah-radiyallaahu `anhaa-that Allaah’s Messenger (salallaahu `alaihi wassallam) said:

“When one of you goes to the toilet then let him take three stones along with him, and let him clean himself with them, since they will suffice him.”⁴

14-And it is not permissible to suffice with less than three stones:

¹ Agreed upon: al-Bukhaaree (1/317/216), Muslim (1/240/292), at-Tirmidhee (1/47/70), Aboo Daawood (1/40/20), an-Nasaa.ee (1/28)

² Saheeh: Saheeh Ibn Maajah (250); Ibn Maajah (1/113/310)-this is his wording; and it was reported by: al-Bukhaaree (1/254/154), Muslim (1/225/267), Aboo Daawood (1/53/31), at-Tirmidhee (1/12/15), an-Nasaa.ee (1/25)-in longer form, and in abridged form.

³ Agreed upon: al-Bukhaaree (1/252/152), Muslim (1/227/271), an-Nasaa.ee (1/42)- and he does not have a mention of the spear. An-Nawawee said: “The Prophet () used to take it (i.e. the spear) along with him because when he had performed wudoo. he would pray. So he needed to erect it in front of him so that it would be a barrier which he could pray towards.” (transl.)

⁴ Saheeh:Saheehun-Nasaa.ee; an-Nasaa.ee (1/42), Aboo Daawood (1/61/40)

From Salmaan al-Faarisee-(radiyallaahu `anhu)-that it was said to him: 'Your Prophet (salallaahu `alaihi wassallam) has taught you everything, even how to use the toilet!'

So he said: "Yes indeed! He forbade us from facing the qiblah with excrement or urine; and that we should clean ourselves with the right hand, and that we should clean ourselves with less than three stones; and that we should clean ourselves with a piece of animal dung or with a bone."¹

15- And it is not permissible to clean oneself with a bone, or with a piece of dung:

From Jaabir-(radiyallaahu `anhu)-who said: "The Prophet (salallaahu `alaihi wassallam) forbade that a person should wipe himself clean with a bone or a piece of animal dung."²

¹ Saheeh: Saheeh Ibn Maajah (255); Muslim (1/223/262), at-Tirmidhee (1/13/16), Aboo Daawood (1/24/7), Ibn Maajah (1/115/316), an-Nasaa.ee (1/38)

² Saheeh: Saheehul-Jaami` (6827); Muslim (1/224/263), Aboo Daawood (1/60/38)

CHAPTER OF VESSELS (AL-AANIYYAH)

It is permissible to use all vessels, except for vessels of gold and silver-since it is forbidden to eat and drink in them particular, to the exclusion of the rest of the forms of usage.

From Hudhayfah-(radiyallaahu `anhu)-that the Prophet (salallaahu `alaihi wassallam) said:

“Do not drink from vessels of gold and silver, and do not wear silk and silk-brocade; since they are for them in this world, and for you in the Hereafter.”¹

From Umm Salamah-radiyallaahu `anhaa-that Allaah’s Messenger (salallaahu `alaihi wassallam) said:

“The one who drinks from a silver vessel is just gurgling the fire of Hell into his belly.” Reported by al-Bukhaaree and Muslim.²

And Muslim reported:

“The one who eats and drinks from a vessel of silver or gold...”

Muslim said: “There does not occur in the hadeeth of anyone from them a mention of eating and of gold, except in the hadeeth of Ibn Mushir.”

al-Albaanee said: “So this addition is shaadhdh (contradictory to what is more authentic) with respect to its transmission, even though it is authentic in meaning with respect to understanding, since eating and gold are greater and more serious than drinking and silver-as is clear.”³

¹ Agreed upon: al-Bukhaaree (10/96/5633), Muslim (3/1637/2067), at-Tirmidhee (3/199/1939), Aboo Daawood (10/189/3705), Ibn Maajah (2/1130/3414)-without the prohibition of silk and silk brocade, an-Nasaa.ee (8/198)

² al-Bukhaaree (10/96/5634), Muslim (3/1634/2065), Ibn Maajah (2/1130/3413)

³ al-Irwaa (1/69)

(Lesson 7):

PURIFICATION FOR THE PRAYER (AT-TAHAARAH LIS-SALAAT)

From Ibn `Umar-(radiyallaahu `anhu)maa-who said: I heard the Prophet (salallaahu `alaihi wassallam) say:

“Prayer will not be accepted without purification.”¹

And purification is of two types: purification with water, and purification with earth.

Firstly: Purification with water:

The Wudoo. (ablution) and the bath (ghusl).

THE WUDOO.:

Its description:

From Humraan-the mawlaa of `Uthmaan: that `Uthmaan ibn `Affaan-(radiyallaahu `anhu)-called for some water for wudoo. and he performed the wudoo. . So he washed his hands three times; then he washed his mouth and washed out his nose; then he washed his face three times; then he washed his right arm up to and including the elbow three times; then he washed his left arm likewise; then he wiped his head; then he washed his right foot up to and including the ankle three times; then he washed the left one likewise. Then he said: “I saw Allaah’s Messenger (salallaahu `alaihi wassallam) perform wudoo. with the like of this wudoo. of mine. Then Allaah’s Messenger (salallaahu `alaihi wassallam) said:”**Whoever performs wudoo. like this wudoo. of mine, and he prays two rak`ahs-not conversing with himself in them, then his previous sins will be forgiven for him.**”” Ibn Shihaab said: “Our scholars used to say: This wudoo. is the most complete wudoo. which anyone can make for the Prayer.”²

THE CONDITIONS (SHUROOT) FOR ITS CORRECTNESS:

1- The intention (*an-Niyyah*):

¹ Saheeh: Mukhtasar Muslim (104); Muslim (1/204/224), at-Tirmidhee (1/3/1)

² Agreed upon: Muslim (1/204/226)-and this is his wording, al-Bukhaaree (1/266/164), Aboo Daawwood (1/180/ 106), an-Nasaa.ee (1/64).

Because of his (salallaahu ‘alaihi wassallam) saying: “Actions are but by intentions”,¹ and it is not legislated to utter it in words, since it is not established from the Prophet (salallaahu ‘alaihi wassallam).

2- Mentioning Allaah’s name (*at-Tasmiyah*):

Because of his (salallaahu ‘alaihi wassallam) saying: “**There is no Prayer for the one who does not have wuḍoo, and there is no wuḍoo. for the one who does not mention Allaah’s name upon it.**”²

3- Continuity (*al-Muwaalaat*):³

Because of the ḥadeeth of Khaalid ibn Ma`daan: [from one of the Companions of the Prophet (salallaahu ‘alaihi wassallam)]: that the Prophet (salallaahu ‘alaihi wassallam) saw a man praying with a dry spot the size of a dirham, which water had not touched. So the Prophet (salallaahu ‘alaihi wassallam) ordered him to repeat the wuḍoo. and the Prayer.⁴

ITS OBLIGATIONS (*FARAA.ID*)

1- Washing the face, and from it is washing the mouth (*al-Madmaḍah*) and washing out the nose (*al-Istinḥaaq*).

2- Washing the two arms up to the elbows.⁵

3- Wiping the whole of the head; and the ears are from the head.

4- Washing the feet up to and including the ankles: because of His Saying-He the Most High:

[[Meaning: O you who believe! When you stand to pray, wash your faces and your arms up to and including the elbows, and wipe your heads, and your feet up to and including the ankles]].

[SOORATUL-MAA.IDAH (5):6]

¹ Agreed upon: al-Bukḥaaree (1/9/1), Muslim (3/1515/1907), Aboo Daawood (6/284/2186), at-Tirmidhee (3/100/1698), Ibn Maajah (2/1413/4227), an-Nasaa. (1/59).

² Hasan: Saḥeeh Ibn Maajah (320); Aboo Daawood (1/174/101), Ibn Maajah (1/140/399).

³ Shaikh al-Fawzaan said in ‘Tasheelul-Ilmaam’ (1/147): “The jurists say ‘al-Muwaalaat’ (continuity) is that the person does not delay washing a body part to such an extent that the previous one has dried-in a moderate amount of time. So if he delays it until the previous body part has become dry, then it is obligatory upon him to repeat (the whole wuḍoo.) [transl.]”

⁴ Saḥeeh: Saḥeeh Abee Daawood (no. 161); Aboo Daawood (1/296/175).

⁵ ash-Shaafi`ee said in ‘al-Umm’ (1/25): “The washing of the arms will not be sufficiently accomplished at all unless it includes everything which lies between the tips of the fingers up to the washing of the elbows; and it will not be sufficient until he washes the front, the back, and the sides of them; such that he washes them completely. If he leaves anything from this, even a small amount, it will not suffice.”

As for the washing of the mouth (al-Maḍmaḍah) and the washing out of the nose (al-Istinḥaaq) being from the face, such that they are obligatory, then this is because Allaah-the Perfect-commanded in His Mighty Book the washing of the face; and it is established that the Prophet (salallaahu ‘alaihi wassallam) continually practised that in every wuḍoo., and it was reported by all those who reported his (salallaahu ‘alaihi wassallam) wuḍoo. and explained its description. So this shows that the washing of the face which has been commanded in the Qur.aan includes washing the mouth and washing out the nose.¹

And there occurs a command for the two of them in his (salallaahu ‘alaihi wassallam) saying: **“When one of you performs wuḍoo., then let him put water into his nose and then let him blow it out.”**² and his (salallaahu ‘alaihi wassallam) saying: **“Exert in sniffing water into the nose, unless you are fasting”**,³ and his (salallaahu ‘alaihi wassallam) saying: **“When you perform wuḍoo., then wash your mouth.”**⁴

As for the obligation of wiping over the whole of the head, then this is because the command in the Qur.aan to wipe is left unspecified (*mujmal*). So the Sunnah is referred to for its clarification, and it is established in the two Saḥeeḥs and elsewhere that the Prophet (salallaahu ‘alaihi wassallam) wiped the whole of his head. So this contains a proof that it is obligatory to wipe the head completely.

So then if it is said: It is established from a hadeeth of al-Mugḥeerah that the Prophet (salallaahu ‘alaihi wassallam) wiped over his forelock and upon his turban (‘imaamah), then the response is: he only restricted himself to wiping the forelock because he completed the rest of the wiping of the head upon the turban, and we hold this as our saying; and there is no proof in it for the permissibility of limiting the wiping to the forelock, or to a part of the head, without completing it upon the turban.⁵

So in summary it is obligatory to wipe the whole of the head; and the person who wipes may wipe upon the head only, or upon the turban only, or upon the head and turban. All of this is authentic and established.

As for the two ears being from the head, such that it is obligatory to wipe them, then it is because of his (salallaahu ‘alaihi wassallam) saying: **“The two ears are from the head.”**⁶

7- Rubbing the wetted fingers through the beard:

¹ as-Saylul-Jarraar (1/81)

² Saḥeeḥ: Saḥeeḥul-Jaami` (no. 443); Aboo Daawood (1/234/140), an-Nasaa.aa (1/66).

³ Saḥeeḥ: Saḥeeḥ Abee Daawood (no. 129); Aboo Daawood (1/236/142)

⁴ Saḥeeḥ: Saḥeeḥ Abee Daawood (no. 131); Aboo Daawood (1/236/144)

⁵ Tafseer Ibn Katheer (2/24)-with slight paraphrasing.

⁶ Saḥeeḥ: Saḥeeḥ Ibn Maajah (no. 357); Ibn Maajah (1/152/443)

Because of the hadeeth of Anas ibn Maalik-(radiyallaahu `anhu) that when Allaah's Messenger (salallaahu `alaihi wassallam) performed wudoo. he used to take a handful of water and enter it under his chin, and he would rub it through his beard, and say **“This is what my Lord-the Mighty and Majestic-has commanded.”**¹

8- Entering the wet fingers between the fingers and toes:

Because of his (salallaahu `alaihi wassallam) saying: **“Complete the wudoo., and rub between the fingers and toes, and exert in entering water into the nose unless you are fasting.”**²

¹ Saḥeeḥ: al-Irwaa. (no. 92); Aboo Daawood (1/243/145), al-Bayhaqee (1/54).

² Saḥeeḥ: Saḥeeḥ Abee Daawood (no. 129); Aboo Daawood (1/236/142)

(Lesson 8):

ITS SUNNAHS:

1- The siwaak (tooth-stick):

From Aboo Hurairah-(radiyallaahu `anhu)- who said: Allaah's Messenger (salallaahu `alaihi wassallam) said: **"If it were not that I would make a difficulty upon my nation I would have commanded them to use the siwaak with every wuḍoo."**¹

2- Washing the hands three times at the beginning of the wuḍoo.:

Because of what is established from `Uthmaan-(radiyallaahu `anhu)- when he showed how the Prophet (salallaahu `alaihi wassallam) performed wuḍoo., that he washed his hands three times.²

3- Combining the washing of the mouth and the washing of the nose three times, each with a single handful:

Because of what occurs in the hadeeth of `Abdullaah ibn Zayd-(radiyallaahu `anhu)- when he taught the people how Allaah's Messenger (salallaahu `alaihi wassallam) performed the wuḍoo.: that he washed his mouth and washed his nose from a single handful, and he did that three times.³

4- Exerting in these two, for the one who is not fasting:

Because of his (salallaahu `alaihi wassallam) saying: **"Exert in sniffing water into the nose, unless you are fasting."**⁴

5- Giving precedence to the right side over the left side:

Because of the hadeeth of `Aa.ishah-(radiyallaahu `anhaa): "Allaah's Messenger (salallaahu `alaihi wassallam) used to like to begin with the right side in putting on shoes, and in combing his hair, and in his purification, and in all his affairs."⁵

¹ Saḥeeh: Saḥeehul-Jaami` (5317); Ahḥmad (1/294/171)

² Agreed upon: Muslim (1/204/226)-and this is his wording; al-Bukḥaaree (1/266/164), Aboo Daawood (1/180/106), an-Nasaa.aa (1/64).

³ Saḥeeh: Mukḥtaṣar Muslim (no. 125); Muslim (1/210/235)

⁴ Saḥeeh: Saḥeeh Abee Daawood (no. 129); Aboo Daawood (1/236/142)

⁵ Agreed upon: al-Bukḥaaree (1/269/168), Muslim (1/226/268) and (11/199/4122), an-Nasaa.aa (1/78).

And because of what occurs in the hadeeth of `Uthmaan when he showed how the Prophet (salallaahu `alaihi wassallam) performed wuḍoo.: that he washed the right and then the left.

6- Rubbing (water upon the body parts):

Because of the hadeeth of `Abdullaah ibn Zayd: that two thirds of a handful of water was brought to the Prophet (salallaahu `alaihi wassallam), so he rubbed his forearms.¹

7- Washing three times:

Because of the hadeeth of `Uthmaan: that the Prophet (salallaahu `alaihi wassallam) performed the wuḍoo., washing each part three times; and it is authentic that he (salallaahu `alaihi wassallam) performed wuḍoo. washing each part once; and washing each part twice.²

And it is recommended to repeat the wiping of the head sometimes: because of what is authentic from `Uthmaan that he performed wuḍoo., and he wiped his head three times, and he said: "I saw Allaah's Messenger (salallaahu `alaihi wassallam) perform wuḍoo. like this."³

8- (Keeping to) the order (at-Tarteeb):

Since this was what Allaah's Messenger (salallaahu `alaihi wassallam) generally did, as is reported by those who reported his (salallaahu `alaihi wassallam) wuḍoo..

However it is authentic from al-Miqdaam ibn Ma`dekarib: "That he brought some water for wuḍoo. for Allaah's Messenger (salallaahu `alaihi wassallam). So he performed wuḍoo., and he washed his hands three times, and he washed his face three times; then he washed his forearms three times; then he washed his mouth and washed out his nose three times; then he wiped his head and his ears..." the hadeeth.⁴

9- Making supplication (du`aa.) after it:

Because of his (salallaahu `alaihi wassallam) saying:

¹ Its chain of narration is 'Saheeh', Saheeh Ibn Khuzaymah (1/62/118)

² Hasan Saheeh: Saheeh Abee Daawood (no.124); al-Bukhaaree (1/258/158) from a hadeeth of `Abdullaah ibn Zayd; and Aboo Daawood (1/230/136) and at-Tirmidhee (1/31/43) reported it from a hadeeth of Aboo Hurairah.

³ Hasan Saheeh: Saheeh Abee Daawood no.101); Aboo Daawood (1/188/110)

⁴ Saheeh: Saheeh Abee Daawood: (no. 112); Aboo Daawood (1/211/121)

“There is not one of you who performs wuḍoo., and completes the wuḍoo., and then says:

(Ashhadu an laa ilaaha illallaah, wahdahu laa shareeka lahu, wa ashhadu anna Muḥammadan `abduhu wa rasooluh) ‘I testify that none has the right to be worshipped except Allaah, alone, having no partner; and I testify that Muhammad is His Slave and His Messenger’, except that the eight gates of Paradise are opened for him: he may enter through whichever of them he pleases.”¹

at-Tirmidhee added: (اللَّهُمَّ اجْعَلْنِي مِنَ التَّوَّابِينَ وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ)

(Allaahummaj`alnee minat-Tawwaabeena waj`alnee minal- Mutatahhireen)

‘O Allaah! Make me from those who constantly repent, and make me from those who purify themselves.’²

And from Aboo Sa`eed that the Prophet (salallaahu `alaihi wassallam) said:

“Whoever performs wuḍoo. and says:

سُبْحَانَكَ اللَّهُمَّ وَبِحَمْدِكَ أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا أَنْتَ أَسْتَغْفِرُكَ وَأَتُوبُ إِلَيْكَ

(Subḥanakallaahumma wa biḥamdika, ashhadu an laa ilaaha illaa Anta, astaghfiruka wa atoobu ilaika)

‘ I declare You free of all imperfections, and all praise is for You. I testify that none has the right to be worshipped but you. I seek Your forgiveness, and I turn in repentance to You’, then it is written upon a parchment, then it is sealed with a seal, and it is not broken until the Day of Resurrection.”³

10- Praying the two rak`ahs after it - because of the saying of `Uthmaan, after he taught them the description of the wuḍoo. of Allaah’s Messenger (salallaahu `alaihi wassallam):

“I saw the Prophet (salallaahu `alaihi wassallam) perform wuḍoo. with the like of this wuḍoo. and the Prophet (salallaahu `alaihi wassallam) said: “Whoever performs wuḍoo.

¹ Saḥeeh: Mukhtasar Muslim (143); Muslim (1/209/234).

² Saḥeeh: Saḥeeh at- Tirmidhee (no. 48); at-Tirmidhee (1/38/55)

³ Saḥeeh: at-Targheeb (no. 220); al-Haakim (1/564); and there is nothing authentic concerning supplication during the wuḍoo.

with the like of this wuḍoo; then he stands and prays two rak`ahs, not conversing with himself in them, then his previous sins are forgiven.”¹

And from Aboo Hurairah: that the Prophet (salallaahu ‘alaihi wassallam) said to Bilaal at the time of the Dawn Prayer: **“O Bilaal! Tell me about the action which you have done in Islaam which gives you the most hope, for I have heard your footsteps in front of me in Paradise.”**

He said: “I have not done any action which gives me greater hope than the fact that I have never purified myself at any hour of the night or the day except that I prayer what was written for me to pray with that purification.”²

¹ Agreed upon: Muslim (1/204/226)-and this is his wording, al-Bukḥaaree (1/266/164), Aboo Daawood (1/180/106), an-Nasaa.aa (1/64)

² Agreed upon: al-Bukḥaaree (3/34/1149), Muslim (4/1910/2457)

Lesson 9):

Those things which nullify the wudoo:

1. That which comes out of the two pathways (the genitals and the anus) from excrement, urine, and wind.

Due to the Saying of Allaah the Most High:

[[Meaning: Or if one of you comes from the toilet]], and it is an expression which means relieving oneself.

[Sooratul-Maa'idah (5):6]

And due to the saying of the Prophet (salallaahu 'alaihi wassallam):

"Allaah will not accept the Prayer of any one of you who breaks his purification until he performs wudoo."

So a man from Hadramawt said: "What is 'breaking purification' (hadath), O Aboo Hurairah?" He said: "Breaking wind noiselessly or with a sound."¹

It is likewise nullified by discharge of pre-seminal fluid (al-Madhee) and al-Wadee.²

From Ibn `Abbaas- (radiyallaahu `anhu)maa- who said: "al-Manee, and al-Wadee and al-Madhee. As for al-Manee (semen) then it is that which necessitates taking a bath (ghusl). As for 'al-Wadee' and al-Madhee (pre-seminal fluid), then he said: Wash your penis, or the parts of your penis, and perform the wudoo. as you would do for the Prayer."³

2. Sleep which overwhelms, such that no consciousness remains with him, whether he is sitting with his buttocks firmly on the ground or not.

Because of the hadeeth of Safwaan ibn `Assaal who said: "Allaah's Messenger (salallaahu 'alaihi wassallam) used to command us that when we were on a journey that we should not take off our leather socks for three days along with their nights, except from janaabah.⁴ However from excrement, and urine, and sleep."⁵

¹ Agreed upon: al-Bukhaaree (1/234/no.135), al-Bayhaqee(1/117), Ahmad (2/75/352), and the basis of the hadeeth occurs with others without the addition: Muslim (1/204/no. 225),Aboo Daawood (1/87/60), and at-Tirmidhee (1/150/76).

² Wadee is a thick white fluid which may come out after urination (Fiqhus-Sunnah: 1/24)

³ Saheeh:...al-Bayhaqee (1/115).

⁴ The state resulting from sexual intercourse, wet-dreams, or orgasm, and which necessitates a bath (ghusl). (transl.)

⁵ Hasan: Saheeh Sunanin-Nasaa.ee(123), Sunan at-Tirmidhee (1/65/69), Sunan an-Nasaa.ee (1/84).

So the Prophet (salallaahu 'alaihi wassallam) equated sleep with urinating and voiding excrement.

From `Alee- (radiyallaahu `anhu)- who said **“The eye is the tying string (*wikaa.*) for the anus (*as-Sah*), so whoever sleeps then let him perform wuḍoo.”**¹

And the *wikaa.*, with a *kasrah* on the *waaw*, is the string which is used to tie a leather bag.

And the *sah*, with a *fathah* on the *seen*-which is without dots, and with a *kasrah* on the *haah*-which is without *shaddah* is the anus. And the meaning is that being awake is the tying-string for the anus, i.e. guarding that which is contained within it from coming out, since as long as he is awake he will feel that which comes out from it.²

3. Loss of consciousness through intoxication or illness:

Because unconsciousness through these causes is more profound than when it results from sleep.³

4. Touching the uncovered genitals, if it is done with desire:

Because of his (salallaahu 'alaihi wassallam) saying: **“Whoever touches his penis, then let him perform wuḍoo.”**⁴

And his (salallaahu 'alaihi wassallam) saying: **“Is it not except a part of you.”**⁵

So it is just a part of you if there is no desire attached to the touching, because in this condition it is possible to see the resemblance of touching that part with touching any other part of the body. Contrary to when he touches it with desire, for then touching it will not resemble touching any other part, because that will not normally be connected to desire. And this matter is clear, as you can see.⁶

¹ Hasan: Saheeh Sunan Ibn Maajah (386), Sunan Ibn Maajah (1/161/477), Sunan Abee Daawood (1/347/200) with its like.

² Naylul-Awṭaar: (1/242).

³ Ibn al-Munḍhir in 'al-Awsaṭ' (1/155), and an-Nawawee in his explanation of Saheeh Muslim mention that there is consensus (ijmaa') of the scholars that unconsciousness nullifies the wuḍoo. (transl.)

⁴ Saheeh: Saheeh Sunan Ibn Maajah (388), Sunan Abee Daawood (1/307/179), Sunan Ibn Maajah (1/161/479), Sunan an-Nasaa. (1/100), Sunan at-Tirmidhee (1/55/no.82)-with the addition :“ ...so let him not pray until he has performed wuḍoo.”

⁵ Saheeh: Saheeh Sunan Ibn Maajah (392), Sunan Abee Daawood (1/312/180), Sunan Ibn Maajah (1/163/483), Sunan an-Nasaa. (1/101), Sunan at-Tirmidhee (1/56/85).

⁶ Tamaamul-Minnah (p. 103).

5. Eating camel meat:

Because the hadeeth of al-Baraa ibn `Aazib -(radiyallaahu `anhu)maa- who said: Allaah's Messenger (salallaahu `alaihi wassallam) said:

“Perform wuḍoo. from camel meat and do not perform wuḍoo. from meat of sheep”¹

And from Jaabir ibn Samurah-(radiyallaahu `anhu)-: That a man asked the Prophet (salallaahu `alaihi wassallam): “Should I perform wuḍoo from eating the meat of sheep?” He said: **“If you wish then perform wuḍoo., and if you wish then don't perform wuḍoo.”** He said: “Should I perform wuḍoo. from the meat of camels. He said: **“ Yes, perform wuḍoo. from the meat of camels.”²**

¹ Saḥeeh: Saḥeeh Sunan Ibn Maajah (401), Sunan Abee Daawood (1/315/182), Sunan at-Tirmidḥee (1/54/81), Sunan Ibn Maajah (1/166/494)-in abridged form.

² Saḥeeh: Mukḥtaṣar Muslim: (no.146), Muslim (1/275/360).

(Lesson 10):

That which the wuḍoo. is obligatory for (what is forbidden for the person whose state of purification is broken):

1. The Prayer:

Because of His Saying, He-the Most High:

[[Meaning: **O You who believe when you stand up intending to pray, then wash your faces...**]]- the Aayah.

[Sooratul Maa'idah (5):6]

Due to the saying of the Prophet (salallaahu 'alaihi wassallam): **"Allaah will not accept a Prayer without purification."**¹

2. Performing Tawaaf around the House:

Due to his (salallaahu 'alaihi wassallam) saying: **"Tawaaf around the House is Prayer, except that Allaah has made speech permissible in it."**²

That which the wuḍoo. is recommended for:

1. The remembrance of Allaah- the Mighty and Majestic:

Because of the hadeeth of al-Muhaajir ibn Qunfudh that he gave the greeting of salaam to the Prophet (salallaahu 'alaihi wassallam) whilst he was urinating but he did not respond to him until he had performed wuḍoo. then he responded to him and he said:

"I was not prevented from responding to you except by the fact that I disliked to make mention of Allaah except upon purification.."³

2. Sleep:

Because of what al-Baraa. Ibn Aazib-(radiyallaahu `anhu)maa: He said: The Prophet (salallaahu 'alaihi wassallam) said:

¹ Saḥeeḥ: Mukhtaṣar Muslim (104); Muslim (1/204/224), at-Tirmidhee (1/3/1)

² Saḥeeḥ: [Saḥeeḥul-Jaami`is-Sagheer (3954)], Sunan at-Tirmidhee (2/217/967)

³ Saḥeeḥ: Saḥeeḥ Sunan Ibn Maajah (28), Sunan Abee Daawood (1/34/17), Sunan Ibn Maajah (1/126/350), Sunan an-Nasaa. (1/37), and he does not report the portion traced back to the Prophet (salallaahu 'alaihi wassallam)

“When one of you go to your bed then perform wuḍoo. as you would perform wuḍoo. for the prayer. Then lie down upon your right-hand side, then say: “O Allaah I have submitted my soul to You, and I have turned my face to You, and I have entrusted my affair to You, and I have place my dependence upon You, hoping and having fear in You. There is no shelter and no place of safety from You except towards You. O Allaah, I believe in Your Book which You sent down and in Your Prophet who You sent.” So if you die on that night of yours , then you will be upon the fitrah (the true Religion), and make them the last things you speak with.”¹

3. The Junub (The person who is in a state of *Janaabah*):

When he wants to eat or drink or sleep or repeat the act of intercourse:

From `Aa.ishah- radiyallaahu `anhaa- that she said that the Prophet (salallaahu `alaihi wassallam) when he was *junub*, and he wanted to eat or sleep, he would perform wuḍoo. in the way in which he performed wuḍoo. for the Prayer.²

And from `Ammar ibn Yaasir-(radiyallaahu `anhu)maa- that the Prophet (salallaahu `alaihi wassallam) gave concession for the *junub* when he wanted to eat or drink or sleep that he would perform wuḍoo. in the manner in which he performs wuḍoo. for the Prayer.³

And from Aboo Sa`eed-(radiyallaahu `anhu)- from the Prophet (salallaahu `alaihi wassallam) that he said:

“When one of you has relations with his wife and then he wants to repeat, then let him perform wuḍoo.”⁴

4. Before taking a *ghusl* or taking a bath, whether it is one which is obligatory or one which is recommended:

From `Aa.ishah- radiyallaahu `anhaa- who said: “When Allaah’s Messenger (salallaahu `alaihi wassallam) used to take a bath from *janaabah* he would begin with washing his hands. Then he would pour water with his right hand over his left hand and wash his

¹ Agreed upon: Saḥeeḥul-Bukḥaaree (11/109/6311), Muslim (4/2081/271).

² Saḥeeḥ: [Abridgement of Muslim (162), Muslim (1/248-22-305), Sunan an-Nasaa.ee (1/138), Sunan Abee Daawood (1/374/221)

³ Saḥeeḥ: Sunan Abee Daawood (1/375/222).

- Declared *da`eef* (weak) by Shaiḥ al-Albaanee because of a hidden defect (*`illah*) [Da`eef Sunan Abee Daawood: (no.29)] (transl.)

⁴ Saḥeeḥ: Saḥeeḥul-Jaami`is-Sagheer (263), Muslim (1/249/308), Sunan Abee Daawood (1/371/217), Sunan at-Tirmidhee (1/94/141), Sunan an-Nasaa.ee (1/142), Sunan Ibn Maajah (1/193/587).

genitals, then he would perform wuḍoo. in the manner in which he performed wuḍoo. for the Prayer.¹

5. Eating that which has been touched by fire (eating cooked food):

Because of the ḥadeeth of Aboo Hurairah-(radiyallaahu `anhu)- who said: I heard Allaah's Messenger (salallaahu `alaihi wassallam) saying:

"Perform wuḍoo. from that which has been touched by fire."²

And it is taken to be a recommendation because of the ḥadeeth of `Ammar ibn `Umayyah ad-Damree who said: I saw the Prophet (salallaahu `alaihi wassallam) cutting some meat from the shoulder of a sheep and he ate from it, then he was called to the Prayer. So he got up, and threw down the knife, and prayed and he did not perform wuḍoo..³

6. For every Prayer:

Because of the ḥadeeth of Buraidah-(radiyallaahu `anhu)-who said: 'The Prophet (salallaahu `alaihi wassallam) used to perform wuḍoo. for every Prayer, then when it was the Day of the Conquest, he performed wuḍoo. and wiped over his leather socks, and he prayed the Prayers with a single wuḍoo.. So `Umar said to him "O Messenger of Allaah! You have done something which you had not used to do." So he said: " **I did it deliberately, O `Umar.**"⁴

7. Every time that purification is broken:

Because of the ḥadeeth of Buraidah -(radiyallaahu `anhu)- who said Allaah's Messenger (salallaahu `alaihi wassallam) entered the morning one day, and he called for Bilaal, and said:

"O Bilaal on account of what have you preceded me in Paradise? Last night I entered Paradise and I heard the sound of your footsteps in front of me." Bilaal said: "O Messenger of Allaah, I have never given the adḥaan except that I prayed two rak`ahs; and my purification was never broken except that I then performed wuḍoo.. So Allaah's Messenger (salallaahu `alaihi wassallam) said: "**Because of this.**"⁵

¹ Saḥeeh:[Abridgement of Muslim (155), Saḥeeh Muslim (1/253/316)

² Saḥeeh:[Abridgement of Muslim (147), Saḥeeh Muslim (1/272/352), Sunan an-Nasaa.ee (1/105)

³ Saḥeeh: [Abridgement (148), Saḥeeh Muslim (1/274-93-355),

⁴ Saḥeeh: Muḥkhtaṣar Muslim (142); Muslim (1/232/277), Aboo Daawood (1/292/171), at-Tirmidhee (1/42/61), an-Nasaa.ee (1/86)

⁵ Saḥeeh: Saḥeehul-Jaami` (7894); at-Tirmidhee (5/282/3772)

8. From vomiting:

Because of the hadeeth of Ma`daan ibn Abee Talhah: from Abud-Dardaa: that Allaah's Messenger (salallaahu 'alaihi wassallam) vomited, so he broke his fast, and he performed wuḍoo. He said: So I met Thawbaan in the mosque of Damascus, and I mentioned that to him. So he said: 'He has spoken the truth. I poured the water out for him to make wuḍoo..'¹

9. Whoever carries a dead person:

Because of his (salallaahu 'alaihi wassallam) saying: **"Whoever washes a dead person, then let him take a bath; and whoever carries him, then let him perform wuḍoo.."**²

The full answer of Bilaal as reported by at-Tirmidhee was: "O Messenger of Allaah! I never gave the adhaan except that I prayed two rak'ahs; and I never broke my purification except that I then performed wuḍoo., and I held that Allaah was due two rak'ahs from me."

¹ Its chain of narration is Saheeh: Tamaamul-Minnah (p.111); at-Tirmidhee (1/58/87), Aboo Daawood (7/8/2364)-and he does not have: "and he performed wuḍoo."

² Saheeh: al-Janaa.iz (53): Aḥmad (2/145/486), Ibn Hibbaan (191/751), al-Bayhaqee (1/300), at-Tirmidhee (2/231/998), with its meaning; and what is apparent from the order is that it brings about obligation. However we do not say that because of the hadeeth of Ibn `Abbaas that the Prophet () said: "You do not have to take the bath for washing your dead, when you have washed him; for your dead person is not impure. So it is sufficient for you to wash your hands." It was reported by al-Haakim (1/386), and al-Bayhaqee (3/398). Slightly adapted from 'Aḥkaamul-Janaa.iz' of al-Albaanee (p. 53)

(Lesson 11):

WIPING OVER THE LEATHER SOCKS (al-Mash`alal-Khuffayn):

Imaam an-Nawawee-rahimahullaah-said in his explanation of Muslim (3/164):

‘Those whose sayings are counted in consensus have agreed that it is permissible to wipe over the leather socks, when on a journey and when in residence, whether it is done for a need or otherwise, to the extent that it is permissible for the woman who stays within her house, and at times when the person is not walking about. It is only criticised by the Shee`ah and the Khawaarij, and their disagreement is not counted.

al-Hasan al-Basree-rahimahullaah-said: ‘Seventy of the Companions of Allaah’s Messenger (salallaahu `alaihi wassallam) narrated to me that Allaah’s Messenger (salallaahu `alaihi wassallam) used to wipe upon the leather socks.’

And the best thing that is used as evidence for the permissibility of wiping is that which Muslim reported from al-A`mash from Ibraaheem from Hammaam who said: Jareer urinated, and then he performed wuḍoo. and he wiped over his leather socks. So it was said: “You do this.” He said, “Yes, I saw Allaah’s Messenger (salallaahu `alaihi wassallam) urinate, and then he performed the wuḍoo. and then he wiped over his leather socks.” al-A`mash said Ibraaheem said: “This hadeeth used to please them because of the Islaam of Jareer happened after Sooratul-Maa.idah came down”.¹

an-Nawawee said²: ‘Meaning that Allaah the Most High said:

[[Meaning: Then wash your faces and your arms up to and including the elbows, and wipe your heads, and wash your feet up to and including the ankle bones.]]

[Sooratul Maa.idah (5):6]

He said: So if the Islaam of Jareer had come before the descent of al-Maa.idah it would have been possible that his hadeeth about wiping over the leather socks was abrogated by the Aayah of al-Maa.idah, but since his Islaam came later on, then we know for certain that his hadeeth is to be acted upon; and it clarifies that the one who is meant by the Aayah is the person who is not wearing leather socks. So therefore the Sunnah particularises the Aayah, and Allaah knows best.”

Its Conditions:

It is a condition for the permissibility of wiping that he should wear the leather socks upon the state of having made wuḍoo.

¹ Saheeh: [Mukhtasar Muslim (136), Muslim (1/227/272), at-Tirmidhee (1/63/93).

² Sharh Muslim (3/164)

From al-Mugheerah ibn Shu`bah-(radiyallaahu `anhu)-who said: I was with the Prophet (salallaahu `alaihi wassallam) one night on a journey. So I poured water out for him from the pot so he washed his face and his two forearms and he wiped his head. Then I reached down to remove his leather socks so he said:” **Leave them because I entered them both in a state of purification**” so he wiped over them.¹

Time period for wiping:

From `Alee ibn Abee Taalib-(radiyallaahu `anhu)-who said Allaah’s Messenger (salallaahu `alaihi wassallam) laid down three days and their nights for the traveller and one day and night for the residence.²

The place of wiping and its description:

The place which is legislated to wipe is the upper surface of the leather sock, because of the saying of `Alee ibn Abee Taalib-(radiyallaahu `anhu)-: “If the Religion were in accordance with opinion then underneath of the leather sock would have more right to be wiped than its top part, but I saw Allaah’s Messenger (salallaahu `alaihi wassallam) wiping over the upper surface of his leather socks.³

And what is obligatory in wiping is that which the name wiping can be applied to.

Wiping over socks and sandals:

And just as it is permissible to wipe upon leather socks then it is permissible to wipe upon normal socks and upon sandals, because of the hadeeth of al-Mugheerah ibn Shu`bah that the Prophet (salallaahu `alaihi wassallam) performed the wuduo. and he wiped over the socks and the sandals.⁴

And from `Ubaydah ibn Jurajj who said it was said to Ibn `Umar we have seen you doing something which we did not see anyone else besides you doing. He said: ‘And what is it? They said: ‘We have seen you wearing these animal- hair sandals.’ He said: ‘I saw Allaah’s Messenger (salallaahu `alaihi wassallam) wearing them and performing wuduo. in them, and he wiped over them.’⁵

That which nullifies the wiping:

¹ Agreed upon: Muslim (1/230-79-274), al-Bukharee (1/309/206)-in abridged form, Aboo Daawood (1/256/151)

² Saheeh: [Mukhtasar Muslim (139), Muslim (1/232/276), an-Nasaa.ee (1/84)

³ Saheeh: [Irwaa.ul-Ghaleel 103], Aboo Daawood (1/278/162)

⁴ Saheeh: [Irwaa.ul-Ghaleel 101], Aboo Daawood (1/269/159), at-Tirmidhee (1/67/99), Ibn Maajah (1/185/559).

⁵ Ibn Khuzaymah (1/p.100 hadeeth 199), al-Bayhaqee (1/ p.287)

The wiping is annulled by one of these three:

- 1) Completion of the time period, because wiping has a time limit as you have known, so it is not permissible to increase upon the time period which has been established.
- 2) *Janaabah*: Because of the hadeeth of Safwaan: Allaah's Messenger (salallaahu 'alaihi wassallam) used to command us when we were upon a journey that we should not remove our leather socks for three days along with their nights except from *janaabah*, but rather from passing excrement, and urine and sleep.¹
- 3) Removing that which has been wiped upon from the feet, because if he removes the two of them, and then wears them again, then he will not have entered his two feet in a state of purification.

Point of benefit:

The completion of the time period and removing that which he has wiped upon nullify the wiping alone. So it is not permissible to wipe until he has performed the wuḍoo and washed his feet and then worn it. However if he was still in a state of wuḍoo when he took off the thing which he wiped over, or when the time period finished, then he remains upon his state of wuḍoo. He can pray with it as he wishes until he breaks his wuḍoo.

Point of benefit:

Whoever wears two pairs of socks upon a state of purification, and then wipes over them, and then he removes the top one -after having wiped over it, then it is permissible for him to complete the time period by wiping over the underneath one because it is correct that he entered his two feet into them in a state of being pure. But as for if he wore a sock, and he wiped over it, and then he wore another one on top of it, then he can not wipe over that. This is because it will not be correct that he has entered the two of them when they were pure.²

¹ Hasan: [Irwaa.ul-Ghaleel 104], at-Tirmidhee (1/65/96), an-Nasaa.ee (1/84)

² This is what Shaiikh al-Albaanee mentioned to me.

(Lesson 12):

***al-Ghusl*: The Bath**

Those things which make it obligatory:

1) Semen coming out whilst awake or during sleep:

Because of his (salallaahu 'alaihi wassallam) saying:

“Taking a bath is binding if semen comes out.”¹

And from Umm Salamah that Umm Sulaym said: “O Messenger of Allaah, Allaah is not shy of the truth, so is the bath binding upon the woman if she has a sexual dream.” He said: **“Yes if she sees semen.”²**

And having desire is a condition if a person is awake but not during sleep. Because of his (salallaahu 'alaihi wassallam) saying:

“If you ejaculate semen then take a bath from *janaabah*, but if you do not ejaculate it with force then do not take a bath.”³

ash-Shawkaanee⁴ said: '*al-hadhf* means firing out, and it does not occur in this manner except as a result of desire and it contains a point of note that that which comes out without desire either because of illness or severe cold does not necessitate taking a bath.'

And whoever has a sexual dream and does not find semen then there is no bath due upon him. And whoever finds semen but does not remember any sexual dream then taking a bath is upon him.

From `Aa.ishah-radiyallaahu `anhaa-she said:

“Allaah’s Messenger (salallaahu 'alaihi wassallam) was asked about the man who finds liquid but does not remember any sexual dream, so he said: **“He should take a bath.”** And he was asked about a man who sees that he had intercourse in a dream but he does not find any liquid. So he (salallaahu 'alaihi wassallam) said: **“There is no bath due upon him.”⁵**

¹ Saheeh: [Mukhtasar Muslim (151), Muslim (1/269/343), Aboo Daawood (1/366/214)

² Agreed upon: al-Bukhaaree (1/228/130), Muslim (1/251/313), at-Tirmidhee (1/80/122)

³ Its chain of narration is hasan saheeh: [Irwaa.ul-Ghaleel (1/162), Ahmad (1/247/82).

⁴ Naylul Awtaar (1/275)

⁵ Saheeh: Saheeh Sunan Abee Daawood (216), at-Tirmidhee (1/74/113), Aboo Daawood (1/399/233)

2) Sexual intercourse even if he does not ejaculate:

From the hadeeth of Aboo Hurairah-(radiyallaahu `anhu)-from the Prophet (salallaahu `alaihi wassallam) that he said: **“If he sits between her four limbs, and he has intercourse with her, then the bath has become obligatory, even if he did not ejaculate.”**¹

3) An Unbeliever accepting Islaam:

From Qais ibn `Aasim that he accepted Islaam so the Prophet (salallaahu `alaihi wassallam) ordered him to take a bath with water and lote-tree leaves.²

4) The cessation of the menstrual period and after-birth bleeding:

Because of the hadeeth of `Aa.ishah-radiyallaahu `anhaa-that the Prophet (salallaahu `alaihi wassallam) said to Faa`timah bint Abee Habaysh:

“When the menstrual period comes then leave off the Prayer, and when it departs then take a bath and pray.”³

And after-birth bleeding is just like the menstruation period by consensus.

5) The day of Jumu`ah:

From the hadeeth of Aboo Sa`eed al-Khudree that the Prophet (salallaahu `alaihi wassallam) said:

“Taking the bath for the Jumu`ah is obligatory upon every adult.”⁴

Its Pillars:

1) Intention: Because of the hadeeth: **“Actions are but by intentions...”**⁵

2) Covering the whole body with water.

¹ Saheeh: [Mukhtasar Muslim (152)], Muslim (1/271/348)

² Saheeh: [Irwa`ul-Ghaleel (128), an-Nasaa.ee(1/109), at-Tirmidhee (2/58/602), Aboo Daawood (2/19/351)

³ Agreed upon: al-Bukhaaree (1/42/320), Muslim (1/262/333), Aboo Daawood (1/466/279), at-Tirmidhee (1/82/125), an-Nasaa.ee (1/186), and their wordings except for al-Bukhaaree is: ‘wash the blood away from yourself.’

⁴ Agreed upon: al-Bukhaaree (357/2/879), Muslim (2/580/846), Aboo Daawood (2/4 & 5 /337), an-Nasaa.ee (3/93), Ibn Maajah (1/346/1089)

⁵ Agreed upon: al-Bukhaaree, Muslim (1/204/226)

Its recommended form:

From `Aa.ishah-radiyallaahu `anhaa-that she said: 'Allaah's Messenger (salallaahu 'alaihi wassallam) when he took a bath from *janaabah* he would begin and wash his hands, then he would pour water with his right hand over his left hand and wash his genitals. Then he would perform the wudoo. in the manner in which he performed the wudoo. for the Prayer. Then he would take the water and enter his fingers into the roots of his hair until he saw that he had caused the water to reach all parts of it. Then he would take three handfuls of water and put it upon his head. Then he washed his feet.'¹

Point of note:

It is not obligatory upon the woman to undo her hair when taking a bath from *janaabah* but it is obligatory upon her to do that in the bath for the menstrual period.

From Umm Salamah-radiyallaahu `anhaa-that she said: 'I said: "O Messenger of Allaah! I am a woman who ties my hair into plaits. Shall I undo it for the bath of *janaabah*?" He said:

"No, it would suffice you to pour three handfuls of water upon your head then make the water flow upon yourself and you will be clean."²

From `Aa.ishah-radiyallaahu `anhaa-that Asmaa. asked the Prophet (salallaahu 'alaihi wassallam) about the bath from menstruation. So he said:

"One of you should take her water and her lote-tree leaves, so she should purify herself and purify herself in a good manner then she should pour it upon her head and strongly rub it in until she reaches the roots upon her hair. Then she should pour the water upon herself, then she should take a piece of cloth with musk upon it and clean herself with it." So Asmaa. said: 'How should she clean herself with it? so he said **"Subhaanallaah! (How perfect is Allaah!) She should clean herself with it."**

So `Aa.ishah said it is as if she said it secretly to her she should wipe away with it the traces of blood.

And she asked him about the bath of *janaabah*. So he said:

"She should take some water and purify herself and purify herself in a good manner or perform the purification fully then she should pour it upon her head and rub it in

¹ Agreed upon.

² Saheeh: [Irwa'ul-Ghaleel (136), Muslim (1/259/330), Aboo Daawood (1/426/248), an-Nasaa'ee (1/131), at-Tirmidhee (1/71/105), Ibn Maajah (1/198/603)]

until she reaches the roots of her hair upon her head then she should pour the water upon herself.”¹

So this hadeeth clearly shows a difference between the bath which a woman takes from her menses and her bath from the state of *janaabah* since he emphasised upon the menstruating woman that she should exalt in rubbing strongly and in purifying in a way in which he did not emphasis the like of in her bath from *janaabah*. Just as the hadeeth of Umm Salamah is a proof that it is not obligatory to undo the hair in her bath from *janaabah*.²

And the basic rule is to undo the hair to make certain that the water reaches whatever is underneath it. Except that it has been pardoned in the bath of *janaabah* because of the fact that it happens repeatedly and that it would create severe difficulty to have to undo it for that. Contrary to the bath after the menses because it happens only once a month.³

Point of note:

It is permissible for the two spouses that they can both take a bath together in a single place. Each of them looking at the private part of his companion. Because of the saying of `Aa.ishah-radiyallaahu `anhaa: ‘I used to take a bath, I and Allaah’s Messenger (salallaahu ‘alaihi wassallam) from a single vessel when we were in a state of *janaabah*’⁴

¹ Saheeh: [Mukhtasar Muslim (172)], Muslim (1/261/-61-332)

² Tahdheeb Sunan Abee Daawood of Ibnul Qayyim.

³ Tahdheeb Sunan Abee Daawood of Ibnul Qayyim.

⁴ Hasan: Saheeh Sunan Ibn Maajah (480), Aboo Daawood (1/370/216), Ibn Maajah (1/194/590)

(Lesson 13):

The recommended baths:

1-Taking a bath at each act of sexual intercourse:

Because of the hadeeth of Aboo Raafi` that the Prophet (salallaahu `alaihi wassallam) one night had relations with all of his wives in succession, taking a bath with this one and with this one. He said: "O Messenger of Allaah! Why don't you make it a single bath?" So he (salallaahu `alaihi wassallam) said:

"This is purer and better and cleaner."¹

2- The woman who has continual bleeding-taking a bath for every Prayer, or one bath for the Zuhr Prayer and `Asr Prayer together, and one bath for the Maghrib and `Ishaa. Prayer together, and one bath for the Fajr Prayer.

Because of the hadeeth of `Aa.ishah-radiyallaahu `anhaa-that she said: "Umm Habeerah had continual bleeding in the time of Allaah's Messenger (salallaahu `alaihi wassallam) so he commanded her to take a bath for every Prayer....the hadeeth."²

And in a narration from her a woman had continual bleeding in the time of Allaah's Messenger (salallaahu `alaihi wassallam) so she was commanded that she should bring the `Asr Prayer forward and delay the Dhur Prayer and that she should take a single bath for both of them and that she should delay the Maghrib Prayer and bring forward the `Ishaa Prayer and take a bath for the two of them and that she should take a bath for the Dawn Prayer.³

3- Taking a bath after becoming unconscious:

Because of the hadeeth of `Aa.ishah-radiyallaahu `anhaa-that she said Allaah's Messenger (salallaahu `alaihi wassallam) became very ill. So he said: "**Have the people prayed?**" So we said: 'No, they are waiting for you O Messenger of Allaah'. So he said: "**Put some water in the tub for me.**" She said so we did so. So he took a bath and then he tried to stand but he fell unconscious. Then he came around and he said: "**Have the people prayed?**" So we said: 'No, they are waiting for you O Messenger of Allaah'. He said put some water for me in the tub. She said so we did so. So he took a bath then he tried to stand up and he fainted. Then he came around and he said: "**Have the people prayed?**" So we said: 'No, they are waiting for you O Messenger of Allaah'. And she mentioned his sending a message to Aboo Bakr and the completion of the hadeeth.⁴

¹ Hasan: [Saheeh Sunan Ibn Maajah (480)], Aboo Daawood (1/370/216), Ibn Maajah (1/194/590)

² Saheeh: [Saheeh Sunan Abee Daawood (269)] Aboo Daawood (1/483/289)

³ Saheeh: [Saheeh Sunan Abee Daawood (273)] Aboo Daawood (1/487/291)

⁴ Agreed upon: Muslim (1/311/418), al-Bukhaaree (1/172/687)

4- Taking a bath after burying a *Mushrik*:

Because of the hadeeth of `Alee ibn Abee Taalib-(radiyallaahu `anhu)-that he came to the Prophet (salallaahu `alaihi wassallam) and he said: "Aboo Taalib has died." So he (salallaahu `alaihi wassallam) said: "**Go and bury him.**" So when I had buried him I came back to him and he said to me: "**Take a bath.**"¹

5- Taking a bath for the two `Eeds and for the Day of `Arafah:

Because of what al-Bayhaqee reported by way of ash-Shaafi`ee from Zaadhaan who said: "A man asked `Alee-(radiyallaahu `anhu)-about the bath." So he said: "Take a bath every day if you want to." So he said: "No, the bath which is the bath." He said: "The Day of Jumu`ah, and the Day of `Arafah, and the Day of Sacrifice, and the Day of Fitr."

6- Taking a bath after washing the dead:

Because of his (salallaahu `alaihi wassallam) saying:

"Whoever washes a dead person then let him take a bath."²

7- Taking a bath for the state of Ihraam for `Umrah or Hajj:

Because of the hadeeth of Zayd ibn Thaabit that he saw the Prophet (salallaahu `alaihi wassallam) removed his (usual) clothes for entering the state of Ihraam, and he took a bath.³

8- Taking a bath to enter Makkah:

Because of the hadeeth of Ibn `Umar-(radiyallaahu `anhu)maa-that he had not used to come to Makkah except that he would spend the night at Dhee Tuwaa, and then enter the morning. So he would take a bath and then enter Makkah in the day time; and he mentioned from the Prophet (salallaahu `alaihi wassallam) that he did it.⁴

¹ Its chain of narration is Saheeh:

² Saheeh; [Saheeh Sunan Ibn Maajah (1195), Ibn Maajah (1/470/1463)

³ Hasan: [Irwa'ul-Ghaleel (149), at-Tirmidhee (2/163/831)

⁴ Agreed upon: Muslim (2/919-227-1259)-and this is his wording, al-Bukhaaree (3/435/1573), Aboo Daawood (5/318/1848), at-Tirmidhee (2/172/854)

(Lesson 14):

Secondly:-Purification with earth (at-Tayammum):

Its Legislation:

He the Most High Says:

[[Meaning: And if you are ill or upon a journey, or one of you comes from going to the toilet, or if you have had sexual intercourse with women and you do not find water, then perform tayammum with clean earth: and wipe your faces and your hands.]]

[Sooratul-Maa'idah (5):6]

And Allaah's Messenger (salallaahu 'alaihi wassallam) said:

"Clean earth is a purification for the Muslim even if he does not find water for ten years."¹

The causes which render it permissible:

It is permissible to perform tayammum when one is unable to use water because he can not find it or because he fears harm from using it because of illness in the body or severe cold.

From `Imraan ibn Husayn-(radiyallaahu `anhu)-who said: "We were along with Allaah's Messenger (salallaahu 'alaihi wassallam) on a journey. So he led the people in prayer and then he saw a man who was keeping himself away. So he said:

"What prevented you from praying?" He said: "I was struck by *janaabah* and there was no water." So he (salallaahu 'alaihi wassallam) said: **"Use the earth, for it will suffice you."**²

And from Jaabir-(radiyallaahu `anhu)-who said: "We went out on a journey, so a man from us was struck by a rock and it caused him a head injury. Then he had a wet dream so he asked his companions: 'Do you find any concession for me to perform tayammum?' So they said: "We do not find any concession for you and you, and you are able to use water." So he took a bath and he died. So when we came to Allaah's Messenger (salallaahu 'alaihi wassallam) he was informed of that. So he said:

¹ Saheeh: [Saheeh Sunan Abee Daawood (322); at-Tirmidhee (1/81/124), Aboo Daawood (1/528/329), an-Nasaa.aa (1/171)-with close wordings.

² Agreed upon: al-Bukhaaree (1/477/344), Muslim (1/474/682), an-Nasaa.aa (1/171).

“They killed him, may Allaah kill them. Why didn’t they ask when they did not know? Indeed the cure for ignorance is to ask. It would have sufficed him just that he should perform tayammum.”¹

And from `Amr ibn al-`Aas-(radiyallaahu `anhu)-that when he was sent the military expedition of Dhaatas-Salaasil he said: I had a wet dream on a cold night which was severely cold so I feared that if I took a bath I would die, so I performed tayammum then I led my companions in the Dawn Prayer. So then when we came to Allaah’s Messenger (salallaahu `alaihi wassallam) they mentioned that to him. So he said:

“O `Amr did you lead your companions in Prayer when you were in *junub*.” So I said: “I remembered the saying of Allaah- the Most High:

[[Meaning: And do not kill yourselves indeed Allaah is ever merciful to you.]]

[Sooratun-Nisaa (4): 29]

So therefore I performed tayammum and then I prayed”. So Allaah’s Messenger (salallaahu `alaihi wassallam) laughed and he did not say anything.²

What is earth?

He said in ‘Lisaanul `Arab’³ : “The Sa`eed is the earth; it is said: pure earth, and it is said: it is every pure soil; and there occurs in the Revelation sent down:

[[Meaning: So perform tayammum with pure earth]]

[Sooratul Maa'idah (5): 6]

Aboo Ishaaq said: ‘as-Sa`eed is the face of the earth and it is upon the person that he should strike his two hands upon the face of the earth and not care whether the place has soil upon it or not. Because as-Sa`eed is not soil rather it is the face of the earth, whether that be soil or something else he said and if there is a land which is all of it rock with no

¹ Hasan: [Saheeh Sunan Abee Daawood (326)]; Aboo Daawood (1/532/332), and it contains an addition which is *munkar*, and that is “...and wipe or tie a piece of cloth upon his wound and then wipe over it. And wash the rest of his body.” Shamsul-Haqq said in ‘`Awnul-Ma`bood’ (1/535): ‘The narration about combining tayammum and washing is not reported by anyone other than Zubair ibn Khuraiq, and he- along with the fact that he is not strong in hadeeth - has also contradicted the rest of those who report from `A³aa ibn Abee Rabaah. So the narration of the combination between tayammum and taking a bath is a narration which is weak, rulings cannot be established through it.’ And take note of the point of benefit which follows after one page.

² Saheeh: [Saheeh Sunan Abee Daawood (323), Aboo Daawood (1/530/330), Ahmad (2/191/16), al-Haakim (1/177).

³ (3/254)

soil upon it and then the person performing tayammum struck his hand upon that rock that would be purification if he wipes his face with it.'

The description of the tayammum:

From `Ammar ibn Yaasir-(radiyallaahu `anhu)maa-who said: I became *junub* and I did not find any water. Therefore I rolled around in the dust and I prayed. So I mentioned that to the Prophet (salallaahu `alaihi wassallam), and he said: "**It would have sufficed you to do like this**", and the Prophet (salallaahu `alaihi wassallam) struck the ground with his two palms and he blew upon them. Then he wiped his face with them and his two hands.¹

Point of benefit:

The principal with regard to tayammum is it takes the place of wuḍoo.. So whatever is permissible to do with wuḍoo. is permissible to do with it. And it is permissible to perform it before the time just as that is permissible with the wuḍoo. and the person can pray whatever he wishes with it just as he prays with the wuḍoo. .

Those things which break tayammum:

Tayammum is broken by that which breaks wuḍoo. And it is also broken by the presence of water for the person who couldn't find it, and the ability to use it for the one who was unable to use it; and whatever came before from his Prayer is correct, it is not necessary for him to repeat it.

From Aboo Sa`eed al-Khudree-(radiyallaahu `anhu)-who said: "Two men went out on a journey and it became time for the Prayer and they did not have any water with them. So both of them performed tayammum with pure earth and they prayed. Then they found water within the time. So one of them repeated the wuḍoo. and the Prayer and the other one did not repeat. Then they came to Allaah's Messenger (salallaahu `alaihi wassallam) and they mentioned that to him. So he said to the one who had not repeated:

"You attained the Sunnah, and your Prayer suffices you." And he said to the one who performed wuḍoo. and repeated: **"You have the reward twice over."**²

Point of benefit:

Whoever has a wound upon which he has wrapped a bandage, or a fracture which he has set, then having to wash that place falls away from him and he does not have to wipe over it, nor perform tayammum for it.

The proof for that is the Saying of Allaah- the Most High:

¹ Agreed upon: al-Bukhaaree (1/455/347), Muslim (1/280/368), Aboo Daawood (1/514/317), an-Nasaa.ee (1/166).

² Saheeh:[Saheeh Sunan Abee Daawood (327), Aboo Daawood (1/536/334), an-Nasaa.ee (1/213)

[[Meaning: Allaah does not place a duty on any soul except that which it can carry out.]]

[Sooratul-Baqarah (2): 286]

And the saying of the Messenger (salallaahu 'alaihi wassallam):

“When I command you with a matter, then do what you are able to do from it.”¹

So everything which the person is unable to do falls away by the text of the Qur.aan and the Sunnah, and to declare something else to be a replacement for it is legislation, and legislation is not binding except by a text of the Qur.aan or Sunnah; and there is nothing in the Qur.aan or the Sunnah to show that wiping upon a splint or upon ointment is a replacement for washing that which the person is not able to wash. So that saying falls away.²

The permissibility of performing tayammum with a wall:³

From Ibn `Abbaas-(radiyallaahu `anhu)ma-who said: “ I came along with `Abdullaah ibn Yasaar- the slave belonging to Maymoonah the wife of the Prophet (salallaahu 'alaihi wassallam)- until we entered upon Aboo Juhaym ibn al-Haarith ibn as-Simmah al-Ansaaree.

So Abul Juhaym said: The Prophet (salallaahu 'alaihi wassallam) came from the direction of the well of Jamal⁴, so he was met by a man who greeted him with *salaam* ,but the Prophet (salallaahu 'alaihi wassallam) did not respond to him until he went to the wall, and wiped his face and two hands. Then he responded to his greeting of *salaam*.”⁵

¹ Saheeh: [Mukhtasar Muslim (639), Muslim (2/975/1337), an-Nasaa.ee (5/110)

² al-Muhalaa of Ibn Hazm (2/74)

³ Whether it is made of clay or made of rock; whether it is painted or not painted .This verdict was given to me by our Shaikh al-Albaanee-rahimahullaah-and he said:

ﷻ ﷻ ﷻ ﷻ ﷻ [Soorah Maryam (19): 64]

[[Meaning: **And your Lord is never forgetful**]]

⁴ A place close to al-Madeenah.

⁵ Agreed upon: al-Bukhaaree (1/441/337), Muslim (1/281/369)-in disconnected form, Aboo Daawood (1/521/325), an-Nasaa.ee (1/165).

(Lesson 15):

The rulings for Menstruation (al-haid) and After-birth Bleeding (an-nifaas):

Menstruation (*al-haid*) is the blood which is well-known to the women; and there is no limit in the Legislation for its shortest or its longest duration, rather that is referred back to what is usual.

After-birth bleeding (*an-nifaas*) is the blood which comes out because of having given birth, and its longest duration is forty days:

From Umm Salamah-radiyallaahu `anhaa-who said: "The women who had after-birth bleeding in the time of Allaah's Messenger (salallaahu `alaihi wassallam) used to sit for forty days."¹

And if she sees that she becomes clean before the forty days, then she should take a bath and she is pure. If, however, the blood continues after the forty days, then she takes a bath at the completion of the forty days and she is pure. What becomes forbidden on account of menstruation and after-birth bleeding:

Whatever is forbidden for the person whose purification is broken² is forbidden for the menstruating woman and the women who have are having after-birth bleeding, and she is in addition prohibited from:

1. Fasting, and she should make it up when she has become clean:

From Mu`aadhah who said: 'I asked `Aa.ishah, saying: Why is it that the woman who is menstruating makes up the Fast, but she does not make up the Prayer? So she said: "That used to happen to us along with Allaah's Messenger (salallaahu `alaihi wassallam), so we were commanded to make up the Fast, but we were not commanded to make up the Prayer."³

2. Intercourse in the vagina:

Because of His Saying-He the Most High:

[[Meaning: And they ask you about menstruation. Say: It is an impurity, so avoid having sexual intercourse with the women whilst they are menstruating; and do not have sexual intercourse with them until they have become purified. So when they

¹ Hasan Saheeh: Saheeh Ibn Maajah (530); Aboo Daawood (1/501/307), at-Tirmidhee (1/92/139), Ibn Maajah (1/213/648)

² See p. 25 .

³ Agreed upon: Muslim (1/265/335)-and this is his wording, al-Bukhaaree (1/421/321), at-Tirmidhee (1/87/130), Aboo Daawood (1/444/259), Ibn Maajah (1/207//631).

have become clean and purified themselves then have intercourse with them as Allaah has commanded you.]]

[Sooratul-Baqarah (2):222]

And because of his (salallaahu 'alaihi wassallam) saying:

“Do everything except sexual intercourse.”¹

The ruling for one who has sexual intercourse with a menstruating woman:

Imaam an-Nawawee-rahimahullaah-said in 'Sharh Muslim' (3/204): “And if a Muslim held that it is permissible to have sexual intercourse with a menstruating woman in her vagina he would become an Unbeliever, an Apostate. And if a person did it, not holding it to be lawful, then if he did so forgetfully, or out of ignorance, or ignorant of the presence of menstruation, or ignorant of its ruling, or being forced, then there is no sin upon him and no expiation is due. And if he had intercourse with her deliberately, knowing of the menstruation and of its ruling, doing so by choice, then he has committed a major sin. ash-Shaafi`ee stated that it is a major sin and repentance is obligatory upon him, and there are two sayings concerning the obligation of expiation”.

I say the correct saying is that the expiation (*kaffaarah*) is obligatory because of the hadeeth of Ibn `Abbaas-(radiyallaahu `anhu)maa- from the Prophet (salallaahu 'alaihi wassallam) regarding the one who has intercourse with his wife whilst she is menstruating, he said:

“He should give a deenaar or half a deenaar in charity.”²

And the choice in the hadeeth refers to whether it occurs at the beginning of the flow or at its end, because of what is reported from Ibn `Abbaas as his saying: “If he has relations with her at the start of the flow of blood, he should give a deenaar in charity; and if it is at its end, then half a deenaar.”³

Continual-bleeding (*al-Istih^haadah*):

It is blood which comes out at other than the times of menses or after-birth bleeding, or connected to them. So if it is the first case, then that is clear; and if it is the second:

¹ Saheeh: Saheeh Ibn Maajah (527); Muslim (1/246/302), Aboo Daawood (1/439/255),at-Tirmid^hee (4/282/4060), Ibn Maajah (1/211/644),an-Nasaa.ee (1/152).

² Saheeh: Saheeh Ibn Maajah (523); Aboo Daawood (1/445/261), an-Nasaa.ee (1/153), Ibn Maajah (1/210/640).

³ Saheeh mawqoof: Saheeh Abee Daawood (238); Aboo Daawood (1/249/262)

Then if the woman is used to having a period of a certain duration, then whatever is additional to that duration then it is continual bleeding (*istihādah*) because of his (salallaahu ‘alaihi wassallam) saying to Umm Habeebah:

“Remain for as long as your period used to detain you, then take a bath and pray.”¹

And if she can recognise a difference between the two bloods, then the menstrual blood is the black, well-known blood, and the rest is continual-bleeding.

Because of his (salallaahu ‘alaihi wassallam) saying to Faatimah bint Abee Hubaysh:

“If it the menstrual blood, then it is black and well known, so withhold from the Prayer; and if it is the other one then perform wudoo., for it is just a vein.”²

So if a girl becomes a woman and has continual bleeding, and she is not able to distinguish then she refers to what is predominately the case with her women-folk, because of his (salallaahu ‘alaihi wassallam) saying to Hamnah bint Jahsh:

“This is just something which Satan strikes with, so you will menstruate for six or seven days in the Knowledge of Allaah; then take a bath, until you see that you have cleaned and purified yourself. Then pray for twenty four nights or twenty three along with their days, and fast, for that will suffice you. And do likewise in every month, just as the women menstruate, and just as they become pure in accordance with the timing of their menstruation and their period of being clean.”³

Rulings for the woman who has continual-bleeding:

Nothing which is forbidden on account of menstruation is forbidden for the woman having continual bleeding, however it is binding upon her to perform wudoo. for every Prayer, because of his (salallaahu ‘alaihi wassallam) saying to Faatimah bint Abee Hubaysh:

“Then perform wudoo. for every Prayer.”⁴

And it is sunnah for her to take a bath (*ghusl*) for every Prayer, as has preceeded within the recommended baths.

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¹ Saheeh: al-Irwaa. (202); Muslim (1/264-65/334).

² Saheeh: al-Irwaa. (204); an-Nasaa. (1/185), Aboo Daawood (1/470/283).

³ Hasan: al-Irwaa. (205); Aboo Daawood (1/475/284), at-Tirmidhee (1/83/128), Ibn Majaah (1/205/627)-with its meaning.

⁴ Saheeh: Saheeh Ibn Maajah (507); Aboo Daawood (1/490/195), Ibn Maajah (1/204/264).