

Consequences Of The Differences Of The Companions (radiallahu anhum)

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Differences among the Companions [sahaba] and Followers [tabi'in] will consequently bring about differences among the jurists [fuqaha] as well. This is why, initially, there were differences over whether or not the consumption of anything cooked over the fire nullifies the ablution [wudu']. However, since there were relatively very few narrations supporting its nullification in the latter times, all four Imams unanimously agreed that the ablution would not be nullified by eating something cooked over a fire. There are many other issues on which the Imams ['ulama'] and their followers disagree.

One example is the issue of whether touching private parts nullifies the wudu' or not. Allah's Messenger (salallahu alayhi wa sallam) said, **'Whosoever touches his private parts should perform wudu.'** (Abu Dawud 181; Tirmidhi 82) The Companions, Followers, and the Imams have all differed as to the type of wudu' required. According to some of them, the hadith is referring to wudu' in its technical sense, while some of them assert that it refers to the literal meaning of the word. Similarly, they have differed the meaning of the word "touch" in the aforementioned hadith. Some of them say that the word "touch" refers to its literal meaning. Others say that the word "touch" refers to passing urine, because one normally touches one's private part to cleanse it after urinating. Similarly they have differed on the status of the wudu' demanded by this hadith. According to some of the jurists, wudu' is compulsory [wajib], while others regard this wudu' as preferable [mustahab].

Of similar nature is a hadith in which Allah's Messenger (salallahu alayhi wa sallam) says, **"The salat is broken if a woman, dog or donkey passes in front of a person performing salat."** (Muslim 1139) Some jurists take this hadith literally. According to them, the salat is technically nullified if a woman, dog or donkey passes in front of one who is praying. However, according to other Companions and jurists, there is no relationship between the breaking of the salat and the passing of one of these three. Therefore, it cannot be taken in its literal sense. To them, the breaking of the salat refers to the breaking of one's concentration in the salat. There are not one or two, but scores of facts that affirm this second meaning. They are explained in their respective places (i.e. in books of hadith commentary). We have omitted them here for the sake of brevity.