

Taharah, Ritual Purity

The Muslims have paid great attention to *Taharah* (ritual purity) and have written lengthy treat about it. They make their children get accustomed to it and teach it in their places of worship and instruction. The leaders of all the schools of fiqh have considered it a basic condition for the validity of 'ibadah (worship), and I am not exaggerating when I say no other religion had given importance to *Taharah* to the extent of Islam.

Taharah literally means purity, and in the terminology of the legists it implies the removal of hadath or khabath. The latter pertains to such physical impurities as blood and excrements. Hadath is a ritual condition which occurs to a person consequent to his performing an act that prohibits him from performing salat and necessitates the performance of wudhu or ghusl or tayammum. The tahara from hadath is not achieved unless accompanied by the intention (niyyah) to seek nearness to God (taqarrub) and obey His command regarding it. As to the tahara of the hands, clothes and utensils from najasah (impurity), it requires no niyyah; rather, if the wind carries a defiled (najis) piece of clothing and it falls into a 'large quantity' of water (al-mil al-kathir, details follow), it attains tahara automatically.

Water brings about tahara from both hadath and khabath. This accords with these statements of God Almighty:

وَيُنَزِّلُ عَلَيْكُمْ مِنَ السَّمَاءِ مَاءً لِيُطَهِّرَكُمْ بِهِ...

And He sends down upon you water from heaven to purify you thereby... (8:11)

وَأَنْزَلْنَا مِنَ السَّمَاءِ مَاءً طَهُورًا

And We sent down from heaven pure water. (25:48)

Tahur means that which is itself pure and capable of purifying others as well. Considering that water is

found either in a small (qalil) or a large quantity (kathir), and includes juicy extracts, solutions and water in its natural form, the legists have divided water into two types: mutlaq (pure) and mudaf (mixed).

Al-Ma' al-Mutlaq (Pure Water)

Al-ma al-mutlaq is water that has retained its natural state—the state possessed while coming down from the sky or welling from the ground that it is correct to apply the word 'water' to it without the addition of any adjective which would alter its natural state. That includes rainwater, seawater and water of river, well, spring and water derived from hail and snow.

Water is considered to remain in its 'pure' form if the change that occurs in it is due to factors usually unavoidable, e.g. mud, soil, stagnation, fallen leaves or collection of straw, etc., or the salt, sulphur, and other minerals that it contains at its source or picks up in its course. Al-ma al-Mutlaq is considered pure and purifying from both hadath and khabath by absolute consensus. As to the statement that has been narrated from 'Abd Allah ibn 'Umar, that he preferred tayammum to seawater, it stands refuted by these words of the Prophet(S).

من لم يطهره البحر فلا يطهره الله

He whom the sea does not purify, will not be purified by God.

Al-Ma' al-Musta'mal (Used Water)

When najasah is removed from the body, a piece of clothing or a utensil by pure water, the water separating from the object purified, either freely or by wringing, is called 'ghusalaah' or 'musta'mal' by the legists. It is impure (najis) because it is water in 'small quantity' (al-ma' al-qalil) that has come into contact with the impurity and has consequently become najis, irrespective of whether it has itself undergone any change or not. Accordingly, it cannot remove khabath or hadath.

A group of legists belonging to different schools observe: If this water separating from the washed object undergoes a change by the najasah, it is najis. Otherwise its state would be the state of the washed object—if najis then najis, and if tahir then tahir.

This observation will not be correct unless we take into account the state of the object being washed before water has reached it, for the object containing najasah is purified by the water poured over it and the water separating from it would be najis due to having come into contact with najasah.

If water is used for removing hadath, it is considered pure (tahir) but not purifying (mutahhir). This is the preponderant opinion of the Hanafi school and the apparent view of al-Shafi'i and Ahmad. According to one of the two opinions narrated from Malik, it is both pure and capable of purifying¹.

The Imamiyyah say: The water used for non-obligatory wudhu and ghusl --e.g ghusl al-tawbah or ghusl al-jumu'ah--is pure as well as capable of purifying from both hadath and khabath; i.e. it is valid to use it for ghusl, wudhu' and for removing najasah. As to the water used for performing obligatory ghusl --such as ghusl al-janabah and ghusl al-hayd--the Imami legists concur that it can remove najasah, but they differ concerning its ability to purify from hadath and the validity of wudhu' and a second ghusl with it.

A Subsidiary Issue

About a person in the state of janabah (the state of major ritual impurity following sexual intercourse) who dips himself in al-ma al-qalil after cleansing the locale of najasah and makes niayyah for purification from the hadath, the Hanbalis observe: The water will be considered used and the janabah too will not be removed; he will have to repeat the ghusl.

The Shafi'i, Imami and Hanafi schools state: The water will be considered used, though the janabah will be removed and he will not have to repeat the ghusl².

The people of the Middle Ages stood in need of this and similar issues, which have been discussed in voluminous works of fiqh, because water was more scarce and expensive in those days than oil is today. But now, after human knowledge has become capable of transporting water from under the ground to every house in the highest of mountains, our interest in this issue is like the interest shown to historical relics kept in museums.

Mixed Water (al-Ma' al-Mudaf)

Al-ma al-mudaf is either water extracted from fruits, e.g. lime and grape juice, or that which was pure initially before something was added to it that changed its character, e.g. rose-water and soda-water. It is tahir, but does not purify khabath as per the consensus of all schools except the Hanafi. The Hanafis consider valid the removal of khabath with any non-oily liquid, except that which has changed by cooking, and al-Sayyid al-Murtada from among the Imamiyyah has concurred with them.

All the schools, except the Hanafi, also concur that it is not valid to perform wudhu or ghusl with al-ma' al-mudaf. According to Ibn Rushd's Bidayat al-mujtahid wa nihayat al-muqtasid³ and Majma' al-'anhur⁴ Abu Hanifah has considered valid the performance of wudhu with date-wine (nabidh al-tamr) during travel. Further, it has been mentioned in Ibn Qudamah's al-Mughni⁵ according to Abu Hanifah it is valid to perform wudhu with al-ma al-mudaf. Al-Shaykh al-Saduq, an Imami, held that it is valid to perform wudhu and ghusl al-janabah with rose-water.

The Hanafis have relied for proving the validity of wudhu with al-ma' al-mudaf on this Qur'anic verse:

...فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا...

...And when you can find no water, then have recourse to wholesome dust... (5:6)

They say: The verse means, 'when you cannot find water, mutlaq or mudaf'; accordingly when al-ma' al-mudaf is available, it is not valid to resort to tayammum. The same verse has been relied upon by the imams of other schools to prove its invalidity. They observe: The word al-ma in the verse brings to one's mind al-ma' al-mutlaq and not al-ma al-mudaf.

Hence the meaning of the verse will be: If you do not find al-ma' al-mutlaq, then resort to tayammum. In this case the presence and absence of al-ma al-mudaf would be irrelevant. This is the correct opinion, because when you ask water from the owner of a cafe or someone else, he will not give you juice or soda, and it is a known fact that the subjects of the Shari'ah laws are understood on the basis of common usage.

This difference of opinion of the imams of fiqh concerning the interpretation of the word al-ma' in the verse is similar to the difference between men of letters concerning the meaning of a couplet or philologists concerning the meaning of a particular word. This difference is one of understanding and ijtihad and not of jurisprudential principles and sources.

Al-Kurr and al-Qullatan

All the schools concur that if the colour, taste or smell of water changes as a result of coming into contact with najasah, it will become najis, irrespective of its being qalil or kathir, flowing or stationary, mutlaq or mudaf. But if the smell of water is changed by the diffusion of the smell of najasah without its coming into contact with it (such as where there is a carcass nearby and the air carries its smell to the water) the water will remain tahir.

But in the case where najasah mixes with water without changing any of its qualities (colour, taste and smell), Malik, in one of the two opinions narrated from him, says: It is tahir whether it is qalil or kathir. The other schools observe: It is najis if qalil, and tahir if kathir.

But they differ in their definition of kathir. The Shafi'is and the Hanbalis⁶ state: 'Kathir' is that which has reached two qullahs (literally meaning jar, pot, bucket and olla) in accordance with the tradition: If water has reached two qullahs it is not affected by khabath. Two qullahs equal 500 Iraqi ritl (1 ritl is approximately 330 grams). Some scholars of al-'Azhar consider it equal to 12 tanakah. The Imamniyyah observe: 'Kathir' is that which is at least equal to a kurr, because of the tradition:

إذا بلغ الماء قدر كر لم ينجسه شيء

If water has reached the extent of a kurr nothing makes it najis.

A kurr is equal to 1200 Iraqi ritl and approximately to 27 tanakah. The Hanafis say: 'Kathir' means a

quantity of water whose other end remains motionless if one end of it is disturbed.⁷

From this discussion it becomes clear that the Malikis do not take into consideration the measures qullatan or kurr, and there is no specific quantity for water in their opinion. Hence 'qalil' and 'kathir' quantities are similar for them in that when one of the qualities is changed they become najis, not otherwise. Their opinion has been favoured from among the Imamiyyah by Ibn Abi 'Aqil who has acted on the general import of the tradition:

الماء طهور لا ينجسه شيء إلا ما غلب ريحه أو طعمه أو لونه

Water is pure, and nothing makes it najis except that which affects its smell, taste or colour.

But this tradition is general ('amm) and the tradition of qullatan and kurr is particular (khass), and the particular enjoys precedence over the general.

The Hanafis also do not take into account qullatan and kurr relying instead on movement, and regarding this movement I have not found any trace in the Qur'an and the Sunnah.

A Subsidiary Issue

The Shafi'i and the Imami schools observe: Liquids other than water, e.g. vinegar and oil, become najis merely on coming into contact with najasah, be their quantity qalil or kathir, and regardless of any change that may affect them.

This opinion corresponds with the principles of the Shari'ah because that which is understood from the Prophet's statement:

إذا بلغ الماء قلتين لم ينجسه شيء

al-ma al-mutlaq. The Hanafis say: The rule applicable to other liquids is the same as that of al-ma al-mutlaq in relation to their being qalil and kathir, and hence only their qalil, and not kathir, quantity will become najis on contact.

It has been mentioned in the Hashiyah of Ibn 'Abidin⁸: The rule applicable to liquids, as per the most correct opinion, is the one applicable to water, and even if urine falls into a juice of kathir quantity it will not be polluted, and if blood from someone's foot mixes with the juice it will not become najis.

Flowing and Stationary Water (al-Jari wa al-Rakid)

The schools differ concerning flowing water. The Hanafis observe: Every kind of flowing water–

irrespective of its being qalil or kathir and regardless of its connection to a source—will not become najis solely on contact. Rather, if there is najis water in one vessel and (tahir water in another and both of them are poured together from a height so that they mix in the air before coming down, all the water will be tahir.

Similar is the case if the two are made to flow on the ground⁹. Thus the criterion is flow, and wherever and in whatever manner it is achieved, flowing water will enjoy the status of al-ma al-kathir. But if it does not flow, then it is like qalil even if it is connected to a source.

On this basis, they have ruled that when rainwater falls on najis ground and does not flow on it, the ground will remain najis.

Consequently, according to the Hanafis, water which does not become najis on coming into contact with najasah is of two types: first, a body of stationary water whose other end remains motionless when one end of it is disturbed; second, flowing water, irrespective of its mode of flow. As to al-ma al-qalil that becomes najis on coming into contact with najasah, it is a body of stationary water whose other end is set in motion if one end of it is disturbed.

The Shafiis neither differentiate between flowing and stationary water nor between one connected to a source and one not connected. The criterion is simply its quantity, qalil or kathir. Hence kathir, which is a body of water at least equal to qullatan, will not become najis on contact, and that which is less than qullatan will become najis, whether flowing or stationary, and whether welling from a source or not. They rely on the unqualified nature of the tradition:

إذا بلغ الماء قلتين لم يحمل خبثا

They say: When –water is flowing and there is najasah in it, if the body of the flow containing the najasah has reached the quantity of qullatan without there being a change in its qualities, all the water will be tahir; and if the quantity of the body is less than qullatan, it will be najis, although the water above and beneath the flowing body of water will be tahir.

They interpret a flowing portion (jiryah) as the body of water between the two banks of a stream. Therefore, according to the Shafi'is the difference between flowing and stationary water is that stationary water is considered altogether as a single body of water, while flowing water, although its parts are connected with each other, is divided into flowing portions, each such portion having a separate status and becoming najis only if it is qalil and not otherwise.

Consequently, if one's hand is najis and one washes it in one of the portions of flowing water and this portion is less than qullatan, it is not valid for one to drink from it or perform wudhu with it, because it is najis. One must wait for the next portion or move upstream or downstream.

A great difference is noticeable between the opinions of the Shafi'i and the Hanfai schools concerning flowing water; the Hanafis consider flowing water—even if little—as capable of purifying.

This is indicated by their example of two vessels of water, one tahir and the other najis, and the water becomes tahir if the two waters are mixed in a state of flow. The Shafi'is, on the other hand, do not give credence to flow even if it is a big stream and consider each 'flowing portion' separately despite the portions being connected with each other.

The Hanbalis say: Stationary water becomes najis solely on contact if it is less than qullatan, irrespective of whether it is connected to a source or not. But flowing water does not become najis unless its qualities (colour, smell and taste) change. Thus the rule applicable to it is the rule applicable to al-ma al-kathir , even if it is not connected to a source. This opinion is close to the one held by the Hanafis.

As to the Maliki view, we have already mentioned that in their opinion qalil does not become najis solely by contact. They also do not differentiate between stationary and flowing water. To sum up, they do not differentiate between qalil and kathir , flowing and stationary, and water connected to a source and otherwise.

The only criterion for them is the change of qualities due to najasah. Hence if najasah changes any one of the qualities of water it becomes najis, otherwise it remains tahir irrespective of whether it is flowing or stationary, qalil or kathir.

The Imamiyyah state: Flow has no effect at all and the criterion is the existence of a source of flow or the presence of kathir quantity. Hence if water is connected to a source if through a trickle—it will fall under the rule applicable to kathir. That is, it will not become naiis solely on contact even if it is qalil and stationary, because of the preservative power and abundance of the source.

When water is not connected to a source, if it amounts to a kurr nothing will make it najis except the change of one of its qualities; but if it is less than a kurr , it will become najis on contact irrespective of its being stationary or flowing, except where it flows downstream, where the upstream part will not become najis by an insignificant contact.

It follows that the presence or absence of flow is equal in the eyes of the Imamiyyah, and it is observable that they stand apart from the other schools in considering the source of flow a criterion and in applying to the water connected to it the rule applicable to al-ma al-kathir even though it may appear to be qalil.

Al-'Allamah al-Hilli is an exception here, because he does not attach any importance to source and considers water to become najis solely on contact if its quantity is less than a kurr. Rainwater, during rain, is considered by the Imamiyyah as equivalent to water connected to a source and al-ma al-kathir.

It does not become najis by contact and purifies the earth, clothes, vessels and other objects solely by raining upon them after the najasah itself is removed from them.

Purifying Najis Water

1. Concerning al-ma al-qalil that has become najis by contact without any of its qualities having undergone a change, the Shafi'is observe: If water is added to this najis water so that they together add up to qullatan, it will become both tahir and mutahhir, irrespective of whether the water added is tahir or najis.

And if this water is later separated after its coming together, it will retain its taharah. Therefore, if a person has two or more vessels, all containing najis water, and all their water is collected in a single place so that their total volume reaches qullatim, it will become both tahir and mutahhir¹⁰.

The Hanbalis and most Imami legists state: Al-ma al-qalil is not purified after it is increased to a kurr or qullatan irrespective of whether the added water is najis or tahir, because adding najis water to another of its kind does not make the whole tahir. And similarly al-ma al-qalil which is tahir becomes najis by coming into contact with najis water.

Hence it is necessary for purifying it that it be connected to a kurr quantity or to water having a source of flow as per the Imami view, and to qullatan as per the opinion of the Hanbalis.

2. If the qualities of al-ma al-kathir have changed because of najasah, it will become tahir if the change vanishes; it will not require anything else. This is the opinion of the Hanbali and the Shafi'i schools.

The Imamiyyah say: If al-ma al-kathir does not have a source of flow it will not become tahir on the vanishing of the change; rather, it is necessary to add a kurr of tahir water to it after the vanishing of the change, or to connect it with a source of flow, or there be rain over it.

And if water has a source of flow it becomes tahir solely by the vanishing of the change even if it is qalil. The Malikis observe: Water which has become najis is purified by pouring al-ma al-mutlaq over it until the qualities of the najasah disappear.

The Hanafis state: Najis water becomes tahir on flowing. Thus if there is najis water in a tub and water is poured over it to make it overflow, it will become tahir. Similarly, if there is najis water in a pool or a pit, and then another pit is dug beside it at a distance, even if small, and the water is made to flow in the channel between them so that it gathers in the other pit, it will become tahir.

Now if this water becomes najis a second time after becoming stationary in the second pit, a third pit will be dug to repeat the same process, and the water will again become tahir. This process can go on infinitely.

Therefore a body of water that could not be used while it was stationary, can validly be used for wudhu' if caused to flow in any manner, even if it contains a carcass or people urinate in its downstream part without producing any observable effect in the flow. All this despite the knowledge that it is not

connected to any source of flow¹¹.

Al-Najasat

Dog: It is najis except in the opinion of Malik, though he says: A vessel licked by a dog will be washed seven times not because it is najis, but because of ta'abbud (obedience to the command of the Lawgiver).

The Shafi'i and the Hanbali schools observe: A vessel licked by a dog will be washed seven times, of these once with dust. The Imamiyyah state: A vessel licked by a dog will be washed once with dust and then twice with water.

Pig: It is similar to a dog in the view of all the schools except the Imami which considers it necessary to wash on contamination with it seven times with water only. Similar to it is a dead juradh, which is a large land rat.

Corpse: The schools concur regarding the najasah of the carcass of a land animal—other than man—which possesses blood which flows on coming out. As to the human corpse, the Maliki, Shafi'i and Hanbali schools consider it tahir.

The Hanafis consider it tahir. The Hanafis consider it najis though it becomes tahir after ghusl. The Imami view is the same though they restrict it to the corpse of a Muslim. There is a consensus among all the schools concerning the (ahlu) of the musk derived from the musk-deer.

Taharah

Blood: The four Sunni schools concur upon the najasah of blood. Among exceptions to this is the blood of a martyr as long as it is on his body, the blood retained in the body of a slaughtered animal, and the blood of fish, lice, flea and bug.

According to the Imamiyyah, the blood of every animal whose blood flows on coming out is najis irrespective of whether it is human blood or not, the blood of a martyr or a non-martyr. They consider the blood of an animal which does not flow out, whether it is a terrestrial or sea animal, as tahir. Similarly, they consider the blood retained in a slaughtered animal as tahir.

Semen: The Imami, the Maliki and the Hanafi schools consider the semen of human beings and other animals as najis, though the Imamis exclude the animals whose blood does not flow out and regard their semen and blood as tahir.

The Shafilis regard the semen of human beings as well as other animals, except the dog and the pig, as tahir. According to the Hanbalis, human semen and that of animals used for food is tahir and that of other animals najis.

Pus: It is najis in the opinion of the four schools and tahir according to the Imamis.

Human Urine and Excrement: They are considered najis by consensus.

Animal Excrement: Animals other than man, are either birds or other animals, and among the two are those which are used for food and those which are not. Among the birds that are eaten is the pigeon and the hen, and of those which are not eaten are the eagle and the falcon (although Malik permits all of them for food).

Among animals other than birds, there are some which may be used for food, e.g. the cow and the sheep, and others which are unlawful, e.g. the wolf and the cat (although Malik allows them).

The schools differ in their opinions regarding the tahara of animal excrement. The Shafi'is say: Every kind of animal excrement is najis. The Imamis state: The excrement of all birds is tahir, so also that of every animal whose blood does not flow on coming out.

But those animals whose blood flows on coming out, if permissible for food--e.g. the camel and the sheep--their excrement is tahir; if not--such as the bear and other beasts of prey--their excrement is najis. The excrement of every animal whose lawfulness for eating is doubtful is tahir.

The Hanafis observe: The excrement of animals other than birds is najis. Among the birds themselves, those which excrete in mid-air--e.g. the pigeon and the sparrow--their excrement is tahir, and those which excrete on the ground--e.g. hens and geese--their excrement is najis.

According to the Hanbali and the Maliki schools, the excrement of animals permitted for food is tahir, and that of animals forbidden for food whose blood flows on coming out, is najis, irrespective of its being a bird or any other animal. All the schools concur that the excrement of any animal that eats human excrement is najis.

Liquid Intoxicants: All the schools consider it najis. The Imamiyyah add a further qualification: that which is intrinsically liquid. By this condition they include an intoxicant that dries due to an external factor. Hence it continues to remain najis. An Imami legist states: Both the Sunni and Shii 'ulama' concur regarding the najasah of liquor, except a small group from among us and them whose opposition is not taken notice of by the two sects.

Vomit: The four schools consider it najis while the Imamiyyah regard it as tahir.

Madhy and Wadhy: The Shafi, the Maliki and the Hanafi schools consider both the secretions najis, while the Imamiyyah consider both tahir. The Hanbalis differentiate between these secretions of animals that make lawful food and others which may not be used for food.

They regard these secretions of the former as tahir and of the latter as najis. 'Madhy' is the thin genital discharge emitted while caressing, and wadhy is a dense discharge emitted following micturition.

In the same manner as the four schools differ with the Imamiyyah in considering the vomit, rnadhy and wadhy as najis, the Imamiyyah differ with the other schools concerning the najasah of the sweat of a junub person whose janabah is consequent to an unlawful sexual act. They say: The sweat of one who becomes junub by fornication, sodomy, masturbation or copulation with an animal and perspires before performing the ghusl, is najis.

Left-over: The Hanafi, the Shafi'i and the Hanbali schools state: The left-over of a dog and pig is najis. They also concur that the left-over of an ass and a donkey are tahir , though not mutahhir (purifying). Rather, the Hanbalis observe: Wudhu may not be performed by the water left-over by any animal whose meat is not eaten, except a cat and that which is smaller than it in e.g. rat and weasel.

The Hanafis have added to the left-over of the dog and the pig: the left-over of a drunk person immediately after drinking, the left-over of a cat immediately after eating a mouse, and the left-over of a wolf, lion, panther, leopard, fox and hyena¹².

The Imamiyyah state: The left-over of a najis animal--e.g. dog and pig--is najis, and that of a tahir animal is tahir , irrespective of its permissibility for food, the left-over of every animal is subordinate to its own tahirah and najasah.

The Malikis observe: The left-over water of a dog and a pig is tahir, and may be used for drinking and wudhu¹³.

Rules of the Closet

The Shafi'i, the Maliki and the Hanbali schools concur that it is not haram to face, or keep one's back to the qiblah while relieving oneself in a closet or in open air, provided there is a screen. However, they differ concerning relieving oneself outdoors without a screen. The Shafi'is and the Hanbalis do not prohibit it, and the Malikis do.

The Hanafis say: It is reprehensible to the extent of being haram, whether it be in closed or open space¹⁴.

The Imamiyyah observe: It is totally haram to face or turn one's back to the qiblah while relieving oneself whether it be in a closed or open space, with or without a screen.

All the schools concur that al-ma' al-mutahhir removes najasah from the urinary and anal outlets. The four schools also concur that stones also suffice for purifying the two outlets. The Imamiyyah say: The urinary outlet is not purified except with water; as to the anal outlet there is an option, either to use water or to wipe it thrice with stones or a tahir rag, provided the excrement has not spread around the outlet, in which case only water may be used.

According to the Imami, the Shafi'i and the Hanbali schools repetition is necessary when stones and the like are used for wiping, even if purification is achieved the first time. The Malikis and Hanafis do not consider repetition necessary and regard the purification of the outlet as sufficient. Similarly, the Hanafis allow the removal of najasah from the two outlets with any tahir liquid other than water.

Al-Mutahhirat (The Purifiers)

Al-ma' al-mutlaq: It is tahir and mutahhir by consensus.

Other liquids: Only according to the Hanafis is any tahir liquid, e.g. vinegar and rose-water, mutahhir.

The Ground: It purifies the soles of the feet and the sole of shoes in the opinion of the Imami and the Hanafi schools provided it is walked on or they are rubbed on it and the actual najasah is thereby removed.

The Sun: The Imamiyyah observe: The sun purifies the earth and other fixed objects, such as trees (including leaves and fruit), buildings and poles. Similarly, it purifies straw mats among movable things, not carpets and sofas. The condition for its purifying is that these objects should dry solely as a result of the sun's heat without the aid of wind.

The Hanafis state: Drying purifies the ground and trees irrespective of its being achieved by the sun or the wind. The Shafi'i, the Maliki and the Hanbali schools concur that the ground is neither purified by the sun nor the wind; rather it requires the pouring of water over it.

They differ concerning the manner of its purification.

Al-Istihalah (Transformation): It is the changing of one substance to another (e.g. the changing of deer's blood into musk). It results in purification, by consensus.

Fire: The Hanafis say: The burning of najasah by fire purifies provided the actual najasah disappears. They consider najis clay as tahir when it is turned into fired clay and najis oil tahir when made into soap. The Shafi'i and the Hanbali schools observe: Fire is not among the mutahhirat. They hold an extreme position in this regard and consider even the ash and smoke of a najis object as najis. The Malikis regard the ash as tahir and the smoke as najis.

According to the Imamiyyah fire plays no part in purification and the criterion in it is istihala. If najis wood is transformed into ash or najis water into steam they become tahir. But if wood becomes charcoal and clay becomes earthenware, the najasah will remain because transformation has not occurred.

Tanning: The Hanafis observe: Tanning purifies the skin of a carcass and every other najis animal, except pigskin. As to the skin of a dog, it becomes tahir by tanning and fit to be prayed on [15](#). The Shafi'is say: Tanning is mutahhir, except for the skin of the dog and the pig. The Malikis, the Hanbalis and the

Imamis do not consider tanning as mutahhir, although the Hanbalis allow the use of a najis tanned skin where liquids are not involved, so that its use does not lead to the spread of najasah.

Carding: The Hanafis say: Cotton is purified. on being carded.

Disposition: According to the Hanafis, when a part of wheat and the like becomes najis, if a part of it equal to that which had become impure is disposed of by being eaten, gifted or sold, the remainder will be purified¹⁶.

Rubbing: The Hanafis say: Semen if removed by rubbing does not require water, because taharah is achieved by rubbing.

Wiping: The Hanafis observe: An object which has a polished surface, e.g. iron, copper and gold becomes tahir solely by wiping and does not require water. The Imamis state: The removal of najasah from the body of an animal, achieved in any manner, is sufficient for purification; but vessels, clothes and the human body require to be purified by water after the removal of najasah.

Saliva: The Hanafis say: if the breast or a finger becomes najis, they become tahir on being licked thrice¹⁷.

Boiling: The Hanafis state: if najis oil or meat is boiled on fire, they become tahir. A group of Imamiyyah legists observe: The grape juice on boiling becomes najis, and when two-thirds of it evaporates on boiling it automatically becomes tahir.

Conditions Requiring Wudhu

Discharge of Urine, Faeces and Wind

There is a consensus among Muslims that discharge of urine and excrement, as well as wind, cause Wudhu' to break. The coming out of a worm, stone, blood and pus breaks the Wudhu' in the opinion of the Shafii, Hanafi and Hanbali schools and not in the opinion of the Malikis if these things have been produced in the stomach. But if they are not produced in the stomach (e.g. as when someone has swallowed a pebble and it comes out) the Wudhu' will break. The Imamis observe: The Wudhu' will not break unless these things are discharged stained with excrement.

Discharge of Madhy and Wadhy

According to the four schools their discharge breaks the Wudhu', but doesn't according to the Imamiyyah. The Malikis exempt a person who suffers with a chronic flow of madhy.

Loss of Consciousness

If someone loses his senses due to intoxication, madness, fainting or epilepsy, Wudhu' is broken, by

consensus of all the schools. As to sleep, the Imamiyyah say: Sleep breaks the Wudhu' when it prevails over the mind, the hearing and the vision so that the person asleep neither hears nor understands the talk of those present nor sees anyone of them, irrespective of whether he is lying down, standing or sitting. The Hanbali view is nearly the same. The Hanafi observe: If a person who has performed Wudhu' sleeps lying down or reclining on one of his sides, his Wudhu' breaks. But if he dozes while sitting, standing, kneeling or prostrating, it will not. Hence if one sleeps in his salam in any of its postures, his Wudhu' remains intact even if he sleeps for a long period¹⁸.

The Shafi'is state: If (the sleeping posture is such that) the outlet of the wind is pressed firmly like a capped bottle, the Wudhu' is not broken by sleep, otherwise it is broken. The Mailikis differentiate between heavy and light sleep. Hence if sleep is light the Wudhu' remains intact; so is the case if the person in Wudhu' sleeps deeply for a short period while his outlet is blocked. But if he sleeps soundly for a long duration, his Wudhu' will break irrespective of whether the outlet is blocked or not.

Emission of Semen

In the opinion of the Hanafis, the Mailikis and the Hanbalis, emission of semen breaks the Wudhu'; it does not in the opinion of the Shafi'is. The Imamiyyah state: Emission of semen requires ghusl and not Wudhu'.

Touch

The Shafi'is observe: If a man in Wudhu' touches (the skin of) an ajnabi woman (any woman apart from wife and female relations within prohibited degrees of marriage) without there being any intervening medium (like clothing), his Wudhu' will break. But if the woman is not an ajnabi –such as one's mother or sister–the Wudhu' will not break. The Hanafis say: Wudhu' is not broken except by touch accompanied with erection.

The Imamiyyah say: Touch has absolutely no effect. That was concerning touching women. As to a person in Wudhu' touching his frontal or rear private parts without intervening medium, the Imami and the Hanafi schools do not regard that as invaliding Wudhu'. The Shafi'is and the Hanbalis say: Wudhu' is invalidated by such a touch regardless of its being with the palm of one's hand or its back.

The Malikis are said to differentiate between touching with the palm–in which case the Wudhu' is broken–and touching with the back of the hand–in which case it remains intact¹⁹.

Vomiting

According to the Hanbali school, vomiting in general breaks Wudhu'. In the opinion of the Hanafis it does so only when it fills the mouth. In the opinion of the Shafi'i, the Imami and the Maliki schools, it does not break the Wudhu'.

Blood and Pus

According to the Imamiyyah, the Malikis and the Shafis, anything that comes out of the body from a place other than the two outlets—e.g. blood and pus—does not invalidate the Wudhu'. The Wudhu' is broken, say the Hanafis, if it spreads from its source. The Hanbalis say: The Wudhu' is broken if the quantity of blood or pus coming out is large.

Laughter

There is a consensus among all the Muslims that laughter makes salat batil. It does not invalidate the Wudhu', during or outside salat, except in the opinion of the Hanafis, who say: Wudhu' is broken if one laughs during Salat, but not if laughter occurs outside it.

Meat of a Slaughtered Animal

Only the Hanbalis consider the Wudhu' to break if a person eats the meat of a slaughtered animal.

Istihadah Blood

Al-'Allamah al-Hilli, one of the major Imami legists, writes in al-Tadhkirah : The discharge of istihada blood, if its quantity is little, requires Wudhu'. Other Imami 'ulama', except Ibn Abi 'Aqil, have also adopted this view. Malik observes: Wudhu' is not compulsory for a woman having istihadah discharge.

The Objects of Wudhu'

Legists consider hadath to be of two kinds: minor and major. Minor hadath requires only wutdu, and the major one is of two types: that which requires only ghusl and that which requires both ghusl and Wudhu'. The details will be given shortly. The presence of the minor hadath (al-hadath al-'asghar) is a hindrance to the performance of the following acts:

1. Wajab and mustahabb salat, as per the consensus of all the schools. The Imamiyyah have excepted the funeral prayer (salm al-janazah), observing: It is not necessary to be tahir for salat al-janazah, though it is mustahabb to be so, considering that it is a prayer and not salat in its real sense. This will be further discussed in its proper place.
2. Tawaaf, like salat, is not valid without taharah according to the Mailiki, Shafi'i, Imami and Hanbali schools, in accordance with the tradition :

الطواف في البيت صلاة

(Tawaaf in the Sanctuary is salat). The Hanafis say: One who performs tawaaf of the Ka'bah in a state of

hadath performs it validly, though he sins thereby.

3. According to the four schools, tahirah is wajib for performing prostration (sujud) made obligatory by the recitation of certain verses of the Qur'an and the prostration performed to express gratitude (shukr). The Imamiyyah consider it mustahabb.

4. All the schools concur that it is prohibited to touch the script of the Qur'an without taharah, but they differ regarding the permissibility of someone in a state of minor hadath writing the Qur'an, reading it from a script or from memory, touching it through an intervening medium and wearing it as an amulet.

The Malikis observe: It is not permissible for him to write it or touch its binding even through an intervening medium, though he may read it from a script or from memory. But they, i.e. the Malikis, differ among themselves regarding carrying it as an amulet.

The Hanbalis state: Writing it and carrying it as an amulet with a cover is permissible.

The Shafi'is say: It is not permissible to touch its cover even if detached from it and its hanger while it is hanging from it, though it is permissible to write it, carry it as an amulet, and to touch a cloth embroidered with Qur'anic verses.

The Hanafis observe: It is not permissible to write or touch the Qur'an even if it is written in a different language; but it is permissible to read it from memory.

According to the Imami school, it is haram to touch Arabic script of the Qur'an without an intervening medium, irrespective of whether the script is in the Qur'an or somewhere else. But it is not haram to recite or write it, or carry it as an amulet and to touch its non-Arabic transcription, excepting the glorious name, 'Allah,' which it is haram for a person in a state of hadath to touch, regardless of the language in which it is written and irrespective of whether it occurs in the Qur'an or elsewhere.

The Essentials of Wudhu' (Fara'id al-Wudhu')

Niyyah

It means the intention to perform an act with a motive of obedience and submission to the command of God Almighty. The schools concur that niyyah is essential for wudhu' and its time is at the commencement of Wudhu'. The Hanafis say: The validity of salat does not depend upon a Wudhu' performed with niyyah.

Hence if a person washes to cool or cleanse himself and it includes those parts of the body which are washed in Wudhu' and then performs salat, his salat is valid, because the purpose of the Wudhu' is to attain taharah and it has been achieved. But they exclude water which is mixed with water left over by a donkey or mixed with date-wine, considering niyyah necessary in these cases²⁰.

Washing the Face

'Washing the face' means causing water to flow over it, and it is obligatory to do it once. Its extent lengthwise is from the place where the hair grow to the end of the chin. The Shafi'is observe: It is also obligatory to wash the area under the chin. Its extent breadth-wise, in the opinion of the Imamis and the Malikis, is the area covered between the thumb and the middle finger (when the open hand with the thumb pushed back is stretched across the face), while in the opinion of the other schools it is the area between the two earlobes.

The Imamiyyah consider it wajib to start washing the face down from the top and invalid to do its reverse. The four schools say: That which is wajib is to wash the face, irrespective of how it is done and from where it starts, though it is better to start from the top.

Washing of Hands

The Muslims concur that it is wajib to wash the hands along with the elbows once. The Imamiyyah consider it wajib to start from the elbows and consider its reverse batil (invalid). Similarly, they consider it wajib to wash the right hand before the left. The other schools observe: That which is wajib is to wash them, in any manner, though washing the right hand first and starting up from the fingers and washing towards the elbow is better.

Wiping the Head

The Hanbalis observe: It is wajib to wipe the whole head and the ears. In their opinion washing suffices in place of wiping, provided the hand is passed over the head. The Malikis say: It is wajib to wipe the whole head except the ears.

The Hanafis regard as wajib the wiping of one-fourth of the head. It also suffices if the head is dipped in water or water is poured over it.

The Shafi'is state: It is wajib to wipe a part of the head, even if little. Washing and sprinkling also suffice in place of wiping.

The Imamiyyah observe: It is wajib to wipe a part of the frontal part of the head and the wiping of a minimal area is sufficient. It is not valid to wash or sprinkle. They also consider it wajib that the wiping should be with the wetness of the earlier act of the Wudhu' performed (i.e. the washing of hands).

Hence if hands are rinsed anew with water for wiping the Wudhu' will become batil. The other four schools consider it wajib that new water be used²¹. As to wiping the turban ('imamah), the Hanbalis permit it, provided an end of the turban hangs down in the manner termed taht al-Hanak. The Hanafis, the Shafi'is and the Mailikis say: It is valid in the presence of an excuse, not ithout it.

The Imamis observe: It is in no manner valid to wipe the turban because of the words of the Qur'an **وَامْسَحُوا بِرُءُوسِكُمْ** (and wipe your heads), and the turban is not-'head'

The Two Feet

The four schools state: It is wajib to wash the two feet along with the ankles once. The Imamiyyah observe: It is wajib to wipe the two feet with the wetness of the earlier act of Wudhu' from the head of the toes to the ankles.

By 'ankle' is implied the raised bone of the foot. It is valid to wipe the left foot before the right one in the opinion of all the schools, though it is against precaution (khilaf al-'ihtiyat') in the view of the Imamiyyah and against preference (khilaf al-'awla) in the opinion of the other four schools.

The difference of opinion concerning the wiping or washing of the feet has its basis in the interpretation of the sixth verse of Surat al-Maidah:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ

O believers, when you stand up to pray, wash your faces, and your hands up to the elbows, and wipe your heads, and your feet up to the ankles (5:6)

Those interested in investigating the meaning of the verse should refer to al-Razi's exegesis of the Qur'an.

The four schools allow the wiping of shoes and socks instead of washing the feet, while the Imamis consider it as invalid in accordance with this statement of

Imam 'Ali ('a):

ما أبالي أمسح على الخفين أو على ظهر عير بالفلاة

I see no difference between the wiping of the shoes and wiping the back of a wild ass.

Sequence (al-Tartib)

It is in accordance with what the verse mentions: First the face, then the hands, and then the head, followed by the feet. This sequence is wajib and a condition for the validity of Wudhu' in the opinion of the Imamis, Shafi'is and Hanbalis.

The Hanafis and the Malikis say: The observance of the sequence is not wajib and it is permissible to

start with the feet and end with the face.

It is the observance of continuity in the washing of the different parts, i.e. to proceed immediately to the next act after having completed the earlier. The Imamis and the Hanbalis consider it wajib, the former adding a further condition that the part washed earlier should not dry before beginning washing the next. Hence if the whole of the part washed earlier dries the Wudhu' will become batil and it will be wajib to start it anew.

The Hanafis and the Shafi'is say: Continuity is not obligatory, though it is reprehensible (makruh) to separate the washing of the different parts without any excuse, and on the presence of an excuse the karahah disappears.

The Malikis observe: The observance of continuity is wajib only when the person performing Wudhu' is conscious of it and when no unforeseen incident takes place (e.g. spilling of the water he had brought for performing Wudhu'). Hence if he washes the face and forgets to wash the hands, or when he lacks the amount of water he believes to be necessary for taharah, he may complete the Wudhu' from where he had left off, even if a period of time has passed.

Conditions of Wudhu'

Wudhu' has certain conditions. Among them are: The water used should be mutlaq and tahir and must not have been used for removing khabath or Hadath, as per the details given while discussing water. There should be no hindrance such as illness in the way of using water or any urgent need for it.

Moreover, the parts of the body involved in Wudhu' should be tahir and without a covering that might prevent water from reaching the skin. Also there should be sufficient time. The last condition will be dealt with in detail in the chapter on tayammum. All or most of these conditions are accepted by all the schools.

The Imamiyyah further consider it necessary that the water and the vessel used for Wudhu' should not have been usurped, and the place where Wudhu' is performed and where its water falls should be legitimate and not encroached land. If either of these two conditions does not exist, the Wudhu' will be batil. In the view of the other schools the Wudhu' will be valid though the performer of such a Wudhu' will have sinned²².

Mustahabbat of Wudhu'

The number of acts recommended (mustahabb) in Wudhu' is very large. They include starting by washing the hands, rinsing the mouth and drawing water into the nose. The Hanbalis consider the last two wajib. Wiping the ears is also among them, though the Hanbalis consider it wajib as well and the Imamis impermissible. Brushing the teeth and facing the qiblah while performing Wudhu' is

recommended and so is the reciting of traditional prayers. It also includes, in the opinion of the four schools, the washing of the face and hands twice and thrice.

The Imamis observe: Washing once is wajib, twice mustahabb, and thrice bidah (heretical) and the person doing so is a sinner if he performs it as a religious duty. But if he does not, there is no sin upon him, although the Wudhu' will become batil on his wiping (the head) with this water²³. There are many other recommended acts which are mentioned in voluminous books.

Doubt Regarding Taharah and Hadath

If a person certain of having been tahir doubts whether a hadath has occurred, he remains tahir. But if a person certain of hadath having occurred doubts having achieved tahirah later, his hadath shall remain. That is, he shall act in accordance with his earlier certainty and brush aside the subsequent doubt. This is based on the following tradition.

لا تنقض اليقين أبدا بالشك، ولكن تنقضه بيقين مثله

A condition of certainty is never invalidated by a doubt, but it can be invalidated by a certainty resembling it.

This principle has not been disregarded by anyone except the Mailikis, who say: If a person is certain of having been tahir and doubts later about the occurrence of hadath, he is considered tahir. But they do not differentiate between the two situations.

If both taharah and hadath have occurred and it is not known which of the two was subsequent so as to be made the basis, the Hanafis consider the person in such a situation tahir while the Imami authorities consider his hadath to prevail.

The Shaf'iis and the Hanbalis observe: The opposite of the earlier condition will be accepted. Hence if he possessed taharah earlier he will now be considered in the condition of hadath and vice versa.

There is a fourth view which takes the condition prior to the occurrence of the taharah and hadath by denying the effect of both, because both possibilities being equal are nullified by the conflict, leaving the prior condition to be relied upon. That which is nearer to caution in this matter of ritual is always to renew taharah irrespective of whether the prior condition is known or unknown.

The Imamis and the Hanbalis say: When a person performing Wudhu' doubts whether he has washed a particular part or wiped his head, if the doubt occurs while performing the Wudhu' he will repeat the doubtful part and complete rest of the Wudhu'. But if the doubt occurs after the completion of Wudhu' it will not be heeded, because it is a doubt which has occurred in an 'ibadah after its completion.

Al-'Allamah al-Hilli has narrated in al-Tadhkirah from some Shafi'is that they do not differentiate between a doubt occurring during Wudhu' and one occurring after its completion. They consider it wajib to restart from the place of doubt and to complete the Wudhu' in both the situations.

The Hanafis observe: Every part of the Wudhu' will be viewed separately. Hence if there occurs a doubt concerning a particular part before moving on to the next it will be repeated and not otherwise. For example, if he doubts having washed his face before starting washing his hands, he will restart from the face, and if he has started washing the hands he will carry on without heeding the doubt

All the schools concur that the doubt of a chronically uncertain person (kathir al-shakk) is not a valid doubt; i.e. his doubt has no value and it is wajib for him to carry on without heeding it, whatever the circumstances.

- [1.](#) Ibn Qudamah, al-Mughni, vol. 1, p. 19
- [2.](#) Ibn Qudamah in al-Mughni, vol. 1, p. 22, 3rd ed., and Ibn 'Abidin, vol. 1, p. 140, printed by al-Maymaniyyah
- [3.](#) p. 32, 1354 H. ed
- [4.](#) p. 37, Istanbul
- [5.](#) vol. 1, p. 12
- [6.](#) The Hanbalis observe: Al-ma 'al-kathir does become najis on contact, provided the najasah is not urine or excrement. On contact with the two it will become najis, irrespective of whether its qualities have changed or not, unless it happens to be like those puddles visible on the way to Makkah (Ibn Qudamah, al-Mughni, vol. 1).
- [7.](#) Apart from these, there are other definitions of al-ma 'al-kathir which have been omitted. Among them are those which state that al-kathir is forty qullah s, 2 pails (dalw), and 40 pails.
- [8.](#) vol. 1, p. 130, printed by al-Maymaniyyah
- [9.](#) Ibn 'Abidin, vol. 1, p. 131
- [10.](#) Sharh al-Muhadhdhab, vol. I, p. 136
- [11.](#) Ibn 'Abidin, vol. 1, p. 131
- [12.](#) Ibn 'Abidin, vol. 1, p. 156
- [13.](#) Ibn Qudfunah, al-Mughni, vol. 1, p. 47, 3rd ed
- [14.](#) al-Fiqh 'ala al-madhahib al-'arba'ah, vol. I, bahth qada' al-Hajah
- [15.](#) al-Fiqh 'ala al-madhahib al-'arba'ah, vol. 1, mabthath izalat al-najasah
- [16.](#) Ibn 'Abidin, vol. 1, p. 119
- [17.](#) Ibn 'Abidin, vol. 1, p. 215
- [18.](#) al-Shi'rani, al-Mizia, mabthath asbab al-hadath
- [19.](#) Ibn Rushd, al-Bidayah wa al-nihayah, mabthath nawiqid al-Wudhu'
- [20.](#) Ibn 'Abidin, vol. 1, p. 76
- [21.](#) Ibn Qudamah, al-Mughni, vol. 1, fast mash al-ra's and al-'Allamah al-Hilli, al-Tadhkirah
- [22.](#) Ibn 'Abidin, vol. 1 p. 128, and Sharh al-Muhadhdhab, vol. 1, p. 251
- [23.](#) Aqa Ridla al-Hamadani's Misbah al-faqih

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