



# FIQH OF PURIFICATION

STUDY BOOKLET

كتاب الطهارة

***THE BOOK OF  
PURIFICATION***

## **The Book of Taharah (Purification)**

### **Introduction to the book <sup>(1)</sup>**

Purification is the key to prayer which is the main pillar of the religion, and this is why the books of fiqh are begun with this topic being a precondition for the validity of prayer. Purification should be maintained both inwardly and outwardly, and the present study covers the latter. Inward purification is not tackled in books of fiqh but rather in the Books of Raaq'iq (Heart Softeners). Being outwardly pure is not enough and one should not neglect to purify the inward as well.

We get purified to stand before Allah in prayer which is supposed to act as a purifier of one's soul and heart. This is the assertion of the Qur`anic verse that reads,

﴿وَأَقِمِ الصَّلَاةَ إِنَّ الصَّلَاةَ تَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ﴾ [العنكبوت: ٤٥]

﴿...and establish prayer! Verily, prayer preserves from lewdness and iniquity ...﴾ [29:45].

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(1) The word “kitaab” (book) was used by the scholars to refer to several related topics gathered together. Each book – like the book of prayers or fasting – would include many chapters called “bab”s (literally, doors). The books were called so because they are several paragraphs gathered and the root of the word “kataba” refers to gathering. The chapters are called doors because they open a door for the student to exit from ignorance to knowledge.

The outward impurities are of two types: Ritual impurities and physical ones. The ritual impurities are minor or major; the former is removed by wudu` (minor ablution) and the latter by ghusl (major ablution) both with water. In case water is not available, tayammum (dry ablution) is allowable instead.

Physical purification: it is the act of removing the filthy objects which afflict one's body or garment or place of worship. Such a type of impurity is removed by water or any equivalent liquid that can remove the impurity. So if one is ritually pure and then some filthy object afflicted him, he will need only to remove such impurity without making new wudu`.

These topics and many other details related to purification will be tackled in this chapter which is covered in five units as follows:

1. Rulings of waters
2. Using Utensils and lavatory, which includes two chapters:
  - 1) Utensils & Vessels
  - 2) Using The Lavatory
3. *Wudu`* (Minor ablution), which includes three chapters:
  - 1) Wudu`
  - 2) Wiping On Socks

- 3) Nullifiers Of Wudu'
4. *Ghusl* (major ablution) & *Tayammum* (dry ablution), which includes two chapters:
  - 1) Ghusl
  - 2) Tayammum
5. *Hayd* (menstruation) & *Nifas* (minor ablution), which includes two chapters:
  - 1) Hayd
  - 2) Nifas

**So, you will have ten chapters in five units under the Book Of Purification.**

# ***UNIT ONE***

## ***RULINGS OF WATER***

## ***Content of Unit***

- **Rulings of the Types of Water**

### **Importance of the Unit:**



Ritual Purity is a condition for the validity of prayer, thus, every Muslim is enjoined to know how to achieve it and to learn about the types of water that can be used for such a purpose; the latter part will be discussed in this unit.

### **Learning Objectives:**



Dear learner, after studying this unit you should be able to:

- Recognize the pure and impure water and Learn the different rulings pertaining to water



باب أحكام المياه

**B1-C1 Chapter on the Rulings  
of the Types of Water:**

**(I) [General Ruling of Water]**

خلق الماء طهوراً، يطهر من الأحداث والنجاسات، ولا تحصل الطهارة  
بمائع غيره.

Water<sup>(1)</sup> was created pure and purifying<sup>(2)</sup>, it purifies  
from ritual impurities (*al-ahdaath*)<sup>(3)</sup> and physical impurities  
(*an-najasaat*)<sup>(4)</sup>. Purity cannot be attained from any liquid

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(1) Water in *shari'a* is divided into four types:

- 1- *Mutlaq* (plain) water, including that of seas, rivers, rain, snow, hail and wells
- 2- Used water (used to remove ritual impurity- assuming it was collected after dripping from someone who made ritual ablution.)
- 3- Water mixed with pure substances
- 4- Water mixed with impure substances

(2) Pure is not necessarily purifying, for tea and ink are pure but by consensus you can't use them to perform ritual purity. That is with regards to all substances in general, but what about water?

Most scholars divide water into

- 1- pure and purifying,
- 2- pure not purifying and
- 3- impure.

Some scholars, including (T), argue that as long as you call it water, it is either pure and purifying or impure, as you can see in the following discussions.

- (3) Ritual impurities are the nullifiers of wudu' and whatever makes ghusl (ritual bath) required.
- (4) According to the majority (M + S + A) only water removes physical filth (*najasaah*) – off the body and garment...etc -, but (H), and (T)

other than it<sup>(1)</sup>.

**(II) [Flowing Vs. Stagnant – Large Vs. Small]**

فإذا بلغ الماء قلتين أو كان جارياً لم ينجسه شيء إلا ما غير لونه أو طعمه أو ريحه، وما سوى ذلك ينجس بمخالطة النجاسة، والقلتان ما قارب مائة وثمانية أرطال بالدمشقي

When the water reaches *qullatayn* (two large containers) or it's flowing, then nothing can render it impure, except what changes its color, taste, or odor; other than that would

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indicated that if the filth was effectively removed by anything, it is sufficient. You = may find this information pertinent to modern applications when confronted by the issue of **dry cleaning**, for according to (H) and (T), it is sufficient as long as it effectively removes the filth. The same applies to removing the filth with stain removers and other chemical substances. The opinion of (H) and (T) is strong.

(1) For Allah (glorified and exalted be He) said:

﴿... وَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ عَلَىٰ سَفَرٍ أَوْ جَاءَ أَحَدٌ مِنْكُم مِّنَ الْغَائِطِ أَوْ لَامَسْتُمُ النِّسَاءَ فَلَمْ يَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا...﴾

﴿4/43. ...*And if you are ill, or on a journey, or one of you comes after answering the call of nature, or you have been in contact with women (by sexual relations) and you find no water, perform Tayammum with clean earth...*﴾.

Notice that Allah (glorified and exalted be He) didn't mention any liquid before soil, indicating that there is no replacement for water when it comes to ritual purity except by dry ablution.

be rendered impure by any mixing with impurities<sup>(1)</sup>.  
*qullataan* is approximately 108 Damascene pounds<sup>(2)</sup>.

### (III) [Mixing With Pure Substances And Used Water]

وإن طبخ في الماء ما ليس بطهور، وكذلك ما خالطه فغلب على اسمه، أو استعمل في رفع حدث سلب طهوريته.

And if something that is pure but not purifying was cooked within the water or it was mixed with the water and it prevailed upon its name (characteristics)<sup>(3)</sup> Or if it was used in removing a ritual impurity, then it will be stripped of its attribute of being a purifier<sup>(4)</sup>.

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(1) Many scholars, including (M + a + some shafe'ees + T) maintain that all water small or large in amount will be only rendered impure if its taste, color or odor changed with the impurity.

(2) The two containers = approximately 190 liters.

(3) According to (A + H), mixing (H: without cooking; A: even with cooking) which results only in a minor change in the water's characteristics doesn't render it non-purifying since "the Messenger of Allah (blessings and peace be upon him) and Maimunah (his wife) washed themselves from one (water) container that had a trace of dough in it." Reported by (A) and others from Umm Hani'. He (blessings and peace be upon him) also advised the use of the dried crushed leaves of the lote tree – which they used as soap – in the post mortem washing of his daughter Zaynab. (G).

(a + M + S): mixing or cooking of pure substance that caused any change in the water will render it non-purifying.

By agreement, mixing with things that are usually seen in nature mixed with water such as mud and algae doesn't change the original ruling of water which is being pure and purifying.

(4) "The Messenger of Allah (blessings and peace be upon him) wiped his head with the extra water that was in his hand." (D). This

**(IV) [Doubts Regarding Purity]**

وإذا شك في طهارة الماء أو غيره ونجاسته بنى على اليقين

- a. And if he has doubts regarding the purity of the water or something else, or its impurity, he should base his actions on certainty<sup>(1)</sup>.

وإن خفي موضع النجاسة من الثوب أو غيره غسل ما يتيقن به غسلها

- b. If the filthy spot on his garment or otherwise was obscured, he should wash of his garment (or whatever else) what would be sufficient to make him certain he washed off the impurity<sup>(2)</sup>.

وإن اشتبه ماء طاهر بنجس ولم يجد غيرهما تيمم وتركهما،

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hadeeth can be a proof for the other opinion (M + s + a + Z + T) that considers used water pure and purifying.

According to (T), water is either impure or pure and purifying. There is no third category of pure but not purifying as long as it falls under the general term of water.

- (1) That means if he was sure it was pure and doubted whether it became unpurified, he should assume it is pure; and if he was sure it became unpurified and doubted whether it has been purified (such as by adding a larger amount of water or evaporation of the filth), he should assume that it is still impure.

That means: cast the doubt away. The second agreed upon major comprehensive legal principal is: "Certainty is not negated by doubt." Many people suffer from obsessions regarding their purity that could be devastating. The righteous predecessors were simple and not obsessive, 'Omar (may Allah be pleased with him) passed by a gutter (and got wet). His companion asked the owner if the water was pure or not, whereupon 'Omar told the owner not to answer the question, and went on his way.

- (2) This is based on the *fiqhi* (juristic) principal: "The act necessary to fulfill an obligation is obligatory."

- c. If pure water was confused with impure water<sup>(1)</sup> and he didn't find any other water, he should make tayammum and leave both [i.e. the pure and impure water].

وإن اشتبه طهور بطاهر توضأ من كل واحد منهما،

- d. And if purifying water was confused with pure water that is not purifying<sup>(2)</sup> [E.g. water previously used to remove impurity<sup>(3)</sup>] then he should make wudu out of each one of them .

وإن اشتبهت الثياب الطاهرة بالنجسة صلى في كل ثوب صلاة بعدد النجس وزاد صلاة.

- e. And if there are both clean and unclean garments, then you should pray a certain number of times equal to the number of unclean garments, plus one. You should make each prayer in a different garment.

**(V) [Removing Various Impurities]**

وتغسل نجاسة الكلب والخنزير سبعاً إحداهن بالتراب

- a. The impurity of the dog and the pig<sup>(4)</sup> should be washed seven times, including one time with soil.<sup>(1)</sup>

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(1) That confusion can only happen according to T's opinion in the case of someone losing his senses or in the dark...etc because according to him, the water is rendered impure only if it changed by an impurity.

(2) That confusion can not happen according to T's opinion to someone with intact senses, because according to him, the used water is purifying and the water that mixed with a pure substance will be rendered non-purifying only if its characteristics changed to the point where you don't call it water anymore.

(3) Because here he would be sure that he made *wudu'* with purifying water, and even if his second *wudu'* was done with pure but not purifying water, he would still be ready for the prayer. That is unlike the previous example where if the second *wudu'* was performed using impure water, then he would have impurity on his body and may not pray in this condition.

(4) The other view is that the pig's impurity may be washed once and that is the position chosen by Ash-Shafe'ees and considered stronger

ويجزئ في سائر النجاسات ثلاث منقية

- b. It shall be sufficient for the rest of the impurities to wash them three times until purified.<sup>(2)</sup>

وإن كانت النجاسة على الأرض فصبه واحدة تذهب بعينها لقوله  
ﷺ: «صبوا على بول الأعرابي ذنوباً من ماء».

- c. And if the impurity's on the ground then pouring over it will remove its (harm). Because of the saying of the Messenger (blessings and peace be upon him), "So pour upon the urine of the Bedouin one bucketful of water."<sup>(3)</sup>

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by contemporary hanbalis like Ibn 'Uthaimen (may Allah bestow mercy on him) in his book "*Ash-Sharh al-Mumti*". They feel the analogy is imperfect since the dog and pig are dissimilar. Also, there used to be pigs during the time of the Messenger (Allah's peace and blessings be on him) and he did not make any specific regulations regarding the removal of their impurity.

- (1) Abu Hurairah reported: The Messenger of Allah (may peace be upon him) said: "The purification of the utensil belonging to any one of you, after it is licked by a dog, lies in washing it seven times, using sand for the first time." (M) and in a different report in (M) he added also throwing whatever is in the vessel.

This applies to utensils by agreement (except for some disagreement over the number of washes). As for the clothes touched or licked by dogs, there is a disagreement over this issue. According to (M), the ruling does not apply to clothes. His opinion is strong, since the Prophet did not mention the clothes, and likening the clothes to the utensils is not a perfect analogy.

Some of the shafe'ees and hanbalis indicated that soap would suffice instead of soil.

- (2) The other view concerning washing other types of impurity is that whatever will remove the impurity is sufficient, and there is no specific number of times. This opinion is strong due to the lack of evidence on the need to wash three times. Allah knows best.
- (3) (G) except (M).

ويجزئ في بول الغلام الذي لم يأكل الطعام النضج.

- d. It's sufficient to remove the impurity of a male <sup>(1)</sup> infant's urine that hasn't started eating regular food to sprinkle the area with water so it's wet, but not soaked.

وكذلك المذي، ويعفى عن يسيره ويسير الدم وما تولد منه من

القيح والصديد ونحوه، وحد اليسير هو ما لا يفحش في النفس،

- e. Likewise, prostatic secretions al-madhee, takes this same ruling as a male infant's urine. A trivial amount of it [al-madhee] <sup>(2)</sup> will be excused. Likewise, the trivial amount of blood <sup>(3)</sup> and its by-products of pus, purulent matter, and similar things are all exempt. The trivial amount is that which is not repugnant.

#### (VI) [Semen And Urine of livestock]

ومني الآدمي، وبول ما يؤكل لحمه طاهر.

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- (1) It was suggested by some scholars that the reason of the distinction between the male and female is that the male's urine splatters around and would cause hardship if it has to be washed off.
- (2) *Madhee* is the prostatic secretions excreted by one when thinking of sex or during foreplay. The ruling of it was explained by the prophet: "Make ablution and wash your penis." (B). with regards to the clothes, he (blessings and peace be upon him) said: "It is sufficient for you to take a handful of water and sprinkle it over [the stained spot]." (D) and (T) who said it was *hassan* (sound). *Madhee* is considered by (A) lightly impure.
- (3) The similarity is in the exemption of trivial amounts only, but he didn't mean that blood may be cleaned off by simple sprinkling, for the popular opinion in the *hanbali* madhhab is the impurity of all bloods. According to a less popular opinion, human blood, aside from the menstrual blood is all pure.

The semen of a human and the urine of the animals whose flesh can be eaten are all pure.<sup>(1)</sup>

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(1) That is the position of the majority on both issues.



## **Summary of The Unit**

- Water in shari'a is divided into four types:
  - Mutlaq (plain) water, including that of seas, rivers, rain, snow, hail and wells
  - Used water
  - Water mixed with pure substances
  - Water mixed with impure substances.
- When the water reaches *Qullatayn* (two large containers; approximately 190 litres) nothing can render it impure, except when an impurity changes its colour smell or taste. That is by consensus. They differed over an amount less than that whether it becomes pure by the mere mixing with impurity or only when its characteristics change.
- They disagreed over water mixed with pure substances; some considered it pure but not purifying while others considered it both pure and purifying as long as it is still called water. The same disagreement took place regarding used water.
- If one is sure that water is pure and doubted whether it became impure, he should assume it is pure; and if he is sure it became impure and doubted whether it has been purified, he should assume that it is still impure. That means, "Cast the doubt away."

- Impurity of dogs and pigs – though controversial regarding pigs - should be washed seven times including one with soil. As for other impurities, three times are sufficient to be pure or even once according to some.
- Impurities on grounds are removed by just pouring water over them, but that does not apply to carpets.
- Impurity of the male infant's urine is removed by just sprinkling the unclean spot with water. The same ruling applies to the prostatic secretions (almaidhee). The semen of a human and the urine of the animals whose flesh can be eaten are all pure.

## **Self-Assessment Questions**

### **Essay Questions:**

1. State the different types of water.
2. What are the different categories of rulings pertaining to water. Mention the two classifications.
3. How to cleanse the impurity of dogs and pigs, impurity on grounds, and that of male infant's urine.

### **Place a check mark for correct answers and an 'X' for wrong answers:**

1. The qullatayn (two large containers of water) approximately equals (190). ( )
2. Ritual Purity can be attained by using liquids other than water. ( )
3. The majority of scholars maintain that if the physical filth can be removed by any object other than water it is sufficient. ( )
4. Semen of the human being is impure. ( )
5. Urine of the inedible animals is impure ( )

***Multiple choice questions:***

1. The Qullatayn (two large containers) of water are approximately (109 – 119 - 190) litres.
2. If someone is sure that water is pure and doubts whether it became unpurified, he should assume that it is (impure – pure).
3. If someone is sure that water became unpurified and doubted whether it has been purified, he should assume that it is (impure – pure).
4. If pure water was confused with impure water and he didn't find any other water, he should (make ablution two times with the two available amounts – make *tayammum* and leave both).



**Didactic Activity:**

Dear student, in order learn more about the topics tackled in this unit, you should achieve the following:

*Write a paper on the various types of water identifying that which can be used for purification.*

# **Unit Two**

## **Utensils and Lavatory**

## ***Contents of Unit***

- **Vessels and utensils**
- **Etiquettes of using the lavatory**

**Importance of the unit:**



This unit is intended to illustrate the rulings related to using utensils and the etiquettes of using lavatory as well. After you learned about what types of water you may use in purification, Ibn Qudamah (may Allah bestow mercy on him) shows you what kinds of vessels you may put this water in and use for various reasons. Thenm he covered the etiquettes pertaining to using the lavatory.

**Learning Objectives:**



Dear learner, after studying this unit you should be able to:

- Be acquainted with the rulings pertaining to using utensils.
- Learn the etiquettes of using the lavatory.



## باب الأنية

### **B1-C2 Chapter on Vessels & Utensils**

#### **(I) [Forbidden Utensils]**

لا يجوز استعمال آنية الذهب والفضة في طهارة ولا غيرها، لما روى حذيفة أن النبي ﷺ قال: «لا تشربوا في آنية الذهب والفضة، ولا تأكلوا في صحافها فإنها لهم في الدنيا ولكم في الآخرة».

وحكم المضبب بهما حكمهما إلا أن تكون الضبة يسيرة من الفضة،

It is not lawful to use gold & silver vessels in purification or otherwise, like eating & makeup. That is because of the statement of the Messenger of Allah: "Do not drink in gold or silver vessels and do not eat in dishes made of them, for they are for them (unbelievers) in this life and for you in the Hereafter"<sup>(1)</sup>

The ruling of vessels soldered<sup>(2)</sup> by them is likewise, except if it was a small silver solder.

#### **(II) [Allowable Vessels]**

ويجوز استعمال سائر الأنية الطاهرة واتخاذها، واستعمال أواني أهل الكتاب

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(1) (Ag).

(2) The same applies to plating.

وثيابهم ما لم تعلم نجاستها.

It is permissible to use all pure vessels<sup>(1)</sup> and possess them.

Likewise is the usage of the vessels (and utensils) of the People of the Book and their clothes, unless they are known to be impure<sup>(2)</sup>.

### **(III) [Pure and Impure Parts of Dead Animals]**

وصوف الميتة وشعرها طاهر. وكل جلد ميتة دبغ أو لم يدبغ فهو نجس. وكذلك عظامها، وكل ميتة نجسة إلا الآدمي. وحيوان الماء الذي لا يعيش إلا فيه، لقول رسول الله ﷺ في البحر: والطهور ماؤه الحل ميتته. وما لا نفس له سائله إذا لم يكن متولداً من النجاسات.

The wool of dead animals<sup>(3)</sup> and their hair is pure<sup>(4)</sup>.

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(1) Even if they were more expensive than silver and gold.

(2) You will assume their purity and you will not need to investigate it. the Messenger of Allah (blessings and peace be upon him) did eat the food of the people of the book without asking them about the status of their utensils. If there is no need to use their vessels and clothes, you are encouraged to avoid them, since many scholars disliked their use based on the statement of The Messenger of Allah regarding them: "Do not eat in them unless you don't find others, then wash them and eat in them" (M).

(3) This refers to animals that have not been slaughtered or those impermissible to eat, even if they were slaughtered.

(4) The Majority ( H + S + A ) considered the hair of pigs impure, but allowed its use in threading. ( M + a + T ): pure. Feathers are pure like the hair.

Every hide of non slaughtered dead animals whether it has been tanned or not is impure<sup>(1)</sup> (filthy), likewise are their bones<sup>(2)</sup>.

**Every dead body is filthy except**

[ 1 ] that of humans

[ 2 ] and the sea creatures that do not live except in it, because of the statement of The Messenger of Allah regarding the sea: " its water is pure and its dead (animals) are permissible (to eat)"<sup>(3)</sup>

and that which does not have blood as long as it did not emanate from filth<sup>(4)</sup>.

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(1) The majority of scholars (S + H + a) consider the hides pure after tanning, H: except for pigs; S: except for dogs and pigs; Z: including dogs and pigs. A2: only those animals who are permissible to eat.

(2) The scholars are split regarding the purity of these bones. (M + S + A): impure. (H + a + T): pure. The latter opinion is strong, since many of the righteous predecessors used ivory and allowed its trade. Ivory is from the tusks of elephants, which are their upper incisors. Teeth and bones should take the same ruling. The same would apply to horns and claws.

(3) (T, D, N, Ma & A.) Auth.

(4) Such as worms emanating from dead bodies.

## باب قضاء الحاجة

### **B1-C3 Chapter on Using the Lavatory**

#### **(I) [What To Say And Do When Entering The Lavatory]**

يستحب لمن أراد دخول الخلاء أن يقول: «بسم الله، أعوذ بالله من الخبث والخبائث، ومن الرجس النجس الشيطان الرجيم».

- a. It is recommended for the one who enters the lavatory to say: "In the name of Allah<sup>(1)</sup>. - I seek refuge in Allah from the evil and all that is evil (or the male and female demons)<sup>(2)</sup>, - and from the cursed filthy Satan.<sup>(3)</sup>"

وإذا خرج قال: «غفرانك، الحمد لله الذي أذهب عني الأذى وعافاني».

- b. And when he departs, he would say: "All praise be to Allah who rid me of harm and gave me health."<sup>(4)</sup>

ويقدم رجله اليسرى في الدخول واليمنى في الخروج،

- c. He should put forward his left foot when he enters and his right when he exits.

ولا يدخله بشيء فيه ذكر الله تعالى إلا من حاجة.

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(1) This part is reported by (Ma); (I, 50: Auth)

(2) (Ag).

(3) This part is reported by (Ma); (Al-Nawawi: W, Al-khulasah) a similar hadeeth with different wording was deemed sound by ibn Hajar in Nata'ej Al-Afkar.

(4) Reported by (Ma); (I, 53: W). What is authentic is "O, Allah: I seek your forgiveness." (Ghufaranak). (B).

- d. He should not enter with anything bearing the mention of Allah<sup>(1)</sup>, except for a need.<sup>(2)</sup>

## (II) [Etiquettes of Defecation And Urination]

ويعتمد في جلوسه على رجله اليسرى،

- a. When he squats, he should put more of his weight on his left leg.<sup>(3)</sup>

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- (1) Although there is no specific evidence, but this falls under the general meaning of Allah's saying:

﴿ذَلِكَ وَمَنْ يُعِظْكُمْ شَعَائِرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ﴾

﴿22/32. ...and whosoever honors the Symbols of Allah (rituals of his religion), then it is truly from the piety of the hearts.﴾

The scholars also disliked mentioning the name of Allah (glorified and exalted be He) inside the lavatory or even talking with others and considered this of the lowly manners. Ibn 'Umar related that a man passed by the Prophet, (blessings and peace be upon him) and greeted him while he was urinating. The Prophet did not return his greeting." (M). Al-Muhajir ibn Qunfudh (may Allah be pleased with him) said: I came to the Prophet (peace and blessings be upon him) while he was urinating and greeted him with salaam. He did not return the greeting until he had done ablution, then he apologized to me and said: I do not like to mention the name of Allah except in a state of purity." (D/N/Ma) Auth.

It would be allowable to talk for a need however, such as alerting someone that you are inside the bathroom or comforting a child who is looking for his parent.

- (2) Such as when he is outside using public lavatories, then he may protect his mushaf or anything sacred by keeping it inside his bag or clothes.
- (3) There is no evidence to support this practice, except a hadeeth reported by Tab.K and deemed weak.

The scholars (may Allah bestow mercy on them) may have depended on medical information available to them at the time. If it

وإن كان في الفضاء أبعد واستتر،

- b. And if he was in the outdoors, he must go far and screen himself.<sup>(1)</sup>

ويرتاد لبوله موضعاً رخوياً،

- c. He must seek a soft spot to urinate on<sup>(2)</sup>. [so the urine doesn't spatter back on him]

ولا يبول في ثقب ولا شق، ولا طريق ولا ظل نافع، ولا تحت شجرة مثمرة،

- d. He must not urinate in a hole, groove, path, beneficial shade or under a fruitful tree.<sup>(3)</sup>

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was proven true by medicine that this position helps, then it is recommended for the medical benefit, since the *shari'a* is about attainment of benefits and avoidance of harm.

- (1) Al-Mugheerah ibn Shu'bah (may Allah be pleased with him) said: "I was with the Messenger of Allah (May Allah Bless him and give him peace) and when he wanted to use the lavatory, he went far and screened himself from me." (M).
- (2) Hudhayfah ibn al-Yamaan (may Allah be pleased with him) said: " the Prophet (May Allah bless him and give him peace) walked to a dumpster (soft land, where people throw their garbage) of a people and urinated while standing." (Ag).
- (3) For the messenger of Allah (May Allah bless him and give him peace) said: " Fear the three causes of curse: urinating in the water bodies, the paths and in the shade." (D). (I, 62: S).
- The prohibition to urinate in a hole or groove was reported by (D) from Abdullah ibn Sarjas from Qatadah, and has controversial authenticity.

ولا يستقبل شمساً ولا قمراً، ولا يستقبل القبلة، ولا يستدبرها لقول رسول الله ﷺ: لا تستقبلوا القبلة بغائط ولا بول ولا تستدبروها. ويجوز ذلك في البنيان،

- e. He must not face or give his back towards the qiblahh, because of the saying of the Messenger of Allah (May Allah bless him and give him peace): "Do not face the qiblahh, while defecating or urinating, and do not give your backs to it."<sup>(1)</sup> That would be permissible indoors<sup>(2)</sup> .

### (III) [Etiquettes of Cleaning Oneself]

وإذا انقطع البول مسح من أصل ذكره إلى رأسه ثم يثره ثلاثاً،

- f. When the urine stops, he should milk his penis out from its root to the tip, and then shake it off three times.<sup>(3)</sup>

ولا يمس ذكره بيمينه، ولا يستجمر بها

- g. He should not touch his penis with the right hand<sup>(4)</sup>, or use it to wipe himself with stones<sup>(5)</sup> .

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(1) Ag.

(2) As indicated by Abullah ibn Omar. (D). (I, 61: S). This is still a controversial matter, and if one will have a choice, we should not design our lavatories in a way that would make us face or give our backs to the *qiblah*.

(3) There is no proof supporting either practice. (T) argued that it may cause the urine to continue to dribble. It may be acceptable for certain people who usually have remains of urine in the urethra.

(4) The Messenger of Allah (blessings and peace be upon him) said: "let no one of you touch his penis with the right hand while urinating." (Ag).

(5) Would apply to tissue or other pure substances that would remove the filth. What matters is the effective removal of the filth with at

ثم يستجمر وترأ، ثم يستنجي بالماء، فإن اقتصر على الاستجمار أجزأه.

- h. He should wipe himself odd times <sup>(1)</sup>, and wash himself with water thereafter <sup>(2)</sup>. If he only wiped, it would suffice him. <sup>(3)</sup>

وإنما يجزئ الاستجمار إذا لم يتعد الخارج موضع الحاجة،

- i. Wiping would suffice only if the filth which exited didn't go beyond the usual area it touches <sup>(4)</sup>.

ولا يجزئ أقل من ثلاث مسحات منقية،

- j. Less than three wipes that remove the entire filth will not be sufficient.

ويجوز الاستجمار بكل طاهر ويكون منقياً، إلا الروث والعظام، وما له حرمة.

- k. Every pure substance that could remove the filth may be used for wiping, except for excrements of animals, bones

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least three wipes or more, if needed, with a pure substance that is not forbidden to use for this purpose.

- (1) The odd times are recommended, yet, not mandatory, as long as he wipes three times or more and removes the filth. Abu Hurairah (may Allah be pleased with him) reported Allah's Messenger (blessings and peace be upon him) as saying: "When anyone wipes himself with pebbles (after answering the call of nature) he should use an odd number..." (M).
- (2) 'Aishah indicated that the Prophet used to wash with water. (T,A & N) (T): Auth.
- (3) The Messenger of Allah (blessings and peace be upon him) said: "when you go to defecate, purify yourself with three stones, for they will suffice you." (D,A & N); (I,44:Auth).
- (4) In this case, he will need to remove the filth with water.



and sacred substances [such as food and papers that bear the mention of Allah and/or verses of the Quran]<sup>(1)</sup>

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(1) Salman (may Allah be pleased with him) reported that it was said to him: Your Messenger (blessings and peace be upon him) teaches you about everything, even about excrement. He replied: Yes, he has forbidden us to face the *qiblah* at the time of excretion or urination, or cleansing with right hand or with less than three pebbles, or with dung or bone. (M).

## **Summary of the Unit**

- It is not lawful to use gold and silver vessels in purification or otherwise, like eating & makeup. Vessels soldered by small silver solder for a need are pardoned.
- The vessels and clothes of the People of the Book can be used unless they are known to be impure. However, scholars disliked their usage in case one is not in need to do so.
- The wool and hair of dead edible animals and inedible animals, whether slaughtered or not, are pure. The majority of scholars considered the pig's hair impure, but allowed using it in threading, while others considered it pure.
- The majority of scholars consider the hides pure after tanning (contrary to the matn). However, they differed with regard to the hides of dogs and pigs.
- As for bones, scholars have different views and the stronger one in (T)'s view is that they are pure. The ruling applies also to teeth, horns and claws.
- Every dead body is impure except that of humans, sea creatures and that which does not have blood as long as it did not emanate from impurity.
- When using the lavatory one is recommended to repeat the supplications reported in such conditions,

forwarding his left foot when he enters and his right when he departs.

- One should not enter with anything bearing the mention of Allah except for a need.
- If one is in the outdoors, he must go far and screen himself, seek a soft spot to urinate on, and should not urinate in a hole, groove, path, beneficial shade or under a fruitful tree.
- He must not face or give his back to the qiblah, but this would be permissible indoors – according to Ibn Omar – and that is especially if one had no choice in such a design.
- People who usually have remains of urine in the urethra are recommended to milk the penis and then shake it off, otherwise, they should not.
- One should not touch his penis with the right hand or use it when wiping himself with stones, tissues or the like.
- One should wipe himself odd times and can wash himself thereafter. However, wiping suffices him unless the filth goes beyond the usual area it touches.
- Every pure substance that could remove the filth may be used for wiping, except for excrements of animals, bones and sacred substances.

## **Self-assessment Questions**

### **Essay Questions:**

1. Mention the rulings pertaining to using gold and silver vessels.
2. State in brief the etiquettes of using the lavatory.

### **Place a check mark for correct answers and an 'X' for wrong answers:**

1. Gold and silver vessels should not be used in eating. ( )
2. Vessels soldered by gold are lawful to be used for food or purification. ( )
3. When using the lavatory, one should not bear with him any object including the mention of Allah. ( )
4. When using the lavatory outdoors, one can give his back to the qiblah (direction of prayer). ( )
5. It is permissible that one touches his penis with his right hand while urinating. ( )
6. Bones can be used in wiping after using the lavatory. ( )

### **Multiple choice questions:**

1. According to the matn, impurities other than that caused by the dog or pig are sufficient to be washed (one time – three times – five times).
2. It is not permissible that one urinates in (a hidden place - a hole).
3. Wiping oneself can be done with (only stones – only tissues – stones, tissues or the like).



## **Didactic activity**

**Dear student, in order learn more about the topics tackled in this unit, you should:**

*Write a paper on the vessels and utensils and one on using the lavatory.*

# ***Unit Three***

## ***Wudu' (Minor ablution)***

## ***Contents of the Unit***

- ***Wudu'*** (Minor ablution); its mandatory acts and preferable ones
- Wiping over leather socks and the like, and the relevant rulings
- The Nullifiers of *wudu'*

**Importance of the Unit:**



This lecture is intended to clarify how to perform *wudu'*, how and when to wipe over leather socks and the like, and finally sheds light on the nullifiers of *wudu'*.

**Learning Objectives:**



**Dear learner, after studying this lecture you are expected to be able to:**

- Differentiate between the obligatory and preferable acts of *wudu'*.
- Explain how and when one can wipe over leather socks and the like.
- Recognize the nullifiers of *wudu'*.



## Text and Exposition

### باب الوضوء

## **B1-C4 Chapter On Wudu' <sup>(1)</sup> (Minor Ablution)**

### (I) [Necessity of Intention]

لا يصح الوضوء ولا غيره من العبادات إلا أن ينويه، لقول رسول الله ﷺ: «إنما الأعمال بالنيات وإنما لكل امرئ ما نوى»

Wudu' and other acts of worship are not valid without being intended. That is because of the statement of the Messenger of Allah (May Allah bless him and give him peace): "Verily, deeds are by their intentions, and verily

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(1) The prescribed washing and wiping of certain parts of the body to achieve ritual purity, and it linguistically means radiance and beauty, for it causes the performer of it to have spiritual beauty in this life, and both spiritual and physical beauty in the hereafter.

The reward of *wudu'* is great, Allah's Messenger (blessings and peace be upon him) said: "When a servant of God makes ablution and rinses his mouth, his wrong deeds [committed by this organ] fall from it. As he rinses his nose, his wrong deeds fall from it. When he washes his face, his wrong deeds fall from it until they fall from beneath his eyelashes. When he washes his hands, his wrong deeds fall from them until they fall from beneath his fingernails. When he wipes his head, his wrong deeds fall from it until they fall from his ears. When he washes his feet, his wrong deeds fall from them until they fall from beneath his toenails. Then his walking to the mosque and his prayer give him extra reward." (Ma; Albani: Auth)

every person will have [the reward of] what he intended." <sup>(1)</sup>

## (II) [Description of Wudu']

ثم يقول: بسم الله.

1- Then, he says: "Bismillah" (in the name of Allah);

ويغسل كفيه ثلاثاً،

2- And washes his hands thrice <sup>(2)</sup> ;

ثم يتمضمض ويستنشق ثلاثاً يجمع بينها بغرفة واحدة أو ثلاث،

3- Then rinses his mouth and nostrils thrice; combining <sup>(3)</sup>  
both with one handful of water or three;

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(1) Ag.

(2) The most comprehensive hadeeth on the acts of *wudu'* is a report from 'Uthman ibn 'Affaan in which he described the *wudu'* of the Prophet. Al-Bukhari and Muslim reported that 'Uthman ibn 'Affaan (May Allah be pleased with him) asked for water and made *wudu'*, he washed his hands thrice and rinsed his mouth and nostrils, and then his face thrice, then he washed his right forearm to the elbow thrice and then the left likewise, and then wiped on his head and washed his right foot to the ankle thrice and then the left likewise. He then said: I have seen the Messenger of Allah (blessings and peace be upon him) make *wudu'* similar/close to mine.

(3) To do the rinsing of both parts successively from one handful of water; This appears to be the way the Prophet rinsed his mouth and nostrils based on the following hadeeth: 'Ali once called for water for ablution, rinsed his mouth, sniffed up water into his nostrils and blew it out with his left hand. He did that three times and then said, "That is how the Prophet (blessings and peace be upon him) would purify himself." A. Auth. You will use your right hand to bring the water to your mouth and nostrils and then the left to blow the water out. Of note here is that, by agreement, separating between the rinsing of the mouth and nose is acceptable, particularly for those who can't master combining between them.

ثم يغسل وجهه ثلاثاً من منابت شعر الرأس إلى ما انحدر من اللحيين والذقن طولاً، ومن الأذن إلى الأذن عرضاً، ويخلل لحيته إن كانت كثيفة، وإن كانت تصف البشرة لزمه غسلها،

- 4- Then, he washes his face thrice from the hairline down to the bottom of the jaws and chin in length, and from the ear to the other ear in width; and runs his wet fingers through his beard if it was abundant, but if it was showing the skin underneath, he should wash it;

ثم يغسل يديه إلى المرفقين ثلاثاً ويدخلهما في الغسل،

- 5- Then, he washes his hands (forearms) to the elbows thrice, and includes the elbows in washing;

ثم يمسح رأسه مع الأذنين، يبدأ بيديه من مقدمه ثم يمرهما إلى قفاه ثم يردهما إلى مقدمه،

- 6- Then, he wipes his head including the ears, starting with his hands at the forelock and wiping to the nape, and back to the forelock;

ثم يغسل رجليه إلى الكعبين ثلاثاً ويدخلهما في الغسل، ويخلل أصابعهما،

- 7- Then, he washes his feet to the ankles thrice, and includes them in washing; and he washes the inner aspects of his toes;

ثم يرفع نظره إلى السماء فيقول: أشهد أن لا إله إلا الله وحده لا شريك له، وأشهد أن محمداً عبده، ورسوله.

- 8- Then, he raises his sight to the heavens and says: "ashhadu al-la ilaha illa allahu wahdahu la shareeka lahu wa ashhadu anna muhammadan 'abduhu wa rasooloh" (I bear witness that there is no God but Allah,

one without partner, and I bear witness that Muhammad is his servant and messenger)<sup>(1)</sup>.

### (III) [Mandatory Actions]

والواجب من ذلك

#### What is mandatory of all of that is:

النية،

1- The intention,

والغسل مرة مرة ما خلا الكفين.

2- Washing each part once<sup>(2)</sup>, except for the hands,

ومسح الرأس كله.

3- And wiping over the entire<sup>(3)</sup> head once,

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(1) In an agreed upon hadeeth, the prophet promised the one who perfects his *wudu'* and then makes this statement to have the eight gates of paradise opened for him to enter from whichever one he pleases.

(2) The rest of the four imams consider the rinsing of the mouth and nostrils only preferable. The hanbali position is strong because of the following reports: 1- Laqeet ibn Sabirah reported that the Prophet (blessings and peace be upon him) said, "When one performs ablution, he should rinse his mouth." D; Auth. 2- Abu Hurairahh reported that the Prophet (blessings and peace be upon him) said, "When one of you performs ablution, he should sniff water up his nostrils and then blow it out." Ag. The hanbalis then differed over the validity of the *wudu'* of one who doesn't rinse the mouth and nostrils; some said it is invalid; others said it is valid but he would acquire a sin. The latter opinion is strong.

(3) In other schools of fiqh, wiping over part of the head is sufficient. The position of the hanbali school here is strong. The sunnah is to wipe twice, starting from the front to the back and back to the front.

وترتيب الوضوء على ما ذكرنا،

4- Doing all this in the sequence we mentioned<sup>(1)</sup> ،

ولا يؤخر غسل عضو حتى ينشف الذي قبله.

5- And not deferring the washing of any part until the part prior to it becomes dry.

#### (IV) [The Recommended (sunnah)<sup>(2)</sup> Acts]

والمسنون

**The sunnah (preferable acts) are:**

التسمية،

1- To mention the name of Allah<sup>(3)</sup> ،

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This sunnah is reported by (G) from Abdullah ibn Zayd. One can fix his hair thereafter if it became messy.

(1) In the verse quoted here above from surat al-Ma'edah, Allah decreed the obligations in a specific order. He separated the legs from the hands, though both of them have to be washed, by mentioning the wiping on the head between them. That must have been for a benefit and that is to indicate the importance of the order. Of note here also, that the Prophet has never violated the order mentioned in surat al-Ma'edah of those 4 pillars of *wudu'*.

(2) Some confusion took place in the minds of some Muslims since the jurists (may Allah bestow mercy on them) used the word sunnah to refer to the recommended actions Vs. those that are obligatory. This led some people to think that what the Prophet says is only a recommendation. None of the Jurists intended to infer that, and all of them agreed that what the Prophet commands could be mandatory of recommended based on certain criteria laid down by them. If there is no indication of the opposite all of his commands indicate obligation.

(3) Because of the Prophet's statement:

وغسل الكفين،

2- Washing the two hands <sup>(1)</sup> ,

والمبالغة في المضمضة والاستنشاق إلا أن يكون صائماً،

3- Perfecting the rinsing of the mouth and nostrils by letting the water reach as far around and back as possible, unless he is fasting,

وتخليل اللحية،

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«لا وضوء لمن لم يذكر اسم الله عليه»

"There is no [valid/perfect] *wudu'* for the one who didn't mention the name of Allah at it" reported by at-Tirmidhi and others with controversial authenticity. Because of this hadeeth, some scholars count the basmalah as mandatory. Whenever the Prophet negates something, it either is invalid or imperfect, invalidity is assumed first until proven otherwise. In this case what makes the vast majority who believe in the authenticity of the hadeeth claim that he (blessings and peace be upon him) meant there is no perfect *Wu*. valid is the fact that the Quran says in describing the *wudu'*:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَانْسُجُوا  
رُءُوسَكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ...﴾

"O you who believe! When you intend to offer *As-Salat* (the prayer), wash your faces and your hands (forearms) up to the elbows, rub (by passing wet hands over) your heads, and (wash) your feet up to ankles..."

The Quran didn't mention the mention of the name of Allah and none of the reports describing the *wudu'* of the prophet mentioned that he started with saying "*Bismillah*"

(1) This becomes mandatory when one rises from sleep for Abu Hurairah reported that the Prophet (blessings and peace be upon him) said, "When one of you rises from his sleep, he should not put his hand into a pot until he has washed it three times, for he does not know where his hand was (while he slept)." G.

- 4- Running the wet fingers through the beard<sup>(1)</sup> ،  
والأصابع ،
- 5- and inner aspects of fingers and toes<sup>(2)</sup> ،  
ومسح الأذنين.
- 6- Wiping the ears<sup>(3)</sup> ،  
وغسل الميامن قبل المياسر ،
- 7- Beginning with the right parts before the left<sup>(4)</sup> ،  
والغسل ثلاثاً ثلاثاً، وتكره الزيادة عليها، والإسراف في الماء.
- 8- And washing thrice<sup>(5)</sup> ، More than that (washing three times)  
is disliked as well as excessiveness in using the water<sup>(6)</sup> .

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(1) 'Aishah reported that the Messenger of Allah (blessings and peace be upon him) would run his fingers through his beard. (T):Auth.

(2) As recommended by the Prophet in a hadeeth reported and deemed sound by (T).

(3) Some scholars consider wiping the ears mandatory as part of the head and quote a hadeeth reported by (D) and others in which he (blessings and peace be upon him) said: "The ears are part of the head." The hadeeth is controversial, but it was the sunnah of the Prophet to wipe the ears as reported by (D) and others from Ibn Omar and al-Miqdaam.

(4) 'Aishahh said: "The Messenger of Allah used to like starting with the right side when he put on his shoes, combed his hair and when he performed ritual ablution [minor and major]." Ag.

(5) Refer to the hadeeth of 'Uthman in the descriptions of the Prophet's prayer. Yet, he (blessings and peace be upon him) washed once and twice at times indicating that more than once is preferable.

(6) Anas said: "The Prophet (blessings and peace be upon him) used to make *ghusl* (ritual bathing) with a *saa'* [=muddx4] of water and *wudu'* with one *mudd* [two handfuls] of water." Ag.

(V) [Tooth Cleaning]

ويسن السواك عند تغير الفم، وعند القيام من النوم، وعند الصلاة، لقول رسول الله ﷺ: «لولا أن أشق على أمتي لأمرتهم بالسواك عند كل صلاة».

**It is recommended to clean the teeth<sup>(1)</sup> when**

- the mouth [taste or odor of] has changed,
- when rising from sleep,
- and before prayers,

because of the statement of the Messenger of Allah (May Allah bless him and give him peace): "Had it not been an overburden for my nation, I would have commanded them to clean their teeth before every prayer."<sup>(2)</sup>

ويستحب في سائر الأوقات إلا للصائم بعد الزوال.

It is recommended at all other times except for the fasting person after the sun's zenith<sup>(3)</sup>.

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Islam is a religion of moderation, and it protects the environment by forbidding excessiveness and extravagance, while allowing man to enjoy God's provisions.

(1) The *siwak* that is recommended is the mere cleaning of the teeth. The reward would thus be attained by using a tooth brush.

The particular stick of *arak* obtained from certain desert shrubs in Arabia is not necessary for this purpose, but it is what the Prophet (blessings and peace be upon him) used and there are many scientifically confirmed reports of its benefits for the teeth.

(2) (M).

(3) There is no clear proof on it being disliked after this time. Some of our honorable jurists felt it is best to leave the odor of the mouth of



## باب مسح الخفين

### **B1-C5 Chapter on Wiping over the Leather Socks and Their Likes**

يجوز المسح على الخفين، وما أشبههما من الجوارب الصفيقة التي تثبت في القدمين، والجراميق التي تجاوز الكعبين في الطهارة الصغرى يوماً وليلة للمقيمين، وثلاثاً للمسافر، من الحدث إلى مثله. لقول رسول الله ﷺ: يمسح المسافر ثلاثة أيام ولياليهن، والمقيم يوماً وليلة.

- 1- It is permissible to wipe<sup>(1)</sup> on the leather socks and whatever resembles them like the thick<sup>(2)</sup> socks that stay

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the fasting person since it is beloved by Allah as indicated by the Prophet (blessings and peace be upon him). Others argued that the odor is not coming from the mouth but rather from the stomach and cleaning the teeth would not abate it. The latter opinion is strong.

- (1) Wiping is done on the top, not the bottom of the sock or shoe; Al-Mugheerah said: "I saw the Messenger of Allah (blessings and peace be upon him) wipe on the top of his socks." (T): Sound. That is why Ali (may Allah be pleased with him) said: "If the religion was based on opinion, the bottom of the sock would have taken precedence over the top in wiping." (D).
- (2) Ibn al-Mugheerah narrated from his father: The Messenger of Allah (blessings and peace be upon him) wiped over his socks and over his forelock and turban. (M). in other report, he said "wiped on the socks and shoes" in this hadeeth, there is no distinction between the thick or thin socks, thus many scholars allow wiping on all socks. You may also wipe on the shoes if they are up to the ankle or if you have socks underneath them given you wore them after you have made *wudu'* in which you washed your feet. Wiping on the socks and shoes with socks underneath them as well as on the scarf for women is one of the legitimate concessions – based in the revelation

on the feet and the shoes that go beyond the anklebones; And this is in the minor ablution; one day for the resident and three for the traveler from the time of breaking the ritual purity to the next. And that is because of the statement of the Messenger of Allah: "The traveler will wipe three days and the resident one."<sup>(1)</sup>

ومتى مسح ثم انقضت المدة - أو خلع قبلها - بطلت طهارته.

- 2- And whenever he wipes and the period is over – or he takes the footgear off before it is over – his purity becomes invalid<sup>(2)</sup>.

ومن مسح مسافراً ثم أقام - أو مقيماً ثم سافر - أتم مسح مقيم.

- 3- And whoever wipes while a traveler and then reaches his place of residence – or vice versa – he should wipe for one day only like a resident.

ويجوز المسح على العمامة إذا كانت ذات ذؤابة ساترة لجميع الرأس، إلا ما جرت العادة بكشفه.

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- that facilitate praying for people. It is therefore essential that we propagate this sunnah.

- (1) Shuraih b. Hani said: I came to 'Aishah to ask her about wiping over the socks. She said: You better ask ('Ali) son of Abu Talib for he used to travel with Allah's Messenger (blessings and peace be upon him). We asked him and he said: The Messenger of Allah (blessings and peace be upon him) stipulated (the upper limit) of three days and three nights for a traveler and one day and one night for the resident. (M).
- (2) There is no clear proof the purity becomes invalidated with the removal of the socks or turban.

- 4- It is permissible to wipe on the turban if it has a tail<sup>(1)</sup>, and covered the entire head, except that which is usually uncovered.

ومن شرط المسح على جميع ذلك أن يلبسه على طهارة كاملة.

- 5- A condition of the validity of wiping in all that is to have worn that which will be wiped on in a state of complete purity.

ويجوز المسح على الجبيرة إذا لم يتعد بشدها موضع الحاجة إلى أن يجلها،

- 6- It is allowable to wipe on the Band-Aid/Bandage if he didn't exceed in wearing it the part that needs to be wrapped. And that is until he unwraps it.

والرجل والمرأة في ذلك سواء، إلا أن المرأة لا تمسح على العمامة.

- 7- The man and woman are equal in that regard. Except that the woman may not wipe on the turban<sup>(2)</sup>.

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(1) There is no authentic clear proof that the turban must have a tail. Yet, the honorable jurists disliked wearing a turban without a tail (*dhu'abah*) because these used to be the turbans of the people of the book and some deviant sects. A Muslim is not to imitate non-Muslims in their dress code unless it is a universal one like the suits in our time; wearing them would not tell in any way of your religion. However, if one lives in a Muslim country where Muslims have their own dress code, he should not distinguish himself from his brethren.

(2) The woman may however wipe on the scarf (*khimar*) according to one opinion of (A). Ibn Qudamah reports in *al-Mughni* that Oum Salamah used to do it. The woman can't wipe on the turban because it is forbidden for her to wear one.

باب نواقض الوضوء

**B1-C6 Chapter On The Nullifiers Of Wudu'  
(Minor Ablution)**

وهي سبعة:

Which are seven:

الخارج من السبيلين.

1- What exits from the private parts<sup>(1)</sup>.

والخارج النجس من سائر البدن إذا فحش،

2- Impure discharges<sup>(2)</sup> from elsewhere in the body, if they were voluminous enough to be repulsing.

وزوال العقل إلا النوم اليسير جالساً أو قائماً.

3- Loss of intellect<sup>(3)</sup>, except for light sleep while sitting or standing<sup>(4)</sup>.

ولمس الذكر بيده.

4- Touching the penis<sup>(1)</sup> with his hands<sup>(2)</sup>.

(1) That includes worms and stones for the majority and precludes them for (M+Z). The latter position is strong.

(2) Such as blood, pus (*qayh*) and serosanguineous discharge (*sadeed*). According to (M+S+T) that would not nullify the wudu', and it was reported that 'Umar continued to pray while his wound was gushing forth with blood.

(3) Including sleep, coma, insanity or intoxication.

(4) In a report by (D), it is indicated – based on the action of the companions - that even lying would not invalidate the wudu' as long as it is light sleep, which is defined as the kind of sleep during which the person would still recognize/feel if he passed wind.

وَأَنْ تَمَسَّ بَشْرَتَهُ بَشْرَةَ أُنْثَى لَشَهْوَةٍ.

5- And if his skin touches the skin of a woman with lustful desire<sup>(3)</sup>.

والردة عن الإسلام.

6- And apostasy from Islam.

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- (1) That also includes, besides the penis, the woman's external sexual organs, whether one touched his own or others', including children. S: the anus as well.
- (2) For many scholars, including (M+T), it would only nullify the *wudu'* if done with desire. Their position is strong for there are two reports from the Prophet (blessings and peace be upon him) regarding this issue: 1- Busrah bint Safwan reported that the Prophet (blessings and peace be upon him) said: "Whoever touches his sexual organ, may not pray until he makes *wudu'*." 2- Talq reported: "A man asked the Prophet if a man who touches his penis has to perform ablution. The Prophet replied: "No, it is only a part of you." Both ahadeeth were related by the five (G-B&M) and are both authentic, and the best way to reconcile between them is to make the distinction between one who touches his privates with desire and one who touches them without lustful desire.
- (3) 'Aishahh (may Allah be pleased with her) said: "One night, I missed the Messenger of Allah in my bed, and so went to look for him. I put my hand on the sole of his feet while he was praying and saying, 'O Allah, I seek refuge in Your pleasure from Your anger, in Your forgiveness from Your punishment, in You from You. I cannot praise you as You have praised Yourself' M. (D+T) reported from 'Aishahh that the Prophet (blessings and peace be upon him) would kiss some/one of his wives and pray without making *wudu'*. Based on this hadeeth (authenticated by al-Albani) and others, based on these reports and others from 'Aishah, some scholars (A2, and chosen by T) maintain that touching the woman without intercourse or the exiting of anything from the penis would not nullify the *wudu'*. They would still prefer for the person (male or even female according to one opinion) who touched a spouse with lust to make *wudu'*.

وأكل لحم الجزور، لما روي عن النبي ﷺ «قيل له: أنتوضأ من لحوم الإبل؟ قال: نعم توضحوا منها. قيل: أفتوضأ من لحوم الغنم؟ قال: إن شئت فتوضأ، وإن شئت فلا تتوضأ».

7- And eating camel's meat <sup>(1)</sup> for the report from the Prophet (blessings and peace be upon him): "he (blessings and peace be upon him) was asked: should we make wudu' after eating camel's meat? He said yes, make wudu' after eating their meat; he was then asked: should we make wudu' after eating lamb? He said: if you want, then make wudu' and if you want to not make wudu', then don't."

ومن تيقن الطهارة وشك في الحدث، أو تيقن الحدث وشك في الطهارة، فهو على ما تيقن منها.

He who is certain of having ritual purity and has some doubt whether he had thereafter a cause for ritual impurity and he who is certain of having had a reason for sexual impurity, and doubt whether he had made ablution thereafter, he must follow what he is certain of <sup>(2)</sup>.

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(1) Contrary to the opinion of the majority (H+M+S), thus this position is one of the *mufradat* (distinctive positions) of the *hanbali madhhab*, which are positions upheld by the madhhab that are contrary to the three other imams' position.

(2) If he was certain he made *wudu* at some point, and doubts whether he broke it thereafter, then he should consider himself having *wudu*', and vice versa. That means: cast the doubt away. The second agreed upon major comprehensive legal principal is: "Certainty is not negated by doubt."

## **Summary of the Unit**

- *Wudu'* will not be valid unless done with intention.
- When one intends to make *wudu'*, one says, "bismillah", washes his hands thrice, rinses his mouth and his nostrils thrice, washes his face thrice running his wet fingers through his beard if it was thick; otherwise he just wash it, washes his hands and forearms to the elbows thrice. Then he wipes his head including his ears, and finally washes his feet to the ankles thrice. Then he recites the supplication repeated right after making *wudu'*.
- The acts of *wudu'* are of two divisions: Mandatory acts and preferable ones as detailed above.
- It is recommended to clean the teeth using *siwak* (tooth-cleaning stick) or the like when the mouth taste or odor changes, when waking up and before prayer.
- When performing *wudu'*, one is permitted to wipe over leather socks and the like; one day and night for the resident and three for the traveler.
- There is no clear proof that the purity becomes invalidated with the removal of the socks or turban, but in the matn such removal is said to nullify the *wudu'*.
- And whoever wipes while traveling and then reaches his place of residence – or vice versa – he should wipe for one day only like a resident.

- It is permissible for men to wipe on the turban that covers the entire head, except that which is usually uncovered. As for women, they can wipe on the scarf according to one of Imam Ahmad's opinions.
- Being in a state of complete purity is a condition for wiping over such objects, otherwise wiping would be invalid.
- It is allowable to wipe on the Band-Aid/Bandage if one didn't exceed in wearing it the part that needs to be wrapped.
- The nullifiers of *wudu'* are seven:
  1. Urination and defecation. It is controversial whether other matters like stones and worms exiting from the private parts nullify one's *wudu'*.
  2. Impure discharges from elsewhere in the body, if voluminous enough to be repulsing. (controversial)
  3. Loss of intellect except for a light sleep while sitting or standing.
  4. Touching the penis with one's hand. (with/out desire?)
  5. If man's skin touches the skin of a woman with lustful desire.
  6. Apostasy.
  7. Eating camel's meat, contrary to the opinion of the majority of scholars.



## **Self-assessment Questions**

### **Essay Questions:**

1. What are the obligatory acts of wudu'?
2. State the rulings of wiping over leather socks and turbans for both men and women.
3. What are the nullifiers of *wudu'*?
4. Elucidate the ruling of wiping the ears in *wudu'*.

### **Place a check mark for correct answers and an 'X' for wrong answers:**

1. Rinsing and sniffing are among the preferable acts of wudu' according to the matn. ( )
2. Washing each part of wudu' thrice is obligatory. ( )
3. The Sunnah is to wipe the head twice. ( )
4. The traveler is permitted to wipe over the socks for four days with their nights. ( )
5. Wiping is done on the top and bottom of the socks. ( )
6. Women are permitted to wipe over the turban. ( )
7. Light sleeping does not break one's ritual purity. ( )
8. If one is certain to be ritually pure and doubts whether he broke it, he has to make a new wudu'. ( )

**Multiple choice questions:**

1. The first mandatory act of *wudu'* is (washing the face – making the intention – washing the two hands).
2. Washing the parts of *wudu'* three times is (an obligatory act – a preferable act).
3. Using *siwak* (tooth-cleaning stick) before prayer is (mandatory – preferable).
4. The resident is allowed to wipe over the socks for (one day – two days – three days).
5. The period allowed for wiping starts from (putting the socks on – the first wipe).
6. *Wudu'* is broken by (deep sleep – light sleep – sleeping in general).



## **Didactic activity**

**Dear learner, in order to learn more about the points tackled in this unit, you should:**

- *Depending on different sources of fiqh, write a paper on the nullifiers of wudu' and the rulings related to wiping over socks.*
- *Write a comprehensive description of the best form of wudu'.*

# ***Unit Four***

## ***Ghusl & Tayammum***

## ***Contents of The Unit***

- **Ghusl (major ablution)**
- **Tayammum (dry ablution)**

**Importance of the unit:**



The present unit sheds light on significant issues upon which acts of worship relies and can be either valid or invalid. It tackles the issues of *ghusl* and *tayammum*.

**Learning Objectives:**



Dear learner, after studying this unit you are expected to be able to:

- Recognize the things that make *ghusl* (major ablution) required.
- Elucidate how and when to make *tayammum* (dry ablution).

باب الغسل من الجنابة

**B1-C7 Chapter on Major Ablution (For Major Sexual Ritual Impurity)**

(١) والموجب له:

١- خروج المنى وهو الماء الدافق،

٢- والتقاء الختانين،

(I) What makes it required<sup>(1)</sup>:

- 1- The Ejaculation of semen, which is the gushing water; and
- 2- The meeting of the two circumcised parts.

(٢) والواجب فيه:

١- النية،

٢- وتعميم بدنه بالغسل

٣- مع المضمضة والاستنشاق.

(II) [Mandatory Acts of Ghusl:

- 1- the intention,
- 2- washing the entire body
- 3- with rinsing the mouth and the nostrils.

(٣) وتسن:

١- التسمية،

٢- ويدلك بدنه بيده،

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(1) He did not mention menstrual bleeding and postpartum bleeding since he is only addressing the ritual bath after sexual impurity. But, both types of bleeding require a ritual bath at their end.

٣- ويفعل كما روت ميمونة قالت: سترت النبي ﷺ فاغتسل من الجنابة، فبدأ فغسل يديه، ثم صب يمينه على شماله فغسل فرجه وما أصابه ثم ضرب بيده على الحائط والأرض، ثم توضأ وضوءه للصلاة، ثم أفاض الماء على بدنه، ثم تنحى فغسل رجليه.

### (III) [Recommended Acts of Ghusl:

- 1- To say bismillah.
- 2- That he rubs his body with his hand
- 3- And to do as reported by Maimoonah, she said: “I covered the Prophet (blessings and peace be upon him) and he made major ablution to remove major ritual impurity. He started by washing his hands, and then he poured water with his right hand onto the left and washed his private organ and whatever smeared it,. Then, he struck his hand against the wall and floor, and then he performed the usual wudu’ for prayers and poured water on his body, then he made a slight movement and washed his feet.”<sup>(1)</sup>

(٤) ولا يجب نقض الشعر في غسل الجنابة إذا روي أصوله،

### (IV) [Unbraiding The Hair]

- 1- It is not mandatory to unbraid the hair for the major ablution consequent to major ritual impurity<sup>(2)</sup> as long as

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(1) Ag.

(2) However, for *ghusl* after *hayd* (menstruation), the scholars disagreed whether she should unbraid the hair or not. It is safer to unbraid it.



its roots are saturated with water<sup>(1)</sup>.

(5)

١- وإذا نوى بغسله الطهارتين أجزأ عنهما،

٢- وكذلك لو تيمم للحدثين والنجاسة على بدنه أجزأ عن جميعها،

وإن نوى بعضها فليس له إلا ما نوى بهما .

**(V) [Matters Of Intention]**

- 1- And if he intended by his ghusl both types of purification, it would suffice him for both.
- 2- Likewise if he made tayammum for the two types of hadath (the major and minor ritual impurity) as well as the filth on his body, it would suffice for all.

And if he intended some of them, then he only gets what he intended<sup>(2)</sup>.

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(1) As reported by Muslim that the Prophet (blessings and peace be upon him) was asked by Oum Salamah if she should unbraid her hair, and he instructed her to not unbraid it and saturate its roots with three two-handfuls of water.

(2) Ibn Qudamah mentioned in al-Mughni that there are two opinions within the madhhab for someone who makes ghusl for the jumu'ah prayer and forgets that he had major ritual impurity. Some consider that *ghusl* sufficient for both and some don't. It seems that in the acts of purification, there is overlap (*tadakhul*) because it is an act of worship not meant for itself, but as preparation for another. Therefore, the stronger opinion is that one *ghusl* would suffice even if he was not conscious of the major ritual impurity he had at the time of his ghusl. But, he would be rewarded only for that which he intended.

باب التيمم

**B1-C8 Chapter On Tayammum<sup>(1)</sup> (Dry Ablution)**

(1) [Description of Tayammum]

وصفته

The description of it is:

- أن يضرب بيديه على الصعيد الطيب ضربة واحدة فيمسح بهما وجهه وكفيه،

لقول النبي ﷺ لعمار: إنما كان يكفيك هكذا. وضرب بيديه الأرض فمسح

- To strike the wholesome *sa'eed*<sup>(2)</sup>, which is the surface of the earth with his two hands once, And then wipe with them his face and hands<sup>(3)</sup>.

And that is for the saying of the Prophet blessings and peace be upon him) to 'Ammar: "it would have been enough for you to do like this, and he struck the floor with

- 
- (1) Tayammum means linguistically to head towards, and in this case it would be heading for/seeking the clean surface of the earth.
  - (2) *Sa'eed* means the surface of the earth. According to (H+M) and must be soil according to (S+A) and it seems that (H+M) is stronger, since the prophet said: "The earth was made a place of prayer for me and a source of purification" and that should apply to any surface of the earth, including the ice in Alaska if there is no water.
  - (3) The hands are wiped up to the wrists as indicated by the agreed upon hadeeth of 'Ammar. According to (S) it is up to the elbows based on a different hadeeth that is not authentic according to the scholars of hadeeth.

his hands and wiped<sup>(1)</sup>,

• وإن تيمم بأكثر من ضربة أو مسح أكثر جاز.

- And if he made *tayammum* with more than one strike or wiped more than once, it would be permissible.

**(II) [Its Conditions]**

وله شروط أربعة:

And it has four conditions:

أحدها: العجز عن استعمال الماء،

**(1) One is the inability to use water either:**

إما لعدمه،

a. because of its lack

أو لخوف الضرر من استعماله لمرض أو برد شديد،

b. or fear of harm if he used it, because of sickness or severe cold,

أو لخوف العطش على نفسه أو رفيقه أو بهيمته،

c. or if he feared thirst for himself or his companion or beast

أو خوف على نفسه أو ماله في طلبه،

d. or if he feared for himself or his property if he sought it

أو تعذر إلا بثمن كثير،

e. or if he can't obtain it except with an expensive price.

فإن أمكنه استعماله في بعض بدنه، أو وجد ماء لا يكفيه لطهارته استعمله

وتيمم للباقي.

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(1) The author didn't mention the complete hadeeth, which said: "...and wiped his face and two hands" the word used in the hadeeth is *kaff*, which means the hands up to the wrists.

And if he could use it on part of his body or found some water that is insufficient for his purification, then he should use it and make tayammum for the rest.

## (2) [Commencement of The Prayer Time]

والثاني: دخول الوقت، فلا يتيمم لفريضة قبل وقتها، ولا لنافلة في وقت النهي عنها.

The second is the commencement of the time of the prayer<sup>(1)</sup>.

So he should not make tayammum for a mandatory prayer before its time, or for a recommended prayer during the time of its prohibition.

## (3) [Intention]

الثالث: النية.

The third is the intention<sup>(2)</sup>.

فإن تيمم لنافلة لم يصل بها فرضاً، وإن تيمم لفريضة فله فعلها وفعل ما شاء من الفرائض والنوافل حتى يخرج وقتها.

So if he made tayammum for a recommended prayer, he

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(1) This is a condition according to (M+S+A) and not a condition according to (H+a). If we believe that *tayammum* removes the impurity like water, then the opinion of (H+a) would be the stronger.

(2) If you believe *tayammum* does remove the impurity, then you will intend to make it for that, and use it to pray any number of prayers until you find water or break your *tayammum*.

must not pray a mandatory prayer with it. And if he made tayammum for a mandatory prayer, he can do it and other mandatory and recommended ones until its time is out.

**(4) [Soil]**

الرابع: التراب فلا يتيمم إلا بتراب طاهر له غبار،

Fourth: soil<sup>(1)</sup>.

Thus he may not use other than wholesome soil that has particles of dust.

**(III) [Invalidators of Tayammum]**

ويبطل التيمم ما يبطل طهارة الماء، وخروج الوقت، والقدرة على استعمال الماء، وإن كان في الصلاة.

What invalidates the wet ablution would invalidate the tayammum plus

Te ending of the prayer time<sup>(2)</sup>, ability to use water even if he was in prayer<sup>(3)</sup>.

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(1) It seems that the position of (H+M) that the surface of the earth in general is the *sa'eed* is stronger, and based on it, you will always be able to make *tayammum* except in very extraordinary conditions, then you will simply pray without purity according to the vast majority, and you will not need to repeat that prayer thereafter according to the stronger opinion.

(2) (H+a): the ending of the prayer time doesn't invalidate the *tayammum*.

(3) According to (M+S+a): he should not interrupt he prayer.

## **Summary of the Unit**

- *Ghusl* is required upon ejaculation of semen or the meeting of the two circumcised parts (intercourse with or without ejaculation).
- The acts mandatory in *ghusl* are: Intention, washing the whole body with the rinsing of mouth and nostrils.
- Acts recommended in *ghusl* are: the basmallah (saying *bismillah*), rubbing one's body with hands and following the steps of the Prophet's *ghusl* as depicted by Maimoonah (may Allah be pleased with her).
- It is not mandatory to unbraid the hair for the *ghusl* consequent to major ritual impurity as long as its roots are saturated with water. As for *ghusl* caused by menstruation, scholars splitted whether she should unbraid her hair or not. It is safer to unbraid it.
- One can intend two types of purification when performing *ghusl*. The same applies to *tayammum* (dry ablution). However, if he intends one of them, he gets only what he intended.
- *Tayammum* is performed by striking the surface of the earth with two hands one time, and then wiping the face and hands. If he performs *tayammum* with more than one strike, it would be permissible.
- *Tayammum* has four conditions:
  - Inability to use water

- Commencement of prayer time
  - Making the intention
  - Availability of wholesome soil that has the particles of dust
- The nullifiers of minor ablution are that of *tayammum*. The termination of prayer time and the ability to use water even during prayer are two further nullifiers of *tayammum* according to some scholars.

## **Self-assessment Questions**

### **Essay Questions:**

1. Discuss the matters that make *ghusl* obligatory, and state its mandatory and recommended acts.
2. Explain how and when dry ablution can be performed and when it becomes invalid.

### **Place a check mark for correct answers and an 'X' for wrong answers:**

1. According to the hanbali position, Rinsing the mouth and nostrils is recommended in *ghusl*.
2. One cannot intend two types of purification in *ghusl*.
3. It is mandatory to unbraid the hair when making *ghusl* out of *janabah* (post-sexual ritual impurity).
4. Performing *tayammum* with more than one strike is permissible.
5. There is a unanimous agreement that one's *tayammum* is rendered invalid once water is available even if he has started his prayer.



**Multiple choice Questions:**

1. *Ghusl* is required upon (touching marriageable woman – ejaculation of semen – secretion of prostatic fluid).
2. *Tayammum* is performed by striking the surface of the earth with two hands (once – twice – thrice) then wiping the face and hands.
3. *Tayammum* has (two – three – four) conditions.



## ***Didactic activity***

**Dear learner, in order to learn more about the points tackled in this unit, you should:**

*Depending on different sources of fiqh, write a paper on the mandatory Ghusl and when and how to make tayammum.*



# ***Unit Five***

***Hayd (Menstruation) &  
Nifaas (Postpartum bleeding)***

## ***Contents of the Unit:***

- ***Hayd* (Menstruation) and its relevant rulings**
- **Nifaas (Post partum bleeding) and its relevant rulings**



### **Importance of the unit:**

The present unit sheds light on significant issues upon which acts of worship rely and can be either valid or invalid. It tackles the rulings of *hayd* and *nifaas*.



### **Learning Objectives:**

Dear learner, after studying this unit you are expected to be able to:

- Clarify what is lawful and unlawful for the menstruating women.
- Differentiate between *hayd* and *istihadah* (non-menstrual vaginal bleeding).

باب الحيض

**B1-C9 Chapter on Hayd (The Menstrual Period)**

**(I) [Things It Prevents]**

ويمنع عشرة أشياء:

It prevents ten things<sup>(1)</sup> :

فعل الصلاة،

(1) The act of praying,

ووجوبها،

(2) The obligation of prayers,

وفعل الصيام،

(3) Fasting,

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(1) The first three are forbidden for her by consensus as well as 8 and 10.

The fourth, which is *tawaf* is also forbidden in regular circumstances by all of them because purity is a condition in *tawaf* according to (M+S+A). According to (H+a), purity is not a condition, but she can't make *tawaf* because she can't enter the masjid, but if she made it, it is valid and she must expiate.

If she has not made the pillar *tawaf* and must leave Macca, many scholars including (T) allow her to make *tawaf* after major ablution, cleaning and wrapping her external genitalia. And that is for her hajj to be valid. According to (T), she doesn't need to expiate in this case because she did her best. (T considers purity a condition for the validity of the *tawaf* in regular circumstances).

والطواف،

(4) Circumambulation of the Ka'bah (Tawaf),

وقراءة القرآن،

(5) Recitation of the Quran<sup>(1)</sup> ،

ومس المصحف،

(6) Touching the Mushaf<sup>(2)</sup> ،

واللبث في المسجد،

(7) Staying in the masjid<sup>(3)</sup> ،

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(1) And that is according to (H+S+A), but (M+T) allow her to recite the Quran, and their opinion seems stronger due to the lack of authentic evidence to support the first opinion.

(2) According to (H+A), it is allowable to touch it with the covered hands (like if she is wearing gloves). Ibn Hazm and Ash-Shawkani argued it is allowable even without a barrier due to the lack of evidence on the contrary and they interpreted Allah's saying "None touch it but the pure" to be in reference to the preserved tablet. They also interpreted the saying of the Prophet: "No one may touch the Quran but one who is pure" to mean one who is Muslim, since he (peace be upon him) said to abu Hurairahh: "the believer never becomes impure." It is safer to touch it with a barrier since this has been the practice of the *salaf* (righteous predecessors) and the majority of the ummah do not allow touching it without barrier.

(3) This is true according to (H+M+S+A). according to (a+al-Muzaney), she may stay in the masjid, since the hadeeth forbidding her from it is weak, and they argued that she is not like the (*junub*)



والوطء في الفرج،

(8) Intercourse<sup>(1)</sup> ,

وسنة الطلاق،

(9) The sunni divorce<sup>(2)</sup> ,

والاعتداد بالأشهر،

(10) Counting the waiting period according to the calendar<sup>(3)</sup> .

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one with major ritual impurity, since her *hayd* may last for many days (up to one third or one half of her fertile life). The second opinion is strong, and barring the menstruating women from the mosques where they can learn and benefit themselves and accompany their children needs to be based on unequivocal evidence, which is lacking in this case. It is also important to note that the Islamic centers in the west are not only *masjids*, but they include the masjid, which is the prayer hall and other utility rooms. Outside of the prayer hall, they have stores and advertise on bulletin boards, which are all acts forbidden in the masjid, so it is the agreed upon *'urf* (custom) that these areas are not part of the masjid. Therefore, menstruating women who hold the position of the majority may be able to come and stay outside the prayer hall and still listen to the lecture.

(1) This is a consensus.

(2) In other words, the lawful prescribed divorce. Divorcing a woman during the period is unlawful and called *bid'ey* divorce (innovation). Whether it counts as a divorce or not is a different issue. The majority counts it, and (T) doesn't.

(3) By consensus, a menstruating woman will count the waiting period after divorce by her periods not the calendar.

**(II) [Things It Makes Required]**

ويوجب

And it makes mandatory:

الغسل،

(1) Major ablution,

والبلوغ،

(2) Puberty<sup>(1)</sup>

والاعتداد به،

(3) And counting the waiting period according to it<sup>(2)</sup>.

**(III) [When To Resume Premenstrual Functions]**

فإذا انقطع الدم أبيح فعل الصوم، والطلاق، ولم يبيح سائرهما حتى تغتسل.

Once the blood stops, fasting and divorce become permissible, but the rest (of the acts forbidden for a

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(1) *Hayd* is a sure sign of puberty if it takes place after age nine, according to the vast majority or ten according to (a).

The latter position is strong since the Prophet commanded the spanking of kids at age ten if they don't pray, indicating that it is the youngest age at which puberty and the attainment of adulthood may normally take place.

Anything before that would be premature and would not cause the girl to be accountable as an adult.

(2) Versus counting the period by the lunar months as for the women who do not menstruate.

menstruating woman) will not become permissible until she performs major ablution.

ويجوز الاستمتاع من الحائض بما دون الفرج لقول رسول الله ﷺ: اصنعوا كل شئ غير النكاح.

It is permissible to enjoy all forms of sex with the menstruating woman except intercourse, for the saying of the messenger of Allah: "Do everything save intercourse."

#### **(IV) [Duration, Beginning And End Of Hayd]**

وأقل الحيض يوم وليلة،

- The shortest duration of menstruation is a day and night <sup>(1)</sup>  
وأكثره خمسة عشر يوماً،
- And the longest is fifteen days <sup>(2)</sup>.  
وأقل الطهر بين الحيضتين ثلاثة عشر يوماً،
- And the shortest interval between two menstrual periods (tuhr) is thirteen days,  
ولا حد لأكثره،
- And there is no limit for the longest.  
وأقل سن تحيض له المرأة تسع سنين،

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(1) According to (M+T) no limit to the shortest period. Their opinion is supported by the modern medical knowledge.  
(2) According to (H), it is ten, and that seems to be supported by the modern medical knowledge, which would consider anything past that abnormal.

- And the youngest age at which a woman can start menstruating is nine years <sup>(1)</sup> ,  
وأكثره ستون.
- And the latest is sixty years.

## **(V) [Cases Of Confusion]**

### **(1) [The Beginner]**

والمبتدأة إذا رأت الدم لوقت تحيض في مثله جلست،

If the woman who just started menstruating (beginner) sees the blood for a period that is customary for menstruation <sup>(2)</sup> , then she must abstain (from the acts forbidden during hayd).

فإن انقطع لأقل من يوم وليلة فليس بحيض،

- If it stopped short from a day and a night, it is not hayd.  
وإن جاوز ذلك ولم يعبر أكثر الحيض فهو حيض،
- And if it exceeded that but didn't exceed the longest period of hayd <sup>(3)</sup> , then it is hayd.

فإذا تكررت ثلاثة أشهر بمعنى واحد صار عادة،

- If it recurred with the same form and duration for three months it becomes an established habit.

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(1) See above under (*Hayd* is a sure sign of puberty).

(2) He means between one and fifteen days.

(3) He means 15 days.

وإن عبر أكثر الحيض فالزائد استحاضة،

- And if it exceeded the longest duration for hayd, then whatever is beyond it is non menstrual vaginal bleeding (istihadah).

وعليها أن تغتسل عند آخر الحيض. وتغسل فرجها وتعصبه، ثم تتوضأ لوقت كل صلاة وتصلي،

In this case, she must have major ablution at the end of the hayd, and wash her external genitalia and wrap it<sup>(1)</sup>. Then, she must perform wudu' for every prayer time and pray.

وكذا حكم من به سلس البول وما في معناه.

Likewise is the ruling of one with urinary incontinence and the likes.

(2) [Prolonged Bleeding]

فإذا استمر بها الدم في الشهر الآخر

And if the bleeding continued in the other months, then:

فإن كانت معتادة فحيضها أيام عاداتها،

- If she has a habit, then her hayd is like her habit.

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(1) Now the women may use the convenient sanitary napkins or any means to ensure that blood will not leak.

وإن لم تكن معتادة وكان لها تمييز - وهو أن يكون بعض دمها أسود ثخيناً  
وبعضه أحمر رقيقاً - فحيضها زمن الأسود الشخين.

- If she didn't have a habit, but has the ability to discern – and that is if some of her blood is black and thick [menstrual] and some is red and thin [non menstrual] – then, her hayd is the duration of the flow of that which is black and thick.

وإن كانت مبتدأة أو ناسية لعادتها ولا تمييز لها فحيضها من كل شهر ستة  
أيام أو سبعة لأنه غالب عادات النساء،

- And if she was a beginner or forgot her habit and had no ability to discern, then her hayd is six or seven days out of each month, since that is the customary period for most women.

والحامل لا تحيض. إلا أن ترى الدم قبل ولادتها بيوم أو يومين أو ثلاثة  
فيكون دم نفاس.

The pregnant woman doesn't menstruate unless she sees the blood a day or two or three before her delivery, then it is postpartum bleeding (*nifaas*)<sup>1</sup>.

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<sup>1</sup> It seems to be post-partum bleeding from the time she starts the labor pains.

## باب النفاس

### **B1-C10 Chapter on Nifaas (Post-Partum Bleeding)**

وهو الدم الخارج بسبب الولادة،

And that is the blood that flows out because of childbirth.

وحكمه حكم الحيض فيما يجل ويحرم ويجب ويسقط به.

Its ruling is like that of hayd with regards to the things permissible and forbidden, and with regards to the things required and dropped because of it.

وأكثره أربعون يوماً ولا حد لأقله،

Its longest duration is forty days<sup>1</sup>, and there is no limit for the shortest.

ومتى رأت الطهر اغتسلت وهي طاهرة،

And once she sees the tuhr (purity = cessation of bleeding), she must perform major ablution and she becomes pure.

وإن عاد في مدة الأربعين فهو نفاس أيضاً.

And if it returns within the period of forty days, it would still be considered *nifaas*.

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<sup>1</sup> Umm Salamah said: "During the lifetime of the Prophet, the woman with postnatal bleeding would wait around for forty days." (D/T/Ma/A).

## **Summary of the Unit**

- According to the matn, the period prohibits ten things:
  1. The act of praying
  2. The obligation of prayer
  3. Fasting
  4. Circumambulating around the *Ka`bah*
  5. Recitation of the Qur'an according to some scholars
  6. Touching the mushaf according to some scholars
  7. Staying in the mosque according to some scholars
  8. Intercourse
  9. The Sunni divorce
  10. Counting the waiting period according to the calendar
  
- And requires:
  - *Ghusl* (Major ablution)
  - Indicates the beginning of puberty
  - Counting the waiting period according to it.
  
- Once the blood stops, fasting and divorce become permissible, but the rest of the acts forbidden during the period will not become permissible until ghusl (major ablution) is performed.
  
- It is permissible for the menstruating woman to practice all forms of permissible sex except intercourse.
  
- The shortest period of menstruation is one day and night according to the matn. The stronger position chosen by (T) and supported by the current medical sciences is that it could be one gush of blood. The longest is fifteen



days but (H) maintain that it is only ten days, and that is medically stronger for thereafter it is considered abnormal. The shortest interval between two periods is thirteen days, and there is no limit for the longest.

- Nine years is the youngest age at which a woman can start menstruation, and the latest age is sixty. In a different opinion, ten is the youngest.
- According to the matn, if the woman who just started menstruating sees the blood for a period that is customary for menstruation, then she must abstain from the acts forbidden during *hayd*. However, if it stopped in a period shorter than a day and a night, it is not *hayd*. But if it exceeded that but did not exceed the longest period then it is *hayd*.
- If it recurred with the same form and duration for three months it becomes an established habit.
- If it exceeded the longest duration for *hayd*, then whatever is beyond it is non menstrual vaginal bleeding (*istihadah*).
- In this case, she must have major ablution at the end of the *hayd*, and wash her external genitalia and wrap it or use the sanitary napkins or any means to ensure that blood will not leak. Then, she must perform wudu' for every prayer time and pray. Likewise is the ruling of one with urinary incontinence and the likes.
- And if the bleeding continued in the other months, then:
  - If she has a habit, then her *hayd* is like her habit.

- If she didn't have a habit, but has the ability to discern – if some of her blood is black and thick and some is red and thin – then her *hayd* is the period of the flow of that which is black and thick. Some scholars give precedence to discerning over the habit.
- And if she was a beginner or forgot her habit and had no ability to discern, then her *hayd* is six or seven days out of each month, since that is the customary period for most women.
- The pregnant woman doesn't menstruate unless she sees the blood a day or two or three before her delivery, then it is postpartum bleeding (*nifaas*).
- Postpartum bleeding is the blood flowing out because of childbirth.
  - Its ruling is like that of *hayd* with regard to the things permissible, required, forbidden and dropped.
  - Its longest duration is forty days, and there is no limit for the shortest.
  - Once a woman sees the *tuhr* (purity = cessation of bleeding), she must perform major ablution and she then becomes pure.
  - And if it returns within the period of forty days, it would still be considered *nifaas*.

## **Self-assessment Questions**

### **Essay Questions:**

1. State the difference between menstruation and post-partum bleeding.
2. What does the menstruatrual period bar the woman from?

### **Place a check mark for correct answers and an 'X' for wrong answers:**

1. The latest age for menstruation is (forty five – fifty – sixty). ( )  
Post-partum bleeding is that discharge which continues after the menses stops and is called istihadah. ( )
2. The longest period of post-partum bleeding is forty days. ( )

### **Multiple choice Questions:**

1. The shortest period of menstruation – according to the matn - is (two days - one day and night – three days).
2. The longest period of menstruation – according to the matn - is (twelve days – fifteen days - sixteen days).

3. (Nine – Ten - eleven) years is the youngest age at which a woman can start menstruation according to the matn.
4. The longest period of post-partum bleeding is (fourteen – forty – forty five) days.
5. The shortest period of post-partum bleeding is (ten days – fifteen days – not limited).



## **Didactic activity**

**Dear learner, in order to learn more about the points tackled in this unit, you should:**

*Depending on different sources of fiqh, write a paper on the rulings pertaining to hayd, istihadah and nifaas clarifying the differences between them.*