



Everlasting Knowledge

FIQH I: PURIFICATION

COURSE INFORMATION

The Text

Nur al-Idah by Imam Shurunbalali (trans. Shaykh Zahir Mahmood)

The Legal Status of Following a Madhhab by Mufti Muhammad Taqi Uthmani (trans.

Shaykh Muhammad Amin Kholwadia)

The Teacher

Shaykh Mufti Ahmad Abdur Rab Rabbani

Timings and Location

Classes will be held on Saturdays from January 3rd to March 7th. Class will begin promptly at 1:20 pm, and will end at 2:35 pm in the upstairs classroom of the IAGD Masjid.

Assignments

1. Required reading from *Nur al-Idah* to be completed before class (no notes will be collected on this material, although students are encouraged to take notes for their own benefit).
2. Supplementary reading from *The Legal Status of Following a Madhhab*. Students should take notes on the weekly reading assignments from *The Legal Status of Following a Madhhab*, to be turned in at the beginning of every class.
3. Weekly online quizzes on the material covered in class. Quizzes are to be done after class and are open-book-and-notes. Quizzes will be available on the course website.
4. Final exam, which will be conducted in class (see schedule).

كتاب الطهارة : نور الإيضاح ونجاة الأرواح

أبو الإخلاص حسن بن عمار الشرنبلالي

Adapted from almeshkat.com

المياه التي يجوز التطهير بها سبعة مياه ماء السماء وماء البحر وماء النهر وماء البئر وماء الثلج وماء البرد وماء العين اقسام المياه ثم المياه على خمسة أقسام الأول طاهر مطهر غير مكروه وهو الماء المطلق والثاني طاهر مطهر مكروه وهو ما شربت منه الهرة ونحوها وكان قليلا والثالث طاهر غير مطهر وهو ما استعمل لرفع حدث أو لقربه كالوضوء على الوضوء بنيته ويصير الماء مستعملا بمجرد انفصاله عن الجسد ولا يجوز بماء شجر وثمر ولو خرج بنفسه من غير عصر في الأظهر ولا بماء زال طبعه بالطبخ أو بغلبة غيره عليه بم تكون الغلبة والغلبة في مخالطة الجامدات بإخراج الماء عن رفته وسيلانه ولا يضر تغيره أو صافه كلها بجامد كزعفران وفاكهة وورق شجر والغلبة في المائعات بظهور وصف واحد من مائع له وصفان فقط كالدين له اللون والطعم ولا رائحة له وبظهور وصفين من مائع له ثلاثة كالخل والغلبة في المائع الذي لا وصف له كالماء المستعمل وماء الورد المنقطع الرائحة تكون بالوزن فإن اختلط رطلان من الماء المستعمل برطل من المطلق لا يجوز به الوضوء وبعكسه جاز والرابع ماء نجس وهو الذي حلت فيه نجاسة وكان راكدا قليلا والقليل ما دون عشر في عشر فينجس وإن لم يظهر أثرها فيه أو جاريا وظهر فيه أثرها والأثر طعم أو لون أو ريح والخامس ماء مشكوك في طهوريته وهو ما شرب منه حمار أو بغل

فصل في بيان احكام السؤر والماء القليل

إذا شرب منه حيوان يكون على أربعة أقسام ويسمى سؤرا الأول طاهر مطهر وهو ما شرب منه آدمي أو فرس أو ما يؤكل لحمه والثاني نجس لا يجوز استعماله وهو ما شرب منه الكلب أو الخنزير أو شيء من سباع البهائم كالفهد والذئب والثالث مكروه استعماله مع وجود غيره وهو سؤر الهرة والدجاجة المخلاة وسباع الطير كالصقر والشاهين والحدأة وكالفأرة لا العقرب والرابع مشكوك في طهوريته وهو سؤر البغل والحمار فإن لم يجد غيره توضع به وتيمم ثم صلى

فصل في التحري في الأواني والثياب

لو اختلط أوان أكثرها طاهر تحري للتلوضؤ والشرب وإن كان أكثرها نجسا لا يتحري إلا للشرب وفي الثياب المختلطة يتحري سواء كان أكثرها طاهرا أو نجسا

فصل في احكام الآبار وتطهيرها

البئر الصغيرة تنزع البئر الصغيرة بوقوع نجاسة وإن قلت من غير الأرواث كقطرة دم أو خمر وبوقوع خنزير ولو خرج حيا ولم يصب فيه الماء وموت كلب أو شاة أو آدمي فيها وبانتفاخ حيوان ولو صغيرا

فصل في الاستنجاء وفي حكمه وكيفية

يلزم الرجل الاستبراء حتى يزول أثر البول ويطمئن قلبه على حسب عادته إما بالمشي أو التمشيح أو الاضطجاع أو غيره ولا يجوز له الشروع في الوضوء حتى يطمئن بزوال رشح البول حكم الاستنجاء والاستنجاء سنة من نجس يخرج من السبيلين ما لم يتجاوز المخرج وإن تجاوز وكان قدر الدرهم وجب إزالته بالماء وإن زاد على الدرهم افترض ويفترض غسل ما في المخرج عند الاغتسال من الجنابة والحيض والنفاس وإن كان ما في المخرج قليلا ويسن أن يستنجى بججر منق ونحوه والغسل بالماء أحب والأفضل الجمع بين الماء والحجر فيسمح ثم يغسل ويجوز أن يقتصر على الماء أو الحجر والسنة إنقاء المحل والعدد في الأحجار مندوب لا سنة مؤكدة فيستنجي بثلاثة أحجار ندبا إن حصل التنظيف بما دونها كيفية وكيفية الاستنجاء أن يمسح بالحجر الأول من جهة المقدم إلى خلف وبالتالي من خلف إلى قدام وبالتالى من قدام إلى خلف إذا

كانت الخصية مدلاة وإن كانت غير مدلاة يبتدىء من خلف إلى قدام والمرأة تبتدىء من قدام إلى خلف خشية تلويث فرجها ثم يغسل يده أولا بالماء ثم يدلك المحل بالماء بباطن إصبع أو إصبعين أو ثلاثة إن احتاج ويصعد الرجل إصبعه الوسطى على غيرها في ابتداء الاستنجاء ثم يصعد بنصره ولا يقتصر على إصبع واحدة والمرأة تصعد بنصرها وأوسط أصابعها معا ابتداء خشية حصول اللذة ويبالغ في التنظيف حتى يقطع الرائحة الكريهة وفي إرخاء المقعدة إن لم يكن صائما فإذا فرغ غسل يده ثانيا ونشف مقعدته قبل القيام إذا كان صائما

فصل لا يجوز كشف العورة للاستنجاء وإن تجاوزت النجاسة مخرجها وزاد المتجاوز على قدر الدرهم لا تصح معه الصلاة إذا وجد ما يزيله ويحتمل لإزالته من غير كشف العورة عند من يراه ما يكره به الاستنجاء ويكره الاستنجاء بعظم وطعام لآدمي أو بهيمة وآجر وخزف وفحم وزجاج وجص وشيء محترم كخرقة ديباج وقطن وباليد اليمنى إلا من عذر آداب قضاء الحاجة ويدخل الخلاء برجله اليسرى ويستعيذ بالله من الشيطان الرجيم قبل دخوله ويجلس معتمدا على يساره ولا يتكلم إلا لضرورة ويكره تحريما استقبال القبلة واستدبارها ولو في البنيان واستقبال عين الشمس والقمر وهب الريح ويكره أن

فصل في الوضوء

فرائضة أركان الوضوء أربعة وهي فرائضه الأول غسل الوجه وحده طولاً من مبدأ سطح الجبهة الى أسفل الذقن وحده عرضاً ما بين شحمتي الأذنين والثاني غسل يديه مع مرفقيه والثالث غسل رجليه مع كعبيه والرابع مسح ريع رأسه سبب الوضوء وحكمه وسببه استباحة ما لا يحل إلا به وهو حكمه الدنيوي وحكمه الأخروي الثواب في الآخرة شروط وجوب الوضوء وشرط وجوبه العقل والبلوغ والاسلام وقدرة على استعمال الماء الكافي ووجود الحدث وعدم الحيض والنفاس وضيق الوقت شروط صحة الوضوء وشرط صحته ثلاثة عموم البشرة بالماء الطهور وانقطاع ما ينافيه من حيض ونفاس وحدث وزوال ما يمنع وصول الماء الى الجسد كشمع وشحم

فصل في تمام احكام الوضوء يجب غسل ظاهر اللحية الكثنة في أصح ما يفتى به ويجب إيصال الماء الى بشرة اللحية الخفيفة ولا يجب إيصال الماء الى المسترسل من الشعر عن دائرة الوجه ولا الى ما انكتمت من الشفتين عند الانضمام ولو انضمت الأصابع أو طال الظفر فغطى الأظفار أو كان فيه ما يمنع الماء كعجين وجب غسل ما تحته ولا يمنع الدرن وخرء البراغيث ونحوها ويجب تحريك الخاتم الضيق ولو ضره غسل شقوق رجليه جاز إمرار الماء على الدواء الذي وضعه فيها ولا يعاد المسح ولا الغسل على موضع الشعر بعد حلقة ولا الغسل بقص ظفره وشاربه

فصل في سنن الوضوء يسن في الوضوء ثمانية عشر شيئاً غسل اليدين الى الرسغين والتسمية ابتداء والسواك في ابتدائه ولو بالإصبع عند فقدته والمضمضة ثلاثاً ولو بغرفة والاستنشاق بثلاث غرفات والمبالغة في المضمضة والاستنشاق لغير الصائم وتحليل اللحية الكثنة بكف ماء من أسفلها وتحليل الأصابع وتثليث الغسل واستيعاب الرأس بالمسح مرة ومسح الأذنين ولو بماء الرأس والدلك والولاء والنية والترتيب كما نص الله تعالى في كتابه والبداءة بالميا من ورؤوس الأصابع ومقدم الرأس ومسح الرقبة لا الحلقوم وقيل إن الأربعة الأخيرة مستحبة فصل في آداب الوضوء من آداب الوضوء أربعة عشر شيئاً الجلوس في مكان مرتفع واستقبال القبلة وعدم الاستعانة بغيره وعدم التكلم بكلام الناس والجمع بين نية القلب وفعل اللسان والدعاء بالمأثور والتسمية عند كل عضو وإدخال خنصره في صباخ أذنيه وتحريك خاتمته الواسع والمضمضة والاستنشاق باليد اليمنى والامتخاط باليسرى والتوضؤ قبل دخول الوقت لغير المعذور والإتيان بالشهادتين بعده وأن يشرب من فضل الوضوء قائماً وأن يقول اللهم اجعلني من التوابين و اجعلني من المتطهرين

فصل في مكروهات الوضوء ويكره للمتوضئ ستة أشياء الإسراف في الماء والتقتير فيه و ضرب الوجه به والتكلم بكلام الناس والاستعانة بغيره من غير عذر وتثليث المسح بماء جديد فصل في اقسام الوضوء الوضوء على ثلاثة أقسام الأول فرض على المحدث للصلاة ولو كانت نفلاً ولصلاة الجنابة وسجدة التلاوة ولمس القرآن ولو آية والثاني واجب للطواف بالكعبة والثالث مندوب للنوم على طهارة وإذا

فصل في ما يوجب الاغتسال

يفترض الغسل بواحد من سبعة أشياء خروج المني الى ظاهر الجسد إذا انفصل عن مقره بشهوة من غير جماع وتواري حشفة وقدرها من مقطوعها في أحد سبيلي آدمي حي وإنزال المني بوطء ميمة أو بهيمة ووجود ماء رقيق بعد النوم اذا لم يكن ذكره منتشرًا قبل النوم ووجود بلبل ظنه منيا بعد إفاقتة من سكر وإغماء وبحيض ونفاس ولو حصلت الأشياء المذكورة قبل الإسلام في الأصح ويفترض تغسيل الميت كفاية فصل في ما لا يجب الاغتسال منه عشرة أشياء لا يغتسل منها مذي وودي واحتلام بلا بلبل وولادة من غير رؤية دم بعدها في الصحيح وإيلاج بخرقه مانعة من وجود اللذة وحقنة وإدخال إصبع ونحوه في أحد السبيلين ووطء بهيمة أو ميمة من غير إنزال وإصابة بكر لم تنزل بكارتها من غير إنزال فصل في بيان الغسل يفترض في الاغتسال أحد عشر شيئًا غسل الفم والأنف واليدين مرة وداخل قلفة لا عسر في فسخها وسرة وثقب غير منضم وداخل المضفور من شعر الرجل مطلقًا لا المضفور من شعر المرأة إن سرى الماء في أصوله وبشرة اللحية وبشرة الشارب والحاجب والفرج الخارج فصل في سنن الغسل يسن في الاغتسال اثنا عشرة شيئًا ابتداءً بالتسمية والنية وغسل اليدين الى الرسغين وغسل نجاسة لو كانت بانفرادها وغسل فرجه ثم يتوضأ كوضوئه للصلاة فيثلث الغسل ويمسح الرأس ولكنه يؤخر غسل الرجلين إن كان يقف في محل يجتمع فيه الماء ثم يفيض الماء على بدنه ثلاثًا ولو انغمس في الماء الجاري أو ما في حكمه ومكث فقد أكمل السننة ويمتدئ في صب الماء برأسه ويغسل بعدها منكبه الأيمن ثم الأيسر ويدلك جسده ويوالي غسله

فصل في آداب الاغتسال ومكروهاته وآداب الاغتسال هي آداب الوضوء إلا أنه لا يستقبل القبلة لأنه يكون غالباً مع كشف العورة وكره فيه ما كره في الوضوء الأشياء التي يسن لها الاغتسال يسن الاغتسال لأربعة أشياء صلاة الجمعة وصلاة العيدين وللحاج في عرفة بعد الزوال ويندب الاغتسال في ستة عشر شيئاً لمن أسلم طاهراً ولمن بلغ بالسن ولمن أفاق من جنون وعند حجابة وغسل ميت وفي ليلة براءة وليلة القدر إذا رآها ولدخول مدينة سيدنا النبي صلى الله عليه وسلم وللوقوف بمزدلفة غداة يوم النحر وعند دخول مكة لطواف الزيارة ولصلاة كسوف واستسقاء وفزع وظلمة وريح شديد

باب التيمم

شروط صحته يصح التيمم بشروط ثمانية الأول النية وحقيقتها عقد القلب على الفعل ووقتها عند ضرب يده على ما يتيمم به وشروط صحة النية ثلاثة الإسلام والتميز والعلم بما ينويه ويشترط لصحة نية التيمم للصلاة به أحد ثلاثة أشياء إما نية الطهارة أو استباحة الصلاة أو نية عبادة مقصودة لا تصح بدون طهارة فلا يصلى به إذا نوى التيمم فقط أو نواه لقراءة القرآن ولم يكن جنباً الثاني العذر المبيح للتيمم كبعده ميلاً عن ماء ولو في المصر وحصول مرض ويرد يخاف منه التلف أو المرض وخوف عدو وعطش واحتياج لعجن لا الطبخ مرق ولفقد آلة وخوف فوت صلاة جنازة أو عيد ولو بناء وليس من ال العذر خوف فوت الجمعة والوقت الثالث أن يكون التيمم بطاهر من جنس الأرض كالتراب والحجر والرمل لا الحطب والفضة والذهب

الربع استيعاب المحل بالمسح الخامس أن يمسح بجميع اليد أو بأكثرها حتى لو مسح بإصبعين لا يجوز ولو كرر حتى استوعب بخلاف مسح الرأس السادس أن يكون بضريرتين بباطن الكفين ولو في مكان واحد ويقوم مقام الضربتين إصابة التراب بجسده إذا مسحه بنية التيمم السابع انقطاع ما ينافيه من حيض أو نفاس أو حدث الثامن زوال ما يمنع المسح كشمع وشحم سبب التيمم وشروط وجوبه وسببه وشورط وجوبه كما ذكر في الوضوء أركانه وركناه مسح اليدين والوجه سننه وسنن التيمم سبعة التسمية في أوله والترتيب والموالة وإقبال اليدين بعد وضعهما في التراب وإدبارهما ونفضهما وتفريج الأصابع تأخير التيمم وندب تأخير التيمم لمن يرجو الماء قبل خروج الوقت ويجب التأخير بالوعد بالماء ولو خاف القضاء ويجب التأخير بالوعد بالثوب أو السقاء ما لم يخف القضاء

طلب الماء ويجب طلب الماء الى مقدار أربعمائة خطوة إن طن قربه مع الأمن وإلا فلا ويجب طلبه ممن هو معه إن كان في محل لا تشح به النفوس وإن لم يعطه إلا بثمن مثله لزمه شراؤه به إن كان معه فاضلاً عن نفقته الصلاة بالتيمم يصلي بالتيمم الواحد ما شاء من الفرائض والنوافل وصح تقديمه على الوقت ما يصنع الجريح ولو كان أكثر البدن أو نصفه جريحاً تيمم وإن كان أكثره صحيحاً غسله ومسح الجريح ولا يجمع بين الغسل والتيمم وناقض التيمم وينقضه ناقض الوضوء والقدرة على استعمال الماء الكافي مقطوع اليدين والرجلين ومقطوع اليدين والرجلين إذا كان بوجهه جراحة يصلي بغير طهارة ولا يعيد

باب المسح على الخفين

حكاه صح المسح على الخضبي في الحدث الأصغر للرجال والنساء ولو كانا من شيء تخين غير الجلد سواء كان لهما نعل من جلد او لا شروط جوازه ويشترط لجواز المسح على الخفين سبعة شروط الأول لبسهما بعد غسل الرجلين ولو قبل كمال الوضوء إذا أتمه قبل حصول ناقض للوضوء والثاني سترهما للكعبين والثالث إمكان متابعة المشي فيها فلا يجوز على خف من زجاج أو خشب أو حديد والرابع خلوك كل منهما عن خرق قدر ثلاث أصابع من أصغر أصابع القدم والخامس استمسكهما على الرجلين من غير شد والسادس منعها وصول الماء الى الجسد والسابع أن يبقى من مقدم القدم قدر ثلاث أصابع من أصغر أصابع اليد فلو كان فاقدًا مقدم قدمه لا يمسخ على خفه ولو كان عقب القدم موجودًا مدة المسح عليه ويمسخ المقيم يومًا وليلة والمسافر ثلاثة أيام بلياليها وابتداء المدة من وقت الحدث بعد لبس الخفين وإن مسح مقيم ثم سافر قبل تمام مدته أتم مدة المسافر وإن أقام المسافر بعد ما مسح يومًا وليلة نزع وإلا يتم يومًا وليلة مقدار الفرض فيه وفرض المسح قدر ثلاث أصابع من أصغر أصابع اليد على ظاهر مقدم كل رجل وسسنه مد الأصابع مفرجة من رؤوس أصابع القدم الى الساق نواقضه وينقض مسح الخف أربعة أشياء كل شيء ينقض الوضوء ونزع خف ولو بخروج أكثر القدم الى ساق الخف وإصابة الماء أكثر إحدى القدمين في الخف على الصحيح ومضي المدة إن لم يخف ذهاب رجله من البرد وبعد الثلاثة الأخيرة غسل رجليه فقط ما لا يجوز المسح عليه ولا يجوز المسح على عمامة وقلنسوة وبرقع وقفازين

فصل في الجبيرة ونحوها

إذا افتصد أو جرح أو كسر عضوه فشده بخرقه أو جبيرة وكان لا يستطيع غسل العضو ولا يستطيع مسحه وجب المسح على أكثر ما شد به العضو وكفى المسح على ما ظهر من الجسد بين عصابة المقتصد والمسح كالغسل فلا يتوقت بمدة ولا يشترط شد الجبيرة على طهر ويجوز مسح جبيرة إحدى الرجلين مع غسل الأخرى ولا يبطل المسح بسقوطها قبل البرء ويجوز تبديلها بغيرها ولا يجب إعادة المسح عليها والأفضل إعادته وإذا رمد وأمر أن لا يغسل عينه أو انكسر ظفره وجعل عليه دواء أو علكا أو جلدة مرارة وضره نزعها جاز له المسح وإن ضره المسح تركه النية في المسح ولا يفتقر الى النية في مسح الخف والجبيرة والرأس

باب الحيض والنفاس والاستحاضة

يخرج من الفرج حيض ونفاس واستحاضة الحيض فالحيض دم ينفسه رحم بالغة لا داء بها ولا حبل ولم تبلغ سن الإياس مدته وأقل الحيض ثلاثة أيام وأوسطه خمسة وأكثره عشرة النفاس والنفاس هو الدم الخارج عقب الولادة مدته وأكثره أربعون يومًا ولا حد لأقله الاستحاضة والاستحاضة دم نقص عن ثلاثة أيام أو زاد على عشرة في الحيض وعلى أربعين في النفاس مدة الطهر وأقل الطهر الفاصل بين الحيضتين خمسة عشر يومًا

ولا حد لأكثره إلا لمن بلغت مستحاضة ما يحرم بالحيض والنفاس ويرحم بالحيض والنفاس ثمانية أشياء الصلاة والصوم وقراءة آية من القرآن ومسها إلا بغلاف ودخول مسجد والطواف والجماع والاستمتاع

باب الانجاس والطهارة عنها

اقاسم النجاسة تنقسم النجاسة الى قسمين غليظة وخفيفة فالغليظة كالخمر والدم المسفوح ولحم الميتة وإهابها وبول ما لا يؤكل لحمه ونحو الكلب ورجيع السباع ولعابها وخرء الدجاج والبط والإوز وما ينقض الوضوء بخروجه من بدن الإنسان وأما الخفيفة فكبول الفرس وكذا بول ما يؤكل لحمه وخرء طير لا يؤكل ما يعفى عنه من الانجاس وعفي عن قدر الدرهم من المغلظة وما دون ربع الثوب أو البدن من الخفيفة وعفي عن رشاش بول كرؤوس الإبر ولو ابتل فراش أو تراب نجسان من عرق نائم أو بلبل قدم وظهر أثر النجاسة في البدن والقدم تنجسا وإلا فلا كما لا ينجس ثوب جاف طاهر لف في ثوب نجس رطب لا ينعصر الركب لو عصر ولا ينجس ثوب رطب بنشره على أرض نجسة يابسة فتندت منه ولا يبرج هبت على نجاسة فأصابت الثوب إلا أن يظهر أثرها فيه بم تطهر النجاسة ويطهر متنجس بنجاسة مرئية بزوال عينها ولو بمرة على الصحيح ولا يضر بقاء أثر شق زواله وغير المرئية بغسلها ثلاثا والعصر كل مرة وتطهر النجاسة عن الثوب والبدن بالماء وبكل مائع مزيل كالخل وماء الورد ويطهر الخف ونحوه بالدلك من نجاسة لها جرم ولو كانت رطبة ويطهر السيف ونحوه بالمسح طهارة الأرض وإذا ذهب أثر النجاسة عن الأرض وجفت جازت الصلاة عليها دون التيمم منها ويطهر ما بها من شجر وكلاً قائم بجفافه الطهارة بالاستحالة وتطهر نجاسة استحالت عينها كأن صارت ملحاً أو احترقت بالنار ويطهر المنى الجاف بفركه عن الثوب والبدن ويطهر الربط بغسله فصل في طهارة جلد الميتة ونحوها يطهر جلد الميتة بالدباغة الحقيقية كالقرظ والحكمية كالترتيب والتشميس إلا جلد الخنزير والآدمي وتطهر الذكاة الشرعية جلد غير المأكول دون لحمه على أصح ما يفتى به وكل شيء لا يسري فيه الدم لا ينجس بالموت كالشعر والريش المجزوز والقرن والحافر والعظم ما لم يكن به دسم والعصب نجس في الصحيح وناجفة المسك طاهرة كالمسك وأكلة حلال والزباد طاهر تصح صلاة متطيب به

Nūr al-Īdah

The Chapter of Purification

Imam Abul Ikhlas Hasan al-Shurunbalali

ABOUT THE TRANSLATOR

Shaykh Zahir Mahmood was born and raised in the United Kingdom. After completing his state education at the age of 16, he began a formal study of the Islamic sciences. Some of the schools he studied at are Dar ul-Uloom al-Arabiyyah al-Islamiyyah Bury, one of the first institutes of higher Islamic education in the West; the prestigious al-Jamiah al-Islamiyyah in Karachi, Pakistan; and Dar ul-Uloom Newcastle, a pioneering school in South Africa where Shaykh Zahir completed his ‘Alimiyyah degree. He also holds a bachelor’s degree in Applied Theological Studies from the University of Birmingham.

Shaykh Zahir taught at Madinat ul-Uloom Kidderminster for two years. He is a Khateeb at the Jamia Masjid in Aston, one of Birmingham’s largest masjids. He holds several workshops throughout England, and also teaches at As-Suffa Institute. (Adapted from www.as-suffa.org)

NOTE ABOUT THE USE OF THIS TEXT

This version of the translation of *Nur al-Idah* is based upon Shaykh Zahir Mahmood’s original translation, which can be at www.inter-islam.org. Its format has been revised by *EverlastingKnowledge*, with no changes made to the content. This edition is unpublished and may contain errors; it is meant for classroom use only.

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INTRODUCTION

Fiqh (Jurisprudence) and the Fuqaha' (Jurists)

The quintessence of Islamic teaching is the Quran and Sunnah and the means of understanding these primary sources is accurately crystallized through the science of Fiqh. Fiqh is the eyesight whilst the Quran and Sunnah are the light. Eyesight is an indispensable tool for deriving benefit from light; in its absence light is of little use and vice-versa. Similarly, it is through the implementation of Fiqh that one is able to extract the finer implications and subtleties articulated in the Quran and Sunnah.

Fiqh literally means “to comprehend and understand.” In early Islamic history, the term included legal, ethical and theological norms. Fiqh dealing with creed was termed al-Fiqh al-Akbar, (Imam Abu Hanifa’s book entitled *al-Fiqh al-Akbar* and his definition of Fiqh bear testimony to this), and the term *faqih* denoted equally a “jurist” and “theologian.”

Later definitions, such as Imam al-Shafi’i’s, begin to portray a dichotomy between legal theory and theology: “Knowledge that is discerned from the detailed proofs¹ regarding norms for actions in the Shariah.”²

The clause “discerned from the detailed proofs” precludes the layman from indulging in deriving Fiqh. The successful derivation of Fiqh requires the ability to discern rulings from the Quran and Sunnah, Ijma’ and Qiyas. These derivations entail a complexity that a layman is ignorant of. If he does possess the ability, then he neither belongs to the laity, nor to ordinary scholarship, but to the higher category of the jurists.

Fiqh (comprehension) has varying levels; the optimum level consists of direct inspiration from Allah, to which the words of the Prophet (S) attest: “For whomsoever Allah wishes good he endows him with Fiqh of the religion.” Ibn Hajar commenting upon this hadith remarks, “In this narration there is a clear elucidation of the superiority of the ‘Ulema over the laity and that of Fiqh in religion above all other sciences.”³

In another tradition the Prophet (S) said, “May Allah keep fresh one who hears my words, preserves them, and then conveys them to those who have not heard them. At times the one carrying Fiqh has no Fiqh himself, and at times the one carrying Fiqh conveys it to one who has more Fiqh than himself.” Hakim and Dhahabi state, “This narration fulfils the conditions of Bukhari and Muslim,” and the former has declared the narration as *mashhur* (well-known).

The narration delineates that a fundamental purpose of the propagation of traditions is the inference of Fiqh from it. Furthermore, the initial bearer of the traditions may himself not possess the required tools to derive Fiqh, whilst a later bearer may, and his derivations may benefit Muslims. It is here that a distinction is drawn between the *muhadditheen* (traditionists) and the *fuqaha'* (jurists). The former place emphasis on memorizing texts, chains of

¹ The Quran, Sunnah, Ijma’ (consensus) and Qiyas (analogical deduction)

² al-Fiqh al-Islami wa Adillatuh p.16

³ Fath al-Bari 1:217

transmission, biographies of the transmitters etc, whilst the latter derive from the traditions their deeper implications.

This distinction between the *fuqaha'* and the *muhadditheen* reaches as far back as to the time of the Sahaba (R). An eminent compiler of traditions such as Abu Hurairah (R), despite transmitting more traditions than many other Sahaba (R), very rarely issued formal legal rulings (fatawa), and despite his immense knowledge of traditions, was not regarded as a faqih among the Sahaba.

Further clarification of this distinction is Muhammad Rawas al-Qal'ahji's *Silsila al-mawsu'a Fiqh al-Salaf*, compendiums illustrating the legal rulings of distinguished Sahaba (R). The work dealing with the Fiqh of Abu Hurairah (R) is in total a fifth compared with the rulings of other distinguished Sahaba (R), who transmitted far fewer traditions than Abu Hurairah (R).

Further illustrations can be found in the following examples.

A person rebuked Imam Ahmad bin Hanbal for leaving the circles of Sufyan bin al-'Uyayna for that of Imam al-Shafi'i. Imam Ahmad replied, "Keep silent! If a tradition with a higher chain eludes you, then you will acquire it through a lower chain. However, if the insight of this young man passes you by, I fear you will never come across it again."⁴ On another occasion Imam Ahmad said, "Knowledge of traditions and the Fiqh thereof are more beloved to me than the memorization of traditions."⁵ 'Ali bin al-Madini said, "The most noble of sciences is the knowledge of Fiqh within the hadith."⁶

The deep insight and intellectual excellence needed to attain the status of a faqih ensured that the fuqaha' remained considerably fewer in number than the muhadditheen. Hafiz al-Ramhurmizi has stated in *al-Muhaddith al-fasil bain al-rawi al-wa'i*, with his own chain of transmission from Anas ibn Sirin that, "I came to Kufa where I found four thousand seeking traditions and four hundred had become fuqaha'."⁷

Notwithstanding their excellence in hadith, many eminent muhadditheen of the "Golden Generations" imbibed the Fiqh of the great fuqaha' of their time. From amongst those eminent muhadditheen who adhered to the opinions of the eponym of the Hanafi school of thought, Abu Hanifa, were eminent figures such as Waki' bin al-Jarah, a teacher of Ahmad bin Hanbal, Ishaq bin Rahwai, Abu Bakr bin Abi Shayba, 'Ali bin al-Madini and Yahya bin Ma'in.

Imam Ahmad bin Hanbal said, "I have never seen anyone equal to Waki' in knowledge, memorization, acquaintance with the chains of transmission and chapter headings (abwab)."⁸

⁴ al-Raf' wa al-Takmil fi al-Jarh wa al-Ta'dil, p.71

⁵ Ibid, p.70

⁶ Maqam Abi Hanifa, p.52

⁷ al-Ta'liq al-mumajjad 'ala Muwatta Muhammad, 1:20

⁸ Tahdhib al-kamal, 30:473

Yahya bin Ma'in said, "I swear by Allah I have never seen anyone other than Waki' narrate solely for the sake of Allah, nor anyone who had memorized more than him. He in his era was like Awza'i was in his."⁹

Yahya bin Ma'in also said, "I have never seen anyone more virtuous than Waki'." He was asked if Waki' was even more virtuous than Ibn al-Mubarak. He replied, "Ibn al-Mubarak is virtuous, but I have never seen anyone more virtuous than Waki', he would face the Qibla and memorize traditions, he would fast successively and issue fatawa according to the opinion of Abu Hanifa."¹⁰

Another from amongst these illustrious scholars was Yahya bin Ma'in, a teacher of many well-known scholars including Imam Bukhari, Muslim, Abu Da'ud, and Abu Hatim al-Razi to name just a few.

Muhammad bin Nasr al-Tabri reported, "I heard Yahya bin Ma'in state, 'With these hands of mine I have written a million traditions.'¹¹

'Abd al-Khaliq said, "I said to Ibn Rumi, 'I have heard a traditionist say, 'Yahya bin Ma'in the one who the sun has not risen upon greater than (in traditions) narrated to me.' He replied, "Why the surprise? I heard 'Ali bin al-Madini say, 'I have never seen amongst the people one equal to him.'¹²

Imam Dhahabi has stated regarding Yahya bin Ma'in that he was a staunch Hanafi notwithstanding the fact that he was a Muhaddith.¹³

Another eminent scholar who followed the opinions of Imam Abu Hanifa was Yahya al-Qattan, a teacher of Ahmad bin Hanbal, Sufyan al-Thawri, Sufyan bin al-'Uyayna, Sh'uba bin al-Hajjaj and 'Ali bin al-Madini.

Abu Talib reported from Ahmad bin Hanbal that he said, "I have never seen anyone like Yahya bin Sa'id, in his era there was none equal to him."¹⁴

Zakariya bin Yahya al-Saji said, "I heard 'Ali bin al-Madini say, 'I have never come across anyone who was more knowledgeable regarding the biographies of narrators than Yahya bin Sa'id al-Qattan.'¹⁵

An indication of how a revered scholar such as Yahya bin Sa'id al-Qattan accepted and acted upon the Fiqh of Abu Hanifa is evident from the following statement. Sa'id al-Qadi states, "I heard Yahya bin Ma'in say, 'Yahya bin Sa'id al-Qattan said, 'We do not belie Allah when we say

⁹ Tahdhib al-Kamal, 30:475

¹⁰ Ibid, 30:474

¹¹ Ibid, 31:548

¹² Ibid, 31:553

¹³ al-Kanz al-Matawari, 1:159

¹⁴ Tahdhib al-Kamal, 31:337

¹⁵ Ibid, 31:336

that we have never heard an opinion better than that of Abu Hanifa's, and we have accepted the majority of his statements."¹⁶

These eminent muhadditheen ceded the arduous task of drawing *Fiqhi* rulings to those who were more adequately equipped to take up this demanding intellectual challenge. This approach was adopted throughout the Golden Generations, a period which witnessed the flourishing of many schools of thought, the majority of which did not survive due to a lack of preservation by their followers. Imam al-Shafi'i stated: "Layth was a greater faqih than Malik but his students wasted him (through not preserving his teachings)."¹⁷

Those schools which were preserved throughout the centuries up until the present day were subjected to rigorous refinement and amendment by the scores of scholars who adhered to them. In each century, using the *Usul al-Fiqh* (principles of jurisprudence) of the school, casuistic conflict solutions (*masa'il*) were deduced to deal with the exigencies of the time.

A testimony to the acceptance of these schools of thought is the unfaltering adherence they enjoyed throughout the centuries. It would be no exaggeration to state that the overwhelming majority of Muslims avidly adopted these schools. It is only of late, due to a moral and scholarly degeneration in the Ummah, that individuals have begun to excoriate the schools and their followers. It is therefore important that whilst facing antagonism, one adhering to the Fiqh of one of the great Imams must also adopt their sublime manners, tolerance, and the deep respect and love that they exhibited for their

Muslim brothers, even if they contravened their personal position. May Allah guide them and us, for they are our brothers in the Din, and "None of you can be a true believer until he desires for his brother what he wishes for himself."

Disputation, according to Imam Ghazali, is only valid if the following conditions are met.

1. Disputation is a communal obligation (*al-fard al-kifaya*); before one may practice it he must have already fulfilled the individual obligations (*al-fard al-'ayn*).
2. The purpose of disputation is to seek the truth; and it is justified only when there is not a more important community obligation that should be performed.
3. Disputation is justified only in the case of a *mujtahid*, capable of arriving at his own legal opinion and who is not bound by the opinions of any school of law.
4. Disputation is justified only in cases that are likely to be of actual occurrence.
5. Disputation should be held privately, rather than in public assemblies in the presence of notables and men of power and influence.
6. In disputation the aim should be to seek the truth regardless of which of the two adversaries finds it.

¹⁶ al-Ta'liq al-Mumajjad 'ala Muwatta Muhammad, 1:16

¹⁷ Siyar I'lam al-Nubala', 8:156

7. Disputation should be free of certain restrictive rules of dialectic, such as preventing the adversaries shifting from one argument to another.
8. A disputant should dispute with an opponent from whose knowledge he expects to benefit, one who occupies himself with legitimate religious knowledge.

After presenting his eight conditions Imam Ghazali states that there are others of minor importance, “but in these eight conditions there is that which will show you the difference between those who dispute for the sake of Allah, and those who do so for an ulterior motive.”¹⁸

The Author

He is Abu al-Ikhlās Hasan bin ‘Ammar bin ‘Alī bin Yusuf al-Shurunbulālī.

He became a master of jurisprudence at the hands of Abdullah al-Nahriri and Muhammad al-Mahby. Imam Shurunbulālī studied in the Azhar in Cairo and was a source of great benefit for others. Other scholars, such as al-Mahby said of him “He was the lamp and luminous shine of al-Azhar.” He authored a number of books for the benefit of the people such as:

Sharh al-Mandhuma Ibn Wahban consisting of two volumes.

Nur al-Idāh and Najat al-Arwāh, that is, this book.

Tufat al-Akmal.

Hashia ala Kitāb ad-Durar wal-Ghurar¹⁹

Notes On The Text

Nur al-Idāh is a classical text on Sacred Law and for generations has been one of the most widely taught texts used to transmit Hanafi Fiqh. Generations of scholars and layman alike have been taught the *Nur al-Idāh*, which gives them sufficient grounding in the basic *masa’il* they encounter daily.

About This Compilation

Throughout this work, the main text has been based on the *Nur al-Idāh*, whilst any text in brackets has been taken from reliable Hanafi sources and commentaries on the *Nur al-Idāh*. Commentaries marked by ‘Z’ indicate a synopsis and not a full translation from supplementary works so as to allow more leeway in explaining complex rulings within the text. I have refrained from inserting anything from my part except what was essential for the clarification of the text. A number of contemporary fatawa have been taken from Mufti Rashid Ahmad’s *Ahsan al-Fatawa*. The chapter regarding the rulings of the water from the well has been omitted because of its irrelevance to the society for which this book has been compiled. Similarly, other

¹⁸ *The Non-Asha’rite Shafi’ism of Abu Hamid Ghazali*

¹⁹ Biography taken from *Nur al-Idāh: The Light of Clarification* translated by Ustadh Wesam Charkawi

rulings that may be a source of confusion for the reader without the assistance of a teacher have also been omitted.

Finally, I acknowledge that there are far more able individuals than myself to undertake this task, and therefore no claim is made that this work is free from error. Yet despite my shortcomings, I have deemed it important to present this work because of the paucity of suitable material on the fundamental subject of *Taharah* (purification) in the English language.

Zahir Mahmood,
Birmingham, England,
26 Rabi' al-Awwal 1421 / 27 June 2000

Abbreviations

Ai: *Ashraf al-Idah Sharh Nur al-Idah*

Ahf: *Ahsan al-Fatawa*

Mf: *Maraqi al-Falah Sharh Nur al-Idah*

Mf+t: *Hashiya 'ala Maraqi al-Falah Sharh Nur al-Idah*

Lub: *Lubab fi Sharh al-Kitab*

DEFINITIONS OF USUL AL-FIQH. TERMINOLOGIES TO BE FOUND IN THIS WORK

1. While the majority of jurists regard **fard** and **wajib** as synonymous, the Hanafis draw a clear distinction between the two. Ishaq bin Ibrahim al-Shashi in defining the two states, "Linguistically fard means to decree, whilst in the Shari'ah, it denotes that which is delineated in such a manner that no increase or decrease is possible. The command of a fard is communicated by a definite (qat'i) text wherein there is no ambiguity, clear and specific. To act upon it and to believe in it is binding. Wajib technically means that which is established by a text of an ambiguous or speculative (zanni) authority, such as an allegorically interpreted (mu'awal) verse."

The majority of jurists and Hanafis agree that fard and wajib are both binding. Fard is communicated by a clear definite text with no ambiguity or speculation and wajib by a speculative text. As a consequence the obligation emanating from a fard is of a greater degree than that from a wajib.

The omission of a fard invalidates the act, such as the unanimous view of the jurists that the omission of the stay at 'Arafat, which is a fard act, renders one's hajj null and void, whilst the omission of sa'i (pacing) between al-Safa and al-Marwa, which is communicated by a speculative authority will not invalidate the hajj. Another distinction is that one who refuses to

believe in a fard such as Salah or Zakat is rendered an unbeliever. The denial of believing in an obligation established by a speculative authority, however, will not make one an unbeliever.²⁰

The term *wajib*, when used in a non-Shari' context, has the connotation of "necessary." An example is "al-qira'ah *wajib* 'alayk" (it is necessary that you read). Whenever the term has occurred in this work, I have endeavored to discern whether it is the Shari' or non-Shari' term that is implied. However, if I have failed to understand its precise connotation at any place, such discrepancies are from Shaytan and myself, for which I seek refuge in Allah and seek His and your pardon.

2. **Sunnah mu'akkada** (emphatic Sunnah) is an act upheld by the Prophet (S) perpetually whilst letting it be known that its performance is not fard, such as the two rak'ahs before the fard of the fajr prayer, and after Dhuhr, Maghrib and 'Isha. The abandonment of a Sunnah mu'akkada (emphatic Sunnah) is not punishable, but nevertheless the perpetrator will be reproached, because its omission would be tantamount to opposing that which the Prophet (S) perpetuated.²¹
3. The giving of non-obligatory charity for one who is capable, the four rak'ahs before 'Asr and 'Isha' are **Sunnah ghayr mu'akkada**, namely, actions which the Prophet (S) did not perform perpetually.²² It is also referred to as **mustahab**.
4. **Adab** is that which the Prophet (S) did only once or twice throughout his life. It is a rewardable act with no reproach for one who abandons it. It has also been defined as praiseworthy manners.²³
5. **Haram** is an obligatory command from the Lawgiver demanding abstinence from something. It is communicated by a definite authority. Examples are eating the flesh of a dead animal, drinking alcohol, fornicating, adultery, unjustly killing someone and many others.²⁴
6. **Makruh** according to the Hanafis is a command for abstinence from something established by a speculative proof. It is divided into two categories, namely, **makruh tahrim** and **makruh tanzih**. The former is closer to haram and can also be defined as being in diametrical opposition to a *wajib*. **Makruh tanzih** is closer to *mubah* and in diametrical opposition to a *mustahab*.²⁵
7. **Mubah** is an allowance from the Lawgiver to a mukallaf (a competent person who is in full possession of his faculties) in performing or refraining from an act, such as eating or drinking. Shawkani defined *mubah* as that "upon which no commendation is shown

²⁰ edited excerpts from Usul al-Fiqh, p.23 and Usul al-Shashi, p.172

²¹ edited excerpts from Usul al-Fiqh, p.31

²² Ibid, p.31

²³ Maraqi al-falah, p.111

²⁴ edited excerpts from Usul al-Fiqh, p.33

²⁵ Ibid, p.36

upon its performance or omission.” At times it is used to illustrate the permissibility of a generally prohibited act such as the statement “The blood of an apostate is lawful (mubah)” meaning there is no harm upon one who kills him. Mubah is also referred to as halal and ja’iz.²⁶

8. Communal obligation (**al-fard al-kifaya**) is an obligation which is incurred upon all, without specifying those who should perform it. Its obligation upon all will be lifted if fulfilled by a few. Examples of al-fard al-kifaya are the funeral prayer, to enjoin good and forbid evil, furnishing definite proofs upon the existence of Allah etc.²⁷

NUR AL-IDAHA. CHAPTER OF PURIFICATION

Water

There are seven types of water with which cleanliness can be achieved.

1. Rainwater;
2. Seawater;
3. River water;
4. Well water;
5. Water from melted ice;
6. Water from melted hail;
7. and Spring water.

Water (with regards to its states) can be one of five types.

1. Mutlaq (pure) water: Water which is intrinsically pure and purifying for others but is not makruh. The last clause will become clearer whilst discussing the next type.²⁸
2. Water which is intrinsically pure and purifying for others, but is makruh. This is a small quantity of water from which a cat or a similar animal has partaken.
3. Water which is intrinsically pure, but not purifying for others: that which has been used (*musta'mal*) to remove a state of ritual impurity, or used for the sake of attaining rewards, such as wudu' performed afresh by one who already has wudu' with the intention of wudu', in order to obtain reward and not merely for the sake of cooling oneself down or removing dust from one's limbs.²⁹ Water becomes used (*musta'mal*) by its mere separation from the body. If a *junbi* (one in a state of major ritual impurity) inserts his hand which is free from any apparent najasa into a bowl of water, then that water will be rendered *musta'mal*. This is provided that other means of

²⁶ Ibid, p.36

²⁷ al-Mawsu'a al-Fiqhiya 32:96

²⁸ Z

²⁹ Z. Al. p.8

extracting the water are available. If there is no other means then the water shall remain mutlaq.³⁰

Cleanliness cannot be attained by using water from a tree or fruit even if it has come forth without being squeezed. Nor can it be attained from water which has lost its nature through being cooked or through the predominance of something else over it.

Predominance when water is mixed with a solid substance occurs when that water loses its thinness and liquidity, and thus such water no longer remains fit for wudu’.

When mixed with a solid substance, such as saffron, fruit and leaves of a tree, then the water shall continue to be purifying even though all its qualities (color, smell and taste) have changed.

Predominance when water is mixed with a liquid, which has two qualities, is that one of these qualities becomes apparent in the water, such as milk, which has the qualities of color and taste but not smell. Thereby, when water is mixed with a liquid that has three qualities, when two of these qualities become apparent in the water this signifies predominance, an example of such a liquid is vinegar.

Predominance when water is mixed with those liquids, which have no qualities, will be judged according to proportion such as in the case of used water or rose water from which the smell has diminished. Thus if two liters of used water are mixed with one liter of pure water, then wudu’ is not permissible with it. It would be permissible if the proportion is to the contrary.

4. Impure water: A small quantity of stagnant water in which najasa has fallen. A small quantity of water is that amount which is less than ten by ten. Ten by ten in current measurements in a surface, the product of its width and length being 225ft or 20.9m.³¹ It will be regarded impure (if najasa falls into it) even though the signs of najasa are not visible. The signs of najasa are color, smell, and taste.³²
5. Water in whose quality of cleansing there is a doubt; from which a donkey or mule has drunk.

When some pure pots of water are mixed with impure ones, but the majority are pure, then one is obliged to discern the pure ones if intending to do wudu’ or drink water. If on the other hand the majority are impure then one is exempted from doing this, unless one intends to drink water, because as a substitute for wudu’ one may perform tayammum.³³ If pure and impure clothes are mixed then one is required to discern the pure from the impure regardless whether the majority are pure or impure.

³⁰ Z. Ahf. 1:140

³¹ Z

³² Z. The death of those animals which have no flowing blood does not make the water impure, whether they died in the water, or outside and thereafter were thrown into it (Lub.1:22). Similarly the deaths of those animals which live in the water do not make it impure, such as fish, frogs or crayfish (Lub. 1:23).

³³ Mf. p.76

Su'r (Remnant Water)

When an animal drinks from a small quantity of water the remaining water is then known as su'r. This is of four types:

1. The water is clean and cleansing, e.g. from which a human, horse or those animals whose meat is lawful for consumption have partaken.³⁴
2. Impure water, its usage is unlawful, e.g. water from which a dog, swine or any other predatory animal such as a cheetah or wolf has partaken.
3. The water that is makruh to use while other pure water exists, such as the su'r of a (domesticated) cat;³⁵ and the su'r of an undomesticated chicken.³⁶ The su'r of predatory birds such as a hawk, falcon or kite is makruh (if the bird is encaged and the owner is sure that there is no najasa upon its beak, then it is not makruh.³⁷). Similarly, the su'r of a rat is makruh.
4. Water whose quality of purifying is doubtful, from which a mule or donkey has partaken. If no other water exists then one should do both wudu' and tayammum and then pray.

Istinja' (Cleansing the Private Parts after answering the Call of Nature)

It is compulsory that one ensures that the drops of urine have ceased, and that one's heart is content according to one's general habit, either by walking, coughing, lying down or any other method. Other methods, which may be used, are to gently press one's private part or place a tissue under one's lower garment and take a brisk walk; methods may vary in accordance with the severity of one's problem.³⁸

It is unlawful to perform wudu' until one is content that the drops of urine have ceased.

If Shaytan is continually creating doubts about the leakage of urine, then these doubts should be ignored. One should sprinkle some water over the private parts and the lower garment. Thereafter, when afflicted with doubt the wetness felt may be regarded as the sprinkled water. This is in the case of a doubt, but if one is sure that the wetness is urine then the required measures for purification will have to be undertaken.³⁹

³⁴ Z. If after consuming something unlawful in the Shari'ah such as wine, pork etc, one immediately drinks some water his su'r will be impure (Al. p.14). Z. It is makruh to partake from the su'r of such a person through whose su'r one attains sensual pleasure, with the exception of a married couple (Mf+t. p.20).

³⁵ Z. Which is makruh if one possesses other food or water. However, for a hungry destitute it is permitted, whilst, the su'r of a wild cat is impure (Mf. p.74).

³⁶ Because of the possibility that it may have inserted its beak into impurity (Mf. p.74).

³⁷ Sharh Fath al-Qadir 1.113

³⁸ Z

³⁹ Z. Mf+t. p.29

It is Sunnah to perform Istinja' from any najasa that exits from the front or back passage of the private parts and has not spread past the orifice. However, it is wajib if the najasa has spread past the orifice and is equivalent to the size of a dirham and fard if it has spread more than a dirham.⁴⁰

It is fard to wash away whatever (najasa) is in the orifice whilst bathing to remove a state of major ritual impurity, menstruation and postnatal bleeding, even though the najasa may be of a small quantity.

It is Sunnah to do Istinja' with a cleansing stone or the like; all things pure and not valued or venerated can be used in place of a stone.⁴¹ To perform Istinja' with water is preferred. The best is to combine both water and stone, first by wiping with the stone and then washing. To use only water or to wipe with stones alone is also permissible.

Paper being a source of attaining knowledge is a venerated item, thus to perform Istinja' with it is makruh tanzih, whilst the usage of toilet paper which is specifically made for the purpose of Istinja' and not for writing is permitted.⁴²

The usage of a prescribed number of stones is mustahab and not Sunnah mu'akkada.

To use three stones is mustahab, even though one may achieve cleanliness with less.

Method of performing Istinja': if one's scrotum is hanging one should wipe with the first stone from the front to the back and with the second from the back to the front and with the third from the front to the back, for fear of defiling one's scrotum.⁴³ If the scrotum is not hanging, then one should start from the back. A female should start from the front to the back for the fear of defiling her vagina.

Thereafter, one should wash the hand and using water, wipe the soiled area with the inner side of one, two, or even three fingers if needed. A male will raise his middle finger over the rest when commencing the Istinja', then after washing slightly,⁴⁴ he will raise the ring finger, and if need be then the small finger and then the index finger.⁴⁵ One should not suffice upon the use of one finger. A female should raise her ring and middle finger simultaneously from the outset for fear of being sexually aroused.

The utmost should be done in cleansing oneself until the foul smell has been eliminated, whilst thoroughly relaxing one's buttocks, so as to clean what is in the passage to the best of one's ability,⁴⁶ unless fasting. Upon completion one should wash the hand again. If fasting one should wipe oneself before standing.

⁴⁰ Z. A dirham is approximately the size of a British fifty pence coin

⁴¹ Z. Mf+t. p.30

⁴² Z. Ahf. 1:108

⁴³ Mf. p.89

⁴⁴ Mf. p.90

⁴⁵ Z. Mf. p.90

⁴⁶ Z. Mf. p.91

It is unlawful to uncover one's 'awra (the private parts that need to be covered) for Istinja' in the presence of others. If one does, he will be regarded a fasiq (transgressor). The uncovering of one's 'awra in the presence of others is haram and the perpetrator of a haram act is regarded as a fasiq, regardless of whether the najasa has spread past the orifice or has exceeded the size of a dirham.⁴⁷

If the najasa has spread past the orifice and covered an area more than that of a dirham, then with the availability of any substance that will remove the najasa, ritual prayer is unlawful.

One should try to remove the najasa without exposing one's 'awra in the presence of others.

It is makruh to perform Istinja' with:

1. a bone (because it is the food of the jinns)⁴⁸
2. the food of a man or animal (as this would be disrespectful to sustenance)⁴⁹
3. baked bricks, pottery, charcoal;
4. glass, gypsum (because of the physical harm that it may cause)⁵⁰
5. items of value, such as a piece of velvet or cotton;
6. and the usage of the right hand without an excuse.⁵¹

Adab of relieving oneself.

1. One should enter the toilet leading with the left foot;
2. Before entering seek refuge in Allah from the rejected Shaytan. Whilst in the open one should recite the supplication before uncovering oneself.⁵²

اللهم إني أعوذ بك من الخبث والخبائث

Allahumma inni a'udhu bika min al-khubuthi wal khaba'ith

O Allah I take refuge in You from demons, male and female

3. one should sit leaning upon the left foot;

⁴⁷ Z. Mf+t. p.32

⁴⁸ Mf. p.93

⁴⁹ Z. Mf. p.93

⁵⁰ Z. Mf. p.93

⁵¹ The scholars are unanimous that it is mustahab to start with the right in all those things of reverence, such as wudu', bathing, wearing clothes, shoes, socks, trousers, when entering the mosque, when performing miswak, applying antimony, trimming the nails, plucking the hair from the armpits, when shaving the head, performing the salam at the termination of the prayer, when departing from the lavatory, whilst drinking, performing istilam (kissing) of the hajr al-aswad (the black stone), when taking, giving and other similar tasks. It is mustahab to start from the left when performing those actions which are to the contrary, i.e. not revered, such as blowing the nose, performing Istinja', when entering the lavatory or departing from the mosque, removing the khufayn, shoes, trousers or other garments. (Z. al-Binaya 1:188)

⁵² I'la al-sunan 1:451

4. and not speak, except out of necessity.

It is makruh tahrīm, whilst relieving oneself, to have one's face or back towards the Qibla, even though one is in a building. It is also makruh to hold a child to urinate towards the Qibla.⁵³ To urinate towards the sun or moon is makruh, being two great signs (ayahs) of Allah. However, this act is considered makruh tanzih rather than makruh tahrīm according to Ibn 'Abidin.⁵⁴ It is also makruh to sit and urinate in the direction of the wind. The reason for this is that the wind may blow the urine back to the person, thus causing his clothes to be soiled and the Prophet (S) warned against this in a number of ahadith.⁵⁵

It is makruh:

1. To urinate or defecate in water;
2. under some shade; in a hole; on the path;
3. under a fruit tree;
4. or urinate standing without an excuse.

It is makruh to enter the toilet wearing anything with the name of Allah.⁵⁶ Abu Dawud and Tirmidhi have related upon the authority of Anas (R) that he said, "When the Messenger of Allah (S) would enter the lavatory he would remove his ring, "because engraved upon it was 'Muhammad the Messenger of Allah.'" Tibi commenting upon this states, "In this there is a proof that it is wajib upon the one performing Istinja' to remove anything with the name of Allah upon it or His Messenger or anything from the Quran. Ibn Hajar has stated, "that it can be derived from this that it is mustahab to remove anything which has a revered name upon it from the Names of Allah, the Prophets or Angels." Not to remove it would be deemed makruh due to disrespect.⁵⁷

One should leave the lavatory with one's right foot then recite:

غفرانك، الحمد لله الذي أذهب عني الأذى وعافاني

Ghufaranak alhamdulillah hillaadhi adhhaba 'annil adha-wa- 'afani

[O Allah,] I seek Your forgiveness. Praise be to Allah who relieved me of discomfort and granted me comfort.⁵⁸

Wudu' (Ablution)

The reason for performing wudu' is to make lawful that which is otherwise unlawful without it; these are its benefits in this world, whilst its benefits in the Hereafter are the attainment of rewards.

⁵³ Mf. p.95

⁵⁴ Mf. p.95

⁵⁵ Z

⁵⁶ Z. Mf. p.96

⁵⁷ Mf+t p.35

⁵⁸ Translation from *Reflections of Pearls* by Inam Uddin and Abdur-Rahman ibn Yusuf

Wudu' consists of four fard acts:

1. To wash the face from the point where the hairline usually begins to the bottom of the chin in length, and in breadth the portion between the two earlobes. The definition of washing (ghasl) is that at least a couple of drops should flow off the limbs.⁵⁹
2. washing the arms up to and including the elbows;
3. to wash the feet up to and including the ankle bones;
4. and to wipe with a moist hand (mash) over a quarter of the head.

Conditions for Wudu' to be Fard

1. Sanity;
2. puberty;
3. one must be a Muslim;
4. to possess enough water, to be able to wash the required limbs at least once.⁶⁰
5. to be ritually impure (the performance of wudu' for one who is already in the state of wudu' is not necessary)⁶¹
6. to be free from menses and postnatal bleeding;
7. and to have enough time. The obligation of wudu' is dropped if there is insufficient time to perform wudu' before the expiry of the Salah time. This should not, however, be understood to mean that prayer is permissible without wudu'. One will be required to make up the prayer later with wudu'.⁶²

Conditions for the validity of Wudu'

1. Pure water reaches the skin of those parts which are required to be washed;
2. That one is free from those things which are incompatible with wudu', such as menses, postnatal bleeding, factors perpetuating ritual impurity, such as the intermittent drops of urine and the occurrence of that which invalidates wudu',⁶³
3. and the removal of that which prevents the water from reaching the skin, such as wax and fat. The same applies of waterproof glue, paint, nail polish, and so forth on the nails or skin. if it prevents water from reaching any part of the nails or skin no matter how small, one's ablution or purificatory bath is not valid.⁶⁴

⁵⁹ Z. Lub. p.6

⁶⁰ Mf. p.100

⁶¹ Mf. p.100

⁶² Z

⁶³ Mf. p.101

⁶⁴ Reliance of the Traveler, p.67

It is incumbent to wash the visible part of a thick beard (through which the skin is not visible).⁶⁵ As for a sparse beard it is incumbent that the water reaches the skin, whilst it is not necessary that water reaches the hair hanging from the periphery of the face, or that water reaches the concealed part of the lips when the mouth is closed.

If the fingers are tightly held together, or a nail has grown so long that it has covered the finger tip, or there is something in the nail which prevents the water from reaching the finger tip, such as dough, then it will be incumbent to remove the substance and wash underneath.⁶⁶ Substances such as dirt do not prevent the penetration of water.

It is incumbent that a tight ring be moved about. If washing the cracks in one's feet is harmful, then it will suffice to allow water to flow over the medicine applied to them.

One is not required to repeat the wash or washing of any limb from where the hair have been shaved, nor is one required to wash after cutting one's nails or trimming one's moustache.

Sunnahs of Wudu'

There are eighteen Sunnahs of wudu'.

1. Washing the hands including the wrists;
2. The recitation of the basmallah ('In the name of Allah the Most Compassionate the Most Merciful');
3. To use the miswak (tooth-stick) when commencing the wudu', to use one's finger in the absence of the miswak.

Regarding toothbrushes two things have to be taken into consideration: firstly, the Sunnah of cleansing one's mouth; secondly, the usage of the Sunnah siwak (the Sunnah instrument). Regarding the Sunnah of cleansing one's mouth in the absence of the Sunnah tooth-stick, the jurists have stated that one may use a piece of cloth, tooth powder or even one's finger. As long as the bristles of the toothbrush are made of a pure substance the Sunnah of cleansing one's mouth will be fulfilled. However, the virtues mentioned will only be attained through using the Sunnah tooth-stick which is from the olive, salvadora or margosa tree. Similarly, using anything other than the Sunnah tooth-stick will not equal the benefits gained for one's gums and teeth.⁶⁷ The Sunnah method of using a miswak is to perform vertical strokes upon the teeth.⁶⁸

4. To rinse the mouth thrice, even if it is with a single handful of water;
5. To rinse the nose with three handfuls of water;
6. If not fasting, to rinse thoroughly the mouth and nose;
7. To saturate a thick beard by inserting a handful of water from underneath and then to comb it with the fingers upwards;

⁶⁵ Mf. p.101

⁶⁶ Mf. p.102

⁶⁷ Z. Dars-i-Tirmidhi, 1.228

⁶⁸ Z. Ibid, 1.225

8. To pass the wet fingers of one hand into the gaps between the fingers of the other hand, whilst with the toes one uses the little finger of the left hand beginning with the little toe of the right foot and finishes with the little toe of the left.⁶⁹
 9. To wash each limb thrice;
 10. To do the mash of the entire head once;
 11. And the mash of the ears, even though it may be with the leftover water from the mash of the head. The mash of the outside of the ear should be done with the thumb and the inside of the ear with the index finger.⁷⁰
 12. To rub the limbs;
 13. To perform the actions of wudu' successively; this is to wash each limb before the former dries.⁷¹
 14. To make an intention;
 15. To observe the order ordained by Allah in the Quran;
 16. To start from the right;
 17. To commence the washing from the tips of the fingers and the performance of the mash of the head from the front;
 18. To wipe the nape and not the throat;
- It is an opinion that the last four are mustahab.

Adab of Wudu'

There are fourteen adab of wudu':

1. To sit upon an elevated place;
2. To face the Qibla;
3. To take no assistance;
4. And not to speak of mundane affairs;
5. To combine between the intention of the heart and a verbal formula;
6. To recite the transmitted supplications [from the Prophet (may Allah bless him and grant him peace), the Companions and their Successors, Mf. p.112];
7. To recite the basmallah whilst washing or doing mash of each limb;
8. To insert one's small finger into the canals of the ears;
9. And to move a loose ring;
10. To use the right hand in inserting the water into the mouth and nose;
11. And to use the left hand to clean the nose;

⁶⁹ Z. Mf+t. p. 46

⁷⁰ Mf+t. p.47

⁷¹ Mf. p.109

12. For other than a ma'dhur (excused person), to perform wudu' upon the entry of the Salah time;

13. To recite the two declarations of faith after completing the wudu'.

أشهد أن لا إله إلا الله وأشهد أن محمدا عبده ورسوله

Ashhadu alla illaha ilallahu wa ashhadu anna Muhammadan abdhu wa ar-rasulluhu
I testify that there is no god but Allah, and Muhammad (S) is his servant and messenger.

14. To drink the remainder of the water of wudu' standing and then to recite:

اللهم اجعلني من التوابين واجعلني من المتطهرين

Allahum maj'alni minat tawwabeena wa j'alni minal mutatahhireen

O Allah, make me of those who repent and of those who maintain purity.⁷²

Makruh acts in Wudu'

The makruh acts in wudu are six:

1. Wasting water⁷³;
2. being miserly with it⁷⁴;
3. to splash one's face with water;
4. to speak of mundane affairs;
5. to seek the assistance of others without an excuse;
6. and to do mash of the head thrice with new water.

Types of Wudu'

There are three types of wudu'.

1. Fard, upon one who wishes to perform a ritual prayer, even though it be nawafil (supererogatory prayers), or the janaza (the congregational prayer over the deceased, the performance of which is al-fard al-kifaya, or for sajda al-tilawa (prostration which becomes obligatory upon reciting certain verses of the Quran), or to touch the Quran, even a single verse;
2. Wajib, for the circumambulation (tawaf) of the Holy Ka'ba;
3. And mustahab;
 - a) for one wishing to sleep in a ritually pure state;
 - b) upon awaking;
 - c) so that one can be continuously in the state of wudu';
 - d) for the performance of wudu' for one who is already in the state of wudu';
 - e) after backbiting, telling lies, carrying tales and any other sin;

⁷² Translation taken from *Reflections of Pearls* by Inam Uddin and Abdur-Rahman ibn Yusuf

⁷³ Z: That is when one exceeds the Sunnah method (Mf+t: p.53).

⁷⁴ Z: That is when one uses less than the Sunnah method (Mf+t: p.53).

- f) after the recitation of foul⁷⁵ poetry;
- g) after laughing loudly outside Salah;
- h) after bathing or carrying a dead body;
- i) for the time of each Salah;
- j) before bathing from major ritual impurity;
- k) before eating, drinking and sleeping for the one in a state of major ritual impurity;
- l) before having sexual intercourse;
- m) upon becoming angry;
- n) for the recitation of the Quran;
- o) the reading and transmitting of ahadith;
- p) for the studying of sacred knowledge.

It is unlawful to touch books on Qur'anic exegesis without wudu' if the original Qur'anic text is more than the exegesis. If on the other hand the exegesis constitutes the greater part then it is lawful provided one does not put his hands directly on the Qur'anic verses.⁷⁶

- q) before performing the adhan (call to prayer), iqama (call for commencement) and khutba (Friday sermon);
- r) when visiting the tomb of our master the Prophet (S);
- s) for staying at the plain of 'Arafat;
- t) before pacing (sa'i) between al-Safa and al-Marwa;
- u) after eating camel meat;
- v) and to avoid the differences of the scholars by performing wudu' (after performing an act upon which they differ) such as touching a female.

An additional two categories which may be introduced are makruh and haram, an example of the former, is to perform wudu' whilst still in the state of wudu' without having performed any such worship which necessitates wudu'. An example of the latter is to do wudu' whilst still in the state of wudu' with the water of an Islamic institute (madarasa) or waqf (endowment) water.⁷⁷

Things that Nullify the Wudu'

There are twelve things that nullify wudu'.

1. Anything which exits from the front and back passage of the private parts, besides wind from the front passage;
2. after giving birth even though no blood is visible;

⁷⁵ Mf. p.120

⁷⁶ Z. Ahf. 1:27

⁷⁷ Z. Mf+t. p.45

3. the flowing of impurity from anywhere else other than the front and back passage of the private parts, such as blood and puss;
4. Vomiting a mouthful of food, water, blood clots or bile. The correct view on determining “a mouthful” is that one is unable to close one’s mouth except through difficulty. Vomiting several times is regarded as vomiting once; if gathered, the summation would reach a mouthful provided that the cause for each vomit is the same.
5. An equal amount or predominance of blood upon one’s spit.

If the spit is yellowish this would indicate to the predominance of the spit; whilst a reddish color would indicate to the predominance of blood. This ruling applies when the emission of blood is from the gums. However, if it is from the head or chest, then however small the amount of blood, it shall annul the wudu’;⁷⁸

6. To sleep in such a way that one’s bottom is not firmly established upon the earth;
7. Or to sleep in such a way that one’s bottom rises off the floor before one awakes, even though one may not fall as a result of them rising.

The ‘illa (reason) why wudu’ breaks when one sleeps is not sleep itself, but the possibility that as a result of sleeping one’s limbs may have become so relaxed that they may have allowed wind to escape. This is why if one sleeps in a posture in which the limbs remain stiff, such as sleeping in sajda (prostration) or ruku’ (bowing) then one’s wudu’ will remain intact.⁷⁹

8. Due to losing consciousness,
9. Or losing one’s sanity;
10. And upon becoming drunk;
11. Loud laughter by a conscious adult in any ritual prayer consisting of ruku’ (bowing) and sujud (prostrating);

Loud laughter (qahqaha) is when one standing in close proximity can hear the laughter. Laughter (dihk) which only the one laughing is able to hear will annul one’s Salah but not the wudu’ and smiling (tabassum) would have no bearing on either⁸⁰

12. Rubbing a vagina with an erect male private part without any form of a barrier. If the barrier is thin such as a condom or a thin piece of clothing through which one can feel the sensation then this will annul the wudu’.⁸¹

Things that do not Nullify Wudu’

Things that do not nullify wudu’ are ten.

1. Blood which has not flowed from its wound;

⁷⁸ Z. Al: p.49

⁷⁹ Z

⁸⁰ Z. Mf: p125

⁸¹ Z. Al: p.49

If one wipes the blood from the head of the wound, such that if it was not wiped the impurity would spread, then the wudu' will be considered invalid.⁸²

2. The loss of a piece of flesh without any blood flowing;
3. The exiting of a worm from one's wound, ear or nose;
4. Touching one's penis, or vagina or anus,⁸³
5. Or a female;
6. Vomit which is not a mouthful;
7. Or a mouthful or more but that of phlegm;
8. The swaying of a sleeping person in such a way that it is possible that his bottom may have lifted;
9. Or one whose bottom is established upon the earth, even though he is leaning upon an object which, if removed, would cause him to fall;
10. The sleeping of one who is praying, even though it may be whilst performing ruku or sujud, provided he maintains his posture according to the Sunnah.

If one's posture is no longer according to the Sunnah, then one's wudu' will be invalidated such as one's arms collapsing upon the rib area or the stomach collapsing upon the thighs in sujud.⁸⁴

Ghusl (Bathing)

Things that necessitate ghusl

Things that necessitate ghusl are six:

1. The emission of sperm which has departed from its origin⁸⁵, whilst one is in a state of sexual arousal provided this emission has taken place without intercourse.

In the case of intercourse, mere penetration compels a bath there is no condition of emission.⁸⁶ The departure of the semen from its place of origin without one being in the state of sexual arousal does not obligate ghusl, such as its emission upon picking up a heavy object.⁸⁷

2. The insertion of the head of the penis (circumcised portion) or a portion which is equivalent to the head if the penis is cut into the vagina or anus of a living person;
3. One who awakens to find a thin liquid and his penis was not erect before sleeping;

If the penis was erect prior to sleeping it is a likelihood that the wetness is madhi (a thin, sticky, white fluid caused by amorous play or kissing).⁸⁸

⁸² Sharh Fath al-Qadir, 1:39

⁸³ Mf. p.127

⁸⁴ Al. p.51

⁸⁵ Which is the loins (Mf. p.50)

⁸⁶ Z

⁸⁷ Al. p.53

4. When recovering from intoxication or upon regaining consciousness one finds some wetness which one believes to be sperm;
5. Upon the stopping of menstruation;
6. Or postnatal bleeding;

Even though the aforementioned things may have occurred prior to embracing Islam, [one must still perform ghusl after embracing Islam].⁸⁹

It is al-fard al-kifaya to bathe a dead person.

Things that do not necessitate Ghusl

Things that do not necessitate ghusl are eight.

1. The emission of madhi (a thin, sticky, white fluid caused by amorous play or kissing)
2. Or wadi (a thick white cloudy liquid, which has no smell. It generally exits after one urinates and occasionally before);
3. Upon witnessing an erotic dream but awaking to find no wetness;
4. To give birth without any visible trace of blood succeeding it;
5. The insertion of a penis which is wrapped in such a cloth that prevents sexual arousal;
6. After the administration of a medicine to a sick person by his anus;
7. By inserting a finger or something similar into the front or back passage of the private parts;
8. And penetrating a virgin in such a manner that she does not become deflowered provided one has not ejaculated.

Her virginity remaining intact would ensure that the circumcisable parts did not meet in a way that would necessitate a purificatory bath.⁹⁰ Ghusl is not fard upon a woman who during postnatal bleeding, experiences a wet dream. A single purificatory bath will suffice for both the wet dream and postnatal bleeding upon the termination of the bleeding.⁹¹

The Fara'id of Ghusl

There are eleven fara'id of ghusl.

1. To rinse the mouth,
2. And nose,
3. And wash the entire body;
4. To clean the inner part of the circumcisable part provided it can be opened without any difficulty;
5. To wash the inner part of the navel;

⁸⁸ Al: p.53

⁸⁹ *Nur al-Idah. The Light of Clarification* translated by Ustadh Wesam Charkawi

⁹⁰ Z: Mf: p.136

⁹¹ Z: Ahf 1:32

6. To wash the inside of a hole which has not sealed;
7. To undo the plaits of a man's hair, even if water reaches the roots. A female is exempt from undoing her plaits as long as the water reaches the roots;

If a woman's hair is so compact that it prevents the water penetrating to the roots then it is obligatory to open the plaits.⁹²

8. To ensure that water reaches to the skin underneath the beard,
9. Moustache,
10. And eyebrows;
11. And to ensure that water reaches the external part of the vagina, (that area that is generally regarded necessary to wash in Istinja')⁹³

The Sunnahs of Ghusl

The Sunnahs of ghusl are twelve:

1. To begin with; 'In the Name of Allah the Most Beneficent, The Most Merciful';
2. To make an intention;
3. To wash the hands up to and including the wrists;
4. To wash away the najasa even though it be on separate places (this should be done before commencing the bath),⁹⁴
5. To wash the sexual organs;
6. To perform wudu' as one does for Salah, to wash thrice and to do mash of the head;
7. To delay the washing of the feet if one is standing in a place where water accumulates;
8. To pour water over the entire body thrice, or by plunging into running water or anything of similar legal status (such as a large quantity of water). If after plunging in such water one remains therein a while the Sunnah will also be fulfilled. To wash thrice is Sunnah so as to ensure that water reaches all the required parts. By remaining under the water the Sunnah of making the water reach all parts will be fulfilled, provided that it is performed after rinsing the mouth and nose; otherwise one is still obliged to rinse the mouth and nose, and its omission would lead to the invalidity of the purificatory bath;⁹⁵
9. One should begin by pouring water over one's head,
10. Then the right shoulder thereafter the left;
11. To rub the body;

⁹² Mf. p.138

⁹³ Z. Al. p.56

⁹⁴ Z. Mf. p.140

⁹⁵ Al. p.58-59

12. And to be continuous in washing; one should not wait so long that the previously washed limbs become dry.⁹⁶

The Adab and Makruh things in Ghusl

The adab are the same as that of wudu', except that one should not face the Qibla, because generally one is in a naked state.

That which is makruh in wudu' is makruh in ghusl.

If the bathroom is filthy, then one should enter like one does the toilet with the left foot leading. As mentioned it is Sunnah to recite the basmallah before the ghusl, however in a filthy bathroom the recitation will occur before entering the bathroom and the supplication (du'a) for after the wudu' will be recited upon leaving. In a clean bathroom which has no toilet, the basmallah may be recited before removing one's clothing.⁹⁷

Occasions when Ghusl is Sunnah

There are four occasions when ghusl is Sunnah.

1. For Jumu'a,
2. For Eid prayers,
3. For wearing the ihram,
4. And after the zenith (zawal) at 'Arafat for one performing hajj.

Occasions when Ghusl is Mustahab

There are sixteen occasions when ghusl is mustahab;

1. For one embracing Islam while free from major ritual impurity (if the person is in the state of major ritual impurity then ghusl is fard);⁹⁸
2. One who has become mature through age (the prescribed age is fifteen for a boy or girl);⁹⁹
3. Upon regaining one's sanity, or recovering from a drunken state or upon regaining consciousness;¹⁰⁰
4. After cupping;
5. After bathing a dead body;
6. For the night of immunity (laylat al-bara);
7. For the one who observes the night of decree (laylat al-qadr);
8. For entering into Madina, the city of our master Muhammad (S);

⁹⁶ Z. Al. p.58

⁹⁷ Ahf. 1.37

⁹⁸ Al. p.61

⁹⁹ Mf. p.146

¹⁰⁰ Mf. p.146

9. For the morning stay at Muzdalifa upon the day of immolation;
10. Upon entering into Makkah for the tawaf al-ziyara. Due to the occurrence of tawaf al-ziyara, rama al-jimar and the stay at Muzdalifa all on one day, one bath with the intention of all three will suffice;¹⁰¹
11. For the eclipse of the sun,
12. Of the moon,
13. And seeking rain prayers;
14. For the prayer of fear (Salah al-Khawf)
15. And due to darkness, during the day,¹⁰²
16. Or a strong wind.

It is also mustahab to perform ghusl for one returning from a journey or one wanting to repent, one about to be killed, upon recovery from irregular vaginal bleeding and for the one who has najasa upon his body but is unsure exactly where it is.¹⁰³

Other relevant issues.

A narration related by Imam Muslim delineates the requirement to trim the moustache, nails, pluck the hair from the armpits and shave the pubic hairs within the period of forty days. The prescription of forty days, however, is to illustrate the maximum period one should forgo without performing the aforementioned acts and not necessarily the most preferable period. The Prophet (S) would trim his nails and moustache every Friday before the jumu'a prayer. He would shave around his private parts after every twenty days and pluck the hair from his armpits every forty days.

It must be borne in mind that the purpose of shaving is to remove any hair that may impede one from attaining thorough cleanliness. Therefore, no minimum period can be appointed given that the rate as to which hair grows differs from person to person. The recommended method would be that one shave before the hair grow so long that they become an obstacle in attaining cleanliness provided this is performed within the period of forty days. To exceed forty days is makruh.¹⁰⁴

One should shave the hair directly around or on the penis, scrotum and vagina and that which is around the rear passage.¹⁰⁵

Tayammum (Dry Ablution)

¹⁰¹ Z. Mf+t. p.79

¹⁰² Mf. p.147

¹⁰³ Z. Mf. p.147

¹⁰⁴ Kawkab al-Durri 'ala Jami' al-Tirmidhi, 3:401

¹⁰⁵ Z. Sharh Sahih Muslim, 3:150

There are eight conditions for its validity:

1. Intention is a mental resolve upon the action. The time for the intention is when one places his hands upon the substance with which one intends to do tayammum. There are three conditions for the validity of the intention.
 - a) That one should be a Muslim;
 - b) Possess the faculty whereby one can elicit meanings;
 - c) And the knowledge of what one is intending, (if one recites the intention in Arabic without understanding the meaning such an intention is not valid)¹⁰⁶

One of three things is a condition for one's intention of tayammum to suffice for performing Salah with it.

- a) To remove ritual impurity;
- b) That one becomes legally fit for Salah;
- c) And to be legally fit for a specific worship which is not valid without legal purity.

If whilst performing tayammum one has intended nothing more than tayammum, then with such a tayammum one shall not be permitted to perform Salah. Similarly, when one has performed tayammum for the recitation of the Quran (this applies to mere recitation without touching the Quran)¹⁰⁷, it is unlawful to perform Salah with such a tayammum (because mere recitation does not necessitate legal purity), unless one was in the state of major ritual impurity.

2. One who has a legitimate excuse to perform tayammum, such as: being a mile from water, though in a city, illness or severe cold or one who fears that performing wudu' may result in the loss of a limb or one may become ill. Similarly, for the fear of an enemy (such as a human or anything else, this fear maybe for one's life, property or something entrusted to one),¹⁰⁸ or thirst, or when the water is needed for baking bread, this does not apply to cooking a curry, in the absence of a necessary instrument for obtaining the water (such as a rope or bucket),¹⁰⁹ upon the fear of missing the janaza or Eid prayers, for the one whose wudu' breaks whilst performing the janaza or 'id prayers and fears that by the time he performs wudu' the congregational prayer will have finished,¹¹⁰ even though he may have begun his Salah with the Imam and then his wudu' broke. This ruling does not extend to the one who fears that he will miss the jumu'a prayer, or the prayer time will expire for anyone of the five daily prayers.

¹⁰⁶ Al. p.64

¹⁰⁷ Z

¹⁰⁸ Mf. p.152

¹⁰⁹ Mf. p.153

¹¹⁰ Z

3. Tayammum should be performed with a pure earthly substance, such as soil, stone and sand and not upon wood, silver and gold. It is unlawful to do tayammum with anything which becomes ash after being burnt, or with that which melts like gold and silver.¹¹¹
4. That all the required area, which is the face, hands and arms up to and including the elbows,¹¹² be covered with the wiping.
5. One should perform the wiping with the entire hand or the greater part of it; it shall not suffice to wipe with two fingers, even though by repeatedly wiping one covers the required area. For the wiping of the head during wudu' this repeated action will suffice.
6. To gently strike one's palms on the earth twice, though these strikes maybe in one place. If one rubs the soil already upon one's body with the intention of tayammum this will substitute for the two strokes.
7. The termination of those things which are incompatible with tayammum, such as menstruation, postnatal bleeding or factors perpetuating ritual impurity.
8. The removal of those things which prevent mash such as wax and fat.

The reasons for tayammum and the conditions for it being fard are the same as those for wudu'. There are two integrals of tayammum. the wiping of the face and arms up to and including the elbows.

The Sunnahs of Tayammum

There are seven Sunnahs of tayammum.

1. The recitation of the basmallah before commencement;
2. The observance of the order, as illustrated by the Prophet (S),¹¹³
3. To perform the tayammum uninterrupted;
4. To move the hands forwards and backwards when placed upon the soil;
5. To shake off the soil;
6. And to keep the fingers wide open whilst striking the soil.¹¹⁴

It is mustahab to delay the tayammum for the one who anticipates that he will attain water before the expiry of the Salah time, and obligatory for the one who has been promised water, and the promise is made by one who has water within the radius of a mile,¹¹⁵ even though one may fear that the Salah time may expire.

¹¹¹ Al. p.64

¹¹² Mf. p.155

¹¹³ Mf. p.158

¹¹⁴ Mf. p.158

¹¹⁵ Al. p.70

It is obligatory to delay the prayer for one who is naked¹¹⁶ and has been promised clothing. It is also obligatory for one who has been promised an instrument for attaining water, such as a rope or bucket.¹¹⁷ This, however, is when one does not fear the expiry of the Salah time.

It is incumbent to seek water from one possessing some, if one is in a place where people are generally not miserly with it. If it cannot be acquired without paying the average price, then its purchase is obligatory unless one has only enough wealth for his basic requirements.

It is permissible to perform any number of fara'id (obligatory prayers) and nawafil (supererogatory prayers) with a single tayammum. It is also permissible to perform the tayammum before the admittance of the time of Salah.

If half or more of the body is wounded then one may perform tayammum; in wudu' the four limbs which are fard will have to be taken into consideration, whilst for a purificatory bath it is the entire body.¹¹⁸ If, however, the greater part is free from wounds then one should wash the unwounded limbs and wipe over the wounded ones. It is not permitted to combine between washing and tayammum.

Those things which Nullify Tayammum

Tayammum is nullified by those things which nullify wudu' and also with the availability of sufficient water to perform wudu' with.

When he whose hands and feet have been amputated has a wound upon his face, then he may pray without purity (tahara) and will not be obliged to repeat the prayer.

Mash' over the Khufayn (sing. khuf)

It is lawful for both men and women to do mash over the khufayn for minor ritual impurity, even if the khufayn are made of a thick substance other than leather, irrespective of whether the soles are of leather or not.

Footwear made of wool or cotton is known as jawrab. That which has leather soles and upper is known as mujallad. If only the sole is made of leather then it is known as mun'al. Footwear, which is made of entirely leather, is known as khuf. To do mash is lawful upon all the aforementioned. However, if the jawrab is neither mujallad nor mun'al and is made of a thin substance then it is unlawful to do mash upon it.¹¹⁹

Conditions for the Permissibility of Mash over the Khufayn.

The conditions for permissibility of Mash over Khufayn are seven.

¹¹⁶ Mf. p.159

¹¹⁷ Mf. p.159

¹¹⁸ Z

¹¹⁹ Z. Dars-i-Tirmidhi, 1.335

1. That they be worn after washing the feet, even though this be before completing the wudu', as long as the wudu' is completed before the occurrence of anything that invalidates the wudu';
2. The khuf must cover the foot up to and including the ankle;¹²⁰
3. It should be possible to walk continuously in the khufayn. It is unlawful to do mash over khufayn made of glass, wood or metal;
4. Each khuf must be free from any tear equivalent in size to the three smallest toes. ¹²¹If the multiple tears from both khufs are amassed and the summation is equivalent to three toes this will not invalidate the mash.
5. The khufayn should cling to the feet without being tied;
6. And prevent water from reaching the skin;
7. At least the equivalent of three of the smallest fingers of the hand from the front of the foot should exist, if this amount is absent then it is unlawful to do mash over the khuf, even though the heel of the foot exists.

Duration of Mash over the Khufayn.

A resident, i.e. a non traveler, is permitted to do mash for a day and night (twenty four hours), while the duration for a traveler is three days and nights (seventy two hours). The commencement of this period is from when one becomes ritually impure after wearing the khufayn.

If one performs wudu' at twelve and wears his khufayn and at three breaks his wudu' then the duration of mash over the khufayn will commence from three.¹²²

If a resident performs mash and then decides to travel before the expiry of his period he may complete the duration allowed to a traveler. If a traveler who has wiped over his khufayn becomes a resident after a day and night has lapsed, then he is obliged to remove his khufayn. In the event of becoming a resident within a day and night, he may complete the period prescribed for a resident.

The portion upon which it is Fard to do Mash over the Khufayn.

It is fard to do mash upon a portion equivalent to the three smallest fingers of the hand over the top frontal part of each khuf, and the Sunnah is to start from the tips of the toes with spread fingers up until the shin.

One wishing to wear the khuf over a bandaged foot should first do mash over the bandage and then wear the khuf.¹²³ The mash must be performed over the area of the khuf wherein the

¹²⁰ Z

¹²¹ Z. AI. p.75

¹²² Z

¹²³ Z. AI. p.75

foot lies. The mash of one wearing a very long or wide khuf, if performed over that area beneath which there is no foot, shall not suffice.¹²⁴

Things that Nullify Mash over the Khufayn:

Things that nullify mash over the khufayn are four.

1. Everything that nullifies wudu' nullifies the mash over the khufayn;
2. The removal of the khuf, this will also be effected by the greater part of the foot coming out of the leg of the khuf;
3. By water reaching into the greater portion of any one of the two feet that are in the khufayn;
4. The expiry of the prescribed time, provided one does not fear that one's feet will perish due to cold conditions. If one has such a fear, then one is permitted to do mash until one's conscience is satisfied.¹²⁵

In the case of the latter three (2-4), it will suffice to just wash the feet [one is not required to repeat wudu' if already in the state of wudu'.¹²⁶

It is unlawful to do mash over a turban, hat, veil or gloves.

If one has had blood drawn, been wounded or having broken a limb has tied a bandage or fixed a splint upon the affected area, and due to the severity of the injury is unable to wash the affected limb or do mash upon it directly, then it is obligatory to do mash upon the greater part of the splint or bandage. It will suffice to do mash upon the skin visible between the rolls of the bandage.

Mash, similar to washing, has no time limit for its validity.

It is not a condition that the bandage be tied in a state of purity.

To do mash upon the bandaged foot whilst washing the other foot is permissible.

The bandage falling off before convalescence does not invalidate the mash, and there is no compulsion to repeat the mash as long as one is in the state of wudu'.¹²⁷

It is permissible to replace one bandage with another without it being necessary to repeat the mash. Nevertheless, repetition is preferred.

If due to an inflammation of the eyes one is ordered by an expert, Muslim doctor¹²⁸ not to wash his eyes, or one's nail has broken and he has applied some medicine to it, the removal of which is harmful, then mash is permissible. If, however, mash itself is harmful then one is permitted to omit the mash.

¹²⁴ Al: p.77

¹²⁵ Mf: p.170

¹²⁶ Mf: p.170

¹²⁷ Al: p.79

¹²⁸ Mf: p.173

There is no obligation to make an intention, unlike tayammum,¹²⁹ for performing mash upon the khufayn, a splint or the head.

Menstruation, Postnatal Bleeding and Irregular Vaginal Bleeding

Menstruation, postnatal bleeding and irregular vaginal bleeding all flow from the vagina.

Hayd (menstruation): Blood which the womb of a mature female excretes, accompanied by no illness, pregnancy, and that she is not post-menopausal. Its minimum duration is three days, the average being five days, and the maximum being ten days.

Nifas (Postnatal bleeding): The blood following the birth of a child. Its maximum duration is forty days and there is no fixed minimum period.

Istihada (Irregular vaginal bleeding): Blood which is seen for less than three days, or more than ten days during menstruation, or more than forty days following childbirth.

The duration of the tuhr (interval of purity between two menstruations), the minimum duration of cleanliness between two menstruations is fifteen days. There is no maximum duration.

Prohibitions due to Menstruation and Postnatal Bleeding

There are eight prohibitions:

1. Salah,
2. Fasting,
3. The recitation of even a single verse from the Quran

To recite less than a verse without the intention of reciting the Quran is lawful, such as reciting *alhamdulillah* with the intention of gratitude or the recitation of the basmallah before eating,¹³⁰

4. Touching the Quran without a covering.

The covering should be a third item such as a case or bag which is not physically attached to the Quran, nor physically attached to the one wanting to touch the Quran such as his sleeve.¹³¹

5. Entering the mosque,
6. Circumambulation of the Holy Ka'ba;
7. Intercourse;
8. And sexual enjoyment of any part of the body from beneath the navel to beneath the knees.

Method of Becoming Pure

¹²⁹ Z

¹³⁰ Z: Lub: p.43

¹³¹ Z: Sharh al-Hidaya li Imam 'Abd al-Hai al-Lucknawi, 1:212

When the blood ceases on the longest duration fixed for menstruation or postnatal bleeding, intercourse is permitted without a purificatory bath. However, if the bleeding ceases before the longest duration such has its termination on her general habit, then sexual intercourse is unlawful unless she performs a purificatory bath.

If unable to do so for a legitimate reason then she performs tayammum and prays or a prayer time expires upon her.¹³² This is because upon the cessation of the blood, she had enough time to take a purificatory bath and recite the opening *Allahu Akbar* or more, but she did not bathe or perform tayammum until the time for the prayer had elapsed.

If the bleeding ceases at the time of the mid-morning prayer and she does not perform a purificatory bath or tayammum, then intercourse is unlawful until the time of the Dhuhr prayer expires.¹³³

A menstruating woman or one who has experienced child birth will make up the missed fasts by observing them at a later date when she is clean, but her missed prayers need not be made up.

There are five acts that become unlawful when one is in a state of janaba (major ritual impurity):

1. Salah,
2. Recitation of even a verse of the Quran,

It is makruh to recite the Quran in a place of impurity such as a lavatory, abattoir and similar places, though it is lawful to recite the Quran loudly in a clean bathroom provided there is no one present whose 'awra is exposed, otherwise recitation under one's breath is permitted.¹³⁴

3. To touch the Quran without a covering,
4. To enter into a mosque;
5. And the circumambulation of the Holy
6. Ka'ba.

There are three unlawful acts for a muhdith (one in minor ritual impurity):

1. Salah,
2. Circumambulation of the Holy Ka'ba;
3. And the touching of the Quran without a cover.

A woman whose normal habit of menstruation is five days, but occasionally after bathing and praying she experiences the reoccurrence of her bleeding. In such a case upon the fifth day when the bleeding stops she shall delay her bath to the end of the prayer time then take a bath and pray. Thereafter, if the bleeding resumes she shall abandon her prayers.¹³⁵

¹³² Z. Mf. p.180

¹³³ Z. Mf+t. p.97

¹³⁴ Z. Mf+t. p.94

¹³⁵ Z. Ahf. 1:68

A woman whose normal cycle of menstruation is five days, but happens to terminate upon the fourth, will be required to fast and pray, and it will be incumbent upon her to delay the prayer to the end of the mustahab time. Sexual intercourse is unlawful until she completes her general habit of five days.¹³⁶

Bleeding that succeeds a miscarriage which has occurred upon four months or after into the pregnancy will be regarded as postnatal bleeding. If the miscarriage occurred within four months of the pregnancy then it will be regarded as menstruation, provided the bleeding exceeds three days. Anything less than three days will be regarded as irregular vaginal bleeding. If four months have not lapsed and one mistakenly takes the bleeding after the miscarriage to be postnatal bleeding and as a result abandoned prayer, these prayers will have to be made up.¹³⁷

Laws of Irregular Vaginal Bleeding and Others of Similar Standing

The legal ruling regarding the blood of irregular vaginal bleeding is the same as that of perpetual nasal hemorrhage and as such does not prevent the performance of Salah, fasting or sexual intercourse. A woman suffering from irregular vaginal bleeding or one who has an ‘udhr (chronic annulment of wudu’) such as being unable to stop intermittent drops of urine, or one whose bowels have become loose, should perform wudu’ at the time of every fard prayer and pray with that wudu’ as many fard or nawafil as one wishes. Fard prayer refers to the prescribed prayer of that particular time or any other prayers which maybe fard to make up.¹³⁸

The ablution of one suffering from chronic annulment of wudu’ (‘udhr) becomes void only with the expiry of the prayer time, or the occurrence of that which invalidates the wudu’ other than the present ‘udhr.¹³⁹

One is only considered a ma’dhur (one suffering from chronic annulment of wudu’) when the ‘udhr remains intact for the full duration of a fard prayer in a way that it does not even cease for a time in which wudu’ and Salah can be performed.

The condition for the continuation of an ‘udhr is that once established, it should re-occur during every prayer time at least once. The ‘udhr is nullified when a complete time of a fard prayer lapses in which the ‘udhr is absent.

It is incumbent for one suffering from chronic annulment of wudu’ to change his clothing if they are continuously becoming impure. This is provided that after changing his clothes he can complete his prayer before they become soiled again. However, if this is not possible then the obligation to change them or wash them is lifted.¹⁴⁰

¹³⁶ Z. Ahf. 1:68

¹³⁷ Z. Ahf. 1:72

¹³⁸ Z. Mf. p.183

¹³⁹ Mf. p.183

¹⁴⁰ Z. Ahf. 1:75

For a hospital patient who is sure that his clothing is impure or has a doubt regarding their purity and due to his illness experiences difficulty in changing them, then he is permitted to pray in his soiled clothing.¹⁴¹

If a woman who is suffering from irregular vaginal bleeding forgets her normal menstruation cycle by forgetting the number of days, but is able to recall that it occurs each month, then she shall abandon her prayer for three days from the first day when menstruation normally occurs. Regarding these three days she can be sure that they are hayd; for the following seven days she shall perform a bath for each Salah, because of the uncertainty whether it is istihada or hayd. For the following twenty days she shall perform wudu' for each prayer and this can be regarded as tuhr. It is lawful for her in the period of tuhr to indulge in a conjugal relationship.

If the number of days is recalled (for example three), but in which part of the month they occurred is forgotten, then she shall pray for three days from the beginning of the month with a fresh wudu' for each prayer because of the uncertainty of whether she is in menstruation or tuhr. For the following twenty seven days she shall bathe for each prayer because of the possibility that she may have finished her hayd at any hour.¹⁴²

When the blood of a woman with a set habit exceeds the maximum period of ten days, then her set habit will be regarded as her menses and anything exceeding it as irregular vaginal bleeding. All the prayers that she abandoned after the duration of her set habit will have to be made up. The same principal is extended to a woman who has a set a habit in her postnatal bleeding.¹⁴³

GLOSSARY

Adab: that which the Prophet did once or twice throughout his life.

'Arafat: the name of a plain about thirteen miles to the east-southeast of Makkah.

'Awra: the private parts that must be covered.

Dirham: A silver coin about the size of a British fifty pence piece.

Dihk: laughter.

Fard: obligation.

Fard kifaya: communal obligation.

Fasiq: the one who flagrantly transgresses the laws of Allah.

Ghusl: a bath, often referred to a purificatory bath.

Haram: forbidden, unlawful.

Hayd: menstruation.

Istihada: irregular vaginal bleeding.

Istilam: kissing of the Black Stone.

¹⁴¹ Ahf: 1/75

¹⁴² Z: Mf+t: p.93

¹⁴³ Z: Lub: p.45-47

- Laylat al-Bara:** Night of Immunity, occurrence of which takes place upon the fifteenth of Shaban.
- Laylat al-Qadr:** It is the most virtuous night of the year. Allah says regarding it the Quran, “We have revealed it (the Quran) on the night of qadr. What will tell what the night of power is? It is better than a thousand years.” Scholars have differed regarding when this night occurs. However, the majority view is that it occurs on one of the odd nights in the last ten days of Ramadan.
- Makruh:** According to the Hanafis is a command for abstinence from something established by a speculative proof. It is divided into two categories, namely, makruh tahrim and makruh tanzih. The latter is closer to haram and can also be defined as being in diametrical opposition to a wajib. Makruh tanzih is closer to mubah and in diametrical opposition to a mustahab.
- Mash:** (pronounced mas-*h*) to wipe, sometimes referring to wiping with wet hands and at others with dry hands.
- Miswak:** tooth-stick.
- Mubah:** permissible, a mubah act is neither rewarded nor punished.
- Mustahab:** that which the Prophet (S) did occasionally.
- Mutlaq:** absolute, pure.
- Muzdalifa:** a place near Makka where the pilgrims spend the night on their return from ‘Arafat.
- Najasa:** filth, actual or ritual.
- Nawafil:** (sing. nafl) supererogatory worship.
- Nifas:** postnatal bleeding.
- Qahqaha:** loud laughter.
- Ramya al-jimar:** the casting of the stones at Mina.
- Safa and Marwa:** two hillocks connected by a course adjoining al-masjid al-haram.
- Sajdat al-tilawa:** an obligatory prostration for the recitation of certain verses of the Holy Quran.
- Shari’ah:** the embodiment of Islamic laws.
- Sujud:** prostration.
- Su’r:** leftovers.
- Sunnah:** literally, means a clear path or beaten track, refers to whatever the Prophet (S) said, did, agreed to or condemned. The Sunnah is a source of the Shari’ah and a legal proof next to the Quran as a source of the Shari’ah. The Sunnah may corroborate a ruling which originates in the Quran. Secondly, the Sunnah may consist of an explanation or clarification of the Quran. Thirdly, the Sunnah may also consist of rulings on which the Quran is silent.
- Tabassum:** smile.
- Tawaf al-ziyarah:** the obligatory circumambulation of the Holy Ka’ba after throwing the pebbles at the jamarat. It is also known tawaf al-ifada.

Tayammum: dry ablution.

Tuhr: interval of purity between two menstruations.

‘Udhr: literally means excuse, technically, in the context of our work, chronic annulment of wudu’.

Wadi: a thick white cloudy liquid, which has no smell. It generally exits after one urinates and occasionally before.

Wajib: an obligation established by a speculative text.

Waqf: endowment.

Wudu’: ablution.

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