

Fatawa Ulama Al-Hind

VOL. 2

BOOK OF PURITY

**COMPILED BY
A GROUP OF INDIAN ULAMA**

**Under The Patronage Of
Hazrat Maulana Mufti Aneesur Rahman Qasmi**

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Chairman International Council For Islamic Jurisprudence

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Mumbai – India**

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Name of Book:	Fatawa Ulama Al-Hind Vol.2
Under the Patronage of:	Maulana Mufti Anisur Rahman Qasmi
Under the Supervision of:	Mufti Mohd. Osama Shamim Nadawi
Year of Publication:	2017
Compiled by:	A Group of Indian Ulama
Translated by:	Mufti Muzammil Ali Qasmi
Publisher:	Global Peace Organisation, Mumbai
Sponsored by:	Global Peace Organisation, Mumbai

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Book of Purity

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the Name of Allah the most gracious the most merciful

Allah Almighty said:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ
فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا
بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ
وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا ﴿٥٦﴾

(سورة المائدة: ٥٦)

“O those who believe, when you rise for Salah, wash your faces and your hands up to the elbows, and make Masah of your heads and (wash) your feet up to the ankles. And if you are in a state of major impurity, cleanse yourselves well (by taking bath).”

(Surah Al-Maidah: 06)

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Words of Thank



Boundless thanks to the Lord of the world who granted Munazzamatus Salam al-Alamiyah (Global Peace Organization) the opportunity to publish and circulate the second volume of 'Fatawa Ulama-e-Hind'. It has always been in the divine scheme of things that upcoming work comes under process owing to the acceptance of previous work.

This under study book is the second volume of 'Fatawa Ulama-e-Hind'. Its first volume, passing through the process of printing, has already come in the market in Zil- Hijjah 1435 AH .

By the grace of Allah Almighty first volume of 'Fatawa Ulama-e-Hind' got wide acceptance of people of knowledge and learning within and outside of the country. On account of its benefits, we received encouraging words of appreciation and useful suggestions from far and wide.

Jotting down any thoughtful book and to make it within the reach of beneficiaries requires three phases—collection and compilation; typing and publication; distribution and circulation.

Accustomed way of distribution and circulation is to be sent the book to the booksellers and eager people get from there. The responsables of 'Organization for Global Peace' did not like this way of distribution because it takes time to reach to the keen people, instead they found it effective to send the book within and outside of the country directly finding out the addresses of Islamic courts and Fatawa houses, people of jurisprudence and Fatawa and Islamic institutions where Fatawa work is rendered. It is tried to make sure that this book is sent to a central place of the country and state and from where a reliable person manages to send it to the received address.

O Allah! Accept it from us; no doubt, you are All-hearing and All-knowing.

Shaikh Shamim Ahmad Naqshband
Mujaddid
Patron Global Peace Organization,
Mumbai, India
Publisher Fatawa Ulama Al-Hind
06 Rabiul Awwal 1435 AH
January 08, 2014

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله رب العالمين والصلاة والسلام على سيد المرسلين - أما بعد!

*Respected and honorable Maulana Muhammad Osama Shamim Nadawi,
Chairman International Council for Islamic jurisprudence*

السلام عليكم ورحمة الله وبركاته

I came to know about your glorious project of compiling and publication of the Fatawa of Indian scholars (Fatawa Ulamae Hind) issued in India and Pakistan over last two hundred years. I am pleased much with your determination to translate this valuable Fatawa into English language bringing it into light in almost 200 volumes in scientific and academic pattern that will awake the desire of reader for its diversity.

I do appreciate the efforts of Indian ulama in Fiqh to infer shariah rules to resolve occurring problems and regular difficulties. It was time need to carry out such task perfectly and clearly for present generation. As bringing about the efforts of ulama is a message for ummah to follow the footprints of prominent and great ulama to establish this religion on this earth with most possibility and safeguarding it by propagating its reality, shedding light upon its beauties and easing facilitating its resources. Such works, Indeed, strike determinations, whet willpowers and require taufeequ (Help) of Almighty Allah. I pray Allah to make the success attend this glorious project.

I wish the council to contribute the figures of Fiqh in this encyclopedic project and will enlighten by their opinions and experiences to bring this encyclopedia in an outstanding way.

I pray Allah to bestow barakah in your task, grant sincerity, forgive your mistakes and help to do what pleases Him. Surely, He is All Helping and the All-Powerful.

والسلام عليكم ورحمة الله وبركاته

Hazrat Maulana Salimullah Khan
Sahab
President Wafaq ul Madaris Al-Arabia,
Pakistan
President Union organization of
Madaris, Pakistan

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
بِاسْمِهِ تَعَالَى

In the Name of Allah, the Most High

The act of issuing fatwa (religious verdict) is such an act which requires topmost responsibility and accountability for which respected Mufti needs vast knowledge of the Book of Allah and the Sunnah of the Prophet of Allah along with the widest understanding of Islamic jurisprudence. Apart from a significant study of common affairs, a jurist is also in need for recollection and reasons for inferring rulings. After these all, the most important and challenging thing, for matter in question when the other matters of the same reasons are not available, is skill of inquisitiveness for in-place reason of that matter in question with reflection and contemplation so that the inference of ruling be possible in detail by correctly using *qiyas* or *ijma* for the matter in question. This practice also requires it to be learnt by the mufti after being mentored by a veteran jurist.

Though in this practice, printed books of verdicts of long-serving and far-sighted jurists can be serviceable at a level but actual benefit can be gained only by staying close sometime with, keeping deep eyes on their method of service of Ifta (verdict-issuing) and learning from them for further exploration.

“Fatawa Ulama-e Hind” is an exhaustive service which not only will extraordinarily benefit the respected jurists but also students of laws in guidance of teachers in frequent issues of trade, dealing, worshiping and beliefs.

Really this collection “Fatawa Ulama-e Hind” containing every kind of issue to guide Shariah rulings in common happenings, is believed to prove a great facility to the jurists and will help them much to recall numerous fatawa and hope it will also be beneficial for the students of law in practicing the issuance of verdicts under the supervision of teachers. And the good name of Hazrat Maulana Mufti Anisur Rahman Qasmi-like far-sighted compiler and researcher itself is a great reliable guarantee for the enormous benefit of this collection.

Scholars are, with the prayer of acceptance of this book, grateful to this historical compilation of the respected compiler and the new generation of jurists to come will also be thankful.

I am very happy that a young and enthusiastic scholar Maulana Osama Shamim Al-Nadvi has been the moving force behind this mega Islamic project and under his administration this remarkable work of compiling Fatawa are being done in three languages at the same time-Arabic, Urdu and English. The first volume of English version is in your hand. I am not only optimistic but also sure that this unique effort will cater to the need of English knowing people in a satisfactory manner. (In'sha' Allah)

May Allah make this invaluable religious service a provision for the Hereafter!

(Maulana) Muhammad Salim Qasmi
Rector: Darul Uloom Waqf Deoband
13th March, 2014

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بأسمة العلى القدير والصلاة والسلام على رسوله البشير النذير، أما بعد!

To,

My beloved friend in Educational, Fiqh and religion Maulana Osama and all those who contributed to compile and publish this great book,

السلام عليكم ورحمة الله وبركاته

I was blessed to visit Macca Al-Mukarramah in early 10 days of Ramadhan, 1336 AH to perform Umrah. One night, I went to meet Hazrat Maulana Zulfaqar Ahmad (may he live long) and kept waiting outside. There were some other people standing waiting to meet the foresaid Maulana. He handed over me a piece of paper written a glad tiding for publishing a scientific jurisprudential encyclopedia named “Fatawa Ulamae Hind” that includes the Fatawa issued over the last 200 years. By Allah! It was my fortune that I was given the pleasure of compiling this collection. I congratulate you and all your friends on compiling, composing and publishing such invaluable scientific treasure. Later I returned to UK the same year and I received three volumes of this book consisting of chapters of purity completely. It was a treasure trove, mines of knowledge. Whenever I studied it, quenched my thirst and satisfied my soul.

والحمد لله على ذلك

May Allah accept your efforts. I expect that this valuable collection of Fatawa will prove to be useful for all human beings when it will come into existence. It will be paragon of fine issues, the method to discover the reality, a deep, sheer and crystal sea and detailed explanation that will answer as practical, protect from ignorance and superstition. It will guide learner and suffice the expert, easily understood for every student, a bright light for every questioner and a complete and perfect explanation of all issues of Hanafi Fiqh. This project, indeed, will be a precious pearl among the storage of Islamic libraries.

May Allah make all your efforts fruitful, virtuous and treasure in the hereafter and bless it with the acceptance and beneficial for future generation. Allah is our Benefactor and Helper.

Wassalam

Muhammad Ayyub Surati
Leicester UK

Preface



الحمد لله رب العالمين والصلاة والسلام على سيد الأنبياء والمرسلين وعلى آله وصحبه أجمعين ومن تبعهم بإحسان إلى يوم الدين - وبعد!

It is Allah's boundless gift and blessing that the second volume of 'Fatawa Ulama-e-Hind, came to the completion. Respected Ulama and Muftis were eagerly waiting for it. Eagerness for the second volume increased more, because in the first volume only 170 pages of Kitabut Taharat (The Book of Purification) could be included .

Two hundred volumes of Fatawa Ulama-e-Hind are expected including main book and its (English and Arabic) translation. Therefore, it is tried to publish each month a volume, even after this procedure, it will take twenty years. I apologize for this lingering task. In one hand the cause of lateness is the difficulty of work, on the other hand my deficiency is to be blamed. The enlightening ability which requires for such tasks is not found in this humble person. May Allah accept this service and make it a treasure for this modest person in the hereafter. (Ameen)

By the grace of Allah Almighty, the first volume of 'Fatawa Ulama-e-Hind, after being published got acceptance within and outside of the country. Especially among the people of Islamic jurisprudence and Fatawa (Islamic verdict) and in Islamic court, Fatawa houses and in grand Islamic madrasas, it is considered a solution of present issues .

This volume of 'Fatawa Ulama-e-Hind' is distinguished from the first volume, because in this volume consultation of footnotes and postscripts is given outmost precedence. And it is tried to be reviewed by the people of Islamic jurisprudence and Fatawa to the extreme possibility. Yet it is an established fact, humankind is not merely mistake committer, but from head to toe himself is a mistake, therefore, none of his acts are free from slip-up. Therefore, people of knowledge are requested to point out errors and oblige us.

I am very much thankful to our elders and friends from the bottom of my heart who took part in any measure to complete this volume. Along with authorities and assistants of Abul Kalam Research Foundation, Patna, I especially express thanks to Maulana Mufti Wasim, Maulana Fahim and their colleagues, the responsables of research department

of “Idara Deeniyat”, Mumbai, who actively contributed to find out the references of this book. May Allah grant their services and make this book very much beneficial for the Ummah. (Ameen)Allah is All Helping.

Mufti Mohammad Osama Shamim
Nadwi
President International Council for
Islamic Jurisprudence
Rabiul Awwal 6, 1435 AH
January 08, 2014

Elementary Words

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الحمد لله رب العالمين والصلاة والسلام على سيد المرسلين - أما بعد!

Indeed, Islamic scholars and jurisprudents are the candle light of this Ummah; there has been religious and thoughtful guidance from their side and their educational endeavour, particularly in the field of issuing religious verdicts (Fatawa) has always played the role as a beacon of light. Fatawa's importance has been recognized since prophetic period and will remain till the Day of Judgment .

'Fatawa Ulama-e-Hind' is a strong chain of that golden process, thanks to Allah by whose taufique this Fatwa collection of Indian and Pakistani Muftis is being compiled by me. It is tried to do best in its compilation, research and footnote works. I extend my thanks to my all friends who have been assisting in compilation, research and finding out references of this book. Especially I take this opportunity to thank respected engineer Shamim Ahmad and my sincere colleague Maulana Usama Shamim Nadwi (May Allah increase his status), who have taken the responsibility of English and Arabic translations of this book besides Urdu version and first volume's translations have been finished. May Allah accept their service! I ask Allah for assistance and help to complete this hug project .

By the grace of Allah Almighty when the first volume, after printing process, reached to Ulama's hand, they appreciated it and presented their opinions and impressions, a few of them is being included in this book and we are thankful to those people of knowledge who went through it and gave their impressions .

Second volume also consists of purification (Taharat) rulings and Masail, which is in your hand after getting published, if Allah wills, after this, third volume concerning Masail of Taharat will go to press .

I pray that may Allah grant it His acceptance with special favour, forgive our slip-ups and make it a source of huge benefit for the Ummah! (Ameen Ya Rabbal A'lameen)

Anisur Rahman Qasmi
General Secretary of Imarat e Shariah
Phulwari sharif Patna
Jumadil Awwal 19, 1435 AH
March 20, 2014 (Thursday)

MISCELLANEOUS ISSUES OF WUDU

Miscellaneous Issues of Wudu

The volume of wudu water:

Question: How much water should be taken for wudu, five *seer* (One *seer* is equal to = 0.93310 kilogram exact) is lawful or not?

Answer:

Wudu can be performed by one *mudd* (a *mudd* in modern volume measurements is .75L (or 750mL) water as mentioned in holy hadith, the maximum quantity is two or one and half *mudd* i.e. water should be one and quarter or one and half *seer*.¹ And in wudu wastage is *makrooh* (disliked and not recommended.)²

That's all (Fatawa Darul Uloom: vol.1, p.133)

What is the prescribed water volume in wudu and ghusl?

Question: Increasing and reducing are lawful or not in the *saa'*, (a *saa'* is three liters); *mudd* and etc which are reported regarding volume of water about ghusl and wudu?

¹ Mishkat, Bath Chapter, عن أنس قال: "كان النبي صلى الله عليه وسلم يتوضأ بالمد ويغتسل بالصاع إلى خمسة أمداد"، متفق عليه. Page 48-Zafir)

² (ومكروبه: لطم الوجه) أو غيره (بالماء) تنزيهاً، والتقتير (والإسراف) ومنه الزيادة على الثلاث (فيه) تحريماً ولوباء النهر والمملوك (الدر المختار) قوله الإسراف: أى بأن يستعمل منه فوق الحاجة الشرعية الخ،..... وقال في البدائع: إنه الصحيح، حتى لو زاد أو نقص واعتقد أن (Raddul Mukhtar, Kitabut Taharat, vol.1, الثلاث سنة لا يلحقه الوعيد، وقدما أنه صريح في عدم كراهة ذلك يعنى كراهة تحريم. p.121-Zafeer

Answer:

Mudd and saa' reported in regard with ghusl and wudu are not the limitation, therefore, increasing and reducing are lawful.¹

That's all (Fatawa Darul Uloom: vol.1, p.129)

How much water is required for wudu?

Question: As per Shariyah how much water should be used for wudu and ghusl and what amounts if increased?

Answer--- (All praise is due to Allah and peace be upon the prophet Muhammad (saws) :

One and half seer in wudu and four seers in ghusl, Fatawa Rashidiyah: Page. 86², without need increasing in it, is extravagance.³

(ثم يفيض الماء) على كل بدنه ثلاثاً مستوعباً من الماء المعهود في الشرع للوضوء والغسل وهثمانية أرتال وقيل: المقصود عدم الإسراف، وفي الجواهر: لا إسراف في الماء الجاري لأنه غير مضيع (در مختار) قوله وقيل المقصود الخ: الأصوب "حذف قيل" لما في الحلية: أنه نقل غير واحد إجماع المسلمين على أن ما يجزىء في الوضوء والغسل غير مقدر بمقدار، وما في ظاهر الرواية: من أن أدنى ما يكفي في الغسل صاع، وفي الوضوء مد للحديث المتفق عليه الخ ليس بتقدير لازم بل هو بيان أدنى القدر المسنون أه قال في البحر: حتى إن من أسبغ بدون ذلك -أجزأه، وإن لم يكفه زاد عليه لأن طباع الناس وأحوالهم مختلفة، كذا في البدائع

(Raddul Mukhtar, Kitabut Taharat, Sunanul ghusl: vol. 1, p. 145-Zafeer)

Fatawa Rashidiyah: 245, Idarah Islamiyat, Lahor²

(ثم يفيض الماء) على كل بدنه ثلاثاً مستوعباً من الماء المعهود في الشرع للوضوء والغسل وهثمانية أرتال، وقيل: المقصود عدم الإسراف، وفي الجواهر: لا إسراف في الماء الجاري لأنه غير مضيع (در مختار) قوله وقيل المقصود الخ: الأصوب "حذف قيل" لما في الحلية: أنه نقل غير واحد إجماع المسلمين على أن ما يجزىء في الوضوء والغسل غير مقدر بمقدار، وما في ظاهر الرواية: من أن أدنى ما يكفي في الغسل صاع، وفي الوضوء مد، للحديث المتفق عليه، كان صلى الله عليه وسلم يتوضأ بمد ويغتسل بالصاع إلى خمسة أمداد، ليس بتقدير لازم بل هو بيان أدنى القدر المسنون.

(Raddul Mukhtar: Vol. 1, P. 158, Saeed. And so in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.16. Makroohatul wudu,)

(ومكروبه: لطم الوجه) أو غيره (بالماء) تنزيهاً، والتقتير (والإسراف) ومنه الزيادة على الثلاث (فيه) تحريماً ولوباء النهر والمملوك له (الدر المختار) قوله الإسراف: أي بأن يستعمل منه فوق الحاجة الشرعية لما أخرج ابن ماجه وغيره عن عبدالله بن عمرو بن العاص

That's all, (And Allah knows the best!)

Mahmood Gangohi (may Allah forgive him),

Assistant mufti Madrasa Mazahir Uloom, Saharanpur

30/8/1361A.H.

The answer is correct:

Saeed Ahmad (may Allah forgive his sins)

Mufti Madrasa Mazhari Uloom, Saharanpur

30/8/1361A.H.

Authenticated by:

Abdul Latif (13th Shaban 1361A.H)

(Fatawa Mahmoodiyah volume. 5 page. 45)

Washing parts of wudu more than three times:

Question: Some people wash their hands till elbow thrice in wudu than again they flow water thrice which becomes in total six times, either this act is correct or makrooh and unlawful and will this act be considered six times or thrice? (Explain and get reward from Allah)

Answer--- (In the name of Allah seeking guidance from Him)

If they wash more than thrice with the belief that it is rewarding or Sunnah then it is makrooh-e tahrimi, if they do not perform with this belief but do it purposelessly so because of futility, it is makrooh-e tanzih and if some time they wash more than thrice

رضى الله عنه: أن رسول الله صلى الله عليه وسلم مر بسعدٍ وهو يتوضأ فقال: ما هذا السرف؟ فقال: أ في الوضوء إسراف، فقال: نعم، وإن كنت على نهر جارٍ، حلية.

(Raddul Mukhtar: Vol. 1, P. 131, Makroohatul wudu, Saeed)

to remove doubt or for the contentment of heart, than there is no karahat (harm), although, washing more than thrice with the waqf (donated for the sake of Allah) water of madrasa and masjid, is haram (forbidden and unlawful).¹

”قال في شرح التنوير: والإسراف (ومنه الزيادة على الثلاث) فيه (تحريماً) قال في شرح التنوير: (والإسراف) ومنه الزيادة على الثلاث (فيه) تحريماً ولوباء النهر والمملوك له، أما الموقوف على من يتطهر به ومنه ماء المدارس فحرام.

وقال في الشامية: (قوله والإسراف): أي بأن يستعمل منه فوق الحاجة الشرعية لما أخرج ابن ماجه وغيره عن عبدالله بن عمرو بن العاص أن رسول الله صلى الله عليه وسلم مرسعاً وهو يتوضأ فقال: ما هذا السرف؟ فقال: أفي الوضوء إسراف، فقال: نعم، وإن كنت على نهر جارٍ، حلية. (وقوله ومنه): أي من الإسراف الزيادة على الثلاث أي في الغسلات مع اعتقاد أن ذلك هو السنة لما قدمنا من أن الصحيح أن النهي محمول على ذلك فإذا لم يعتقد ذلك وقصد الطمانينة عند الشك أو قصد الوضوء على الوضوء بعد الفراغ منه فلا كراهة كما مر تقريره، وأما الكراهة التنزيهية فذكرها تحت قوله تحريماً.

(Raddul Mukhtar: Vol. 1, P. 123. Subject: Extravagating in wudu)

Allah knows the best.

12th Rabi Al-Akhar, 1390 A.H. (Ahsan Al-Fatawa. Vol.2 p.15,16)

When will wudu upon wudu be called “light upon light”

Question: The blessings of “wudu upon wudu” will be attained or not, if one calls *azan* in the state of wudu then he remakes wudu? Will reward and virtue be gained or not, if one remakes wudu without performing salah after calling *azan* as such virtue is gained if one remakes wudu after performing two rakaat salah?

Answer--- (In the name of Allah all praise is due to Him alone)

The reward of “light upon light” is gained if one makes wudu second time, after making it once before with the condition that after first wudu such an *ibadah* (worship) should

¹ عن عمرو بن شعيب عن أبيه عن جده قال: إن رجلاً أتى النبي صلى الله عليه وسلم فقال: يا رسول الله! كيف الطهور؟ فذاعبأه في إزاء فغسل كفيه ثلاثاً ثم غسل وجهه ثلاثاً ثم غسل ذراعيه ثلاثاً ثم مسح برأسه وأدخل أصبعيه السباحتين في أذنيه ومسح بإبهاميه على ظاهر أذنيه وبالسباحتين باطن أذنيه ثم غسل رجليه ثلاثاً ثلاثاً، ثم قال: هكذا الوضوء، فمن زاد على هذا أو نقص فقد أساء وظلم وأساء.

(Abu Dawood, in the chapter of doing wudu thrice, p. 29, no. 135, Sunan al-Nasai, balance in wudu, Anis)

be performed which requires wudu as a condition and without wudu which cannot be performed such as performing salah, doing sajdah-e tilawat (ayat on which sajdah is necessary) and reciting the Qur'an by holding it. If after first wudu no ibadah is performed entirely and second wudu is made or such an ibadah is performed which does not require wudu as a condition (only it is better to perform with wudu and without wudu which is also correct) for instance azan, recitation of the Qur'an from memories, tasbih and zikr (oral remembrance of Allah), in all these cases making wudu second time will not be considered "light upon light" rather it will be termed undesirable and forbidden because of extravagance.

”والوضوء عبادة غير مقصودة لذاتها إذ الم يؤد به عمل مما هو المقصود من شرعيته كالصلوة وسجدة التلاوة ومس المصحف ينبغي أن لا يشرع تكراره قرينة لكونه لذاته فيكون إسرافاً محضاً“¹

Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 04/04/1390 A.H. (Fatawa Mahmoodiyah. vol.5 p. 55, 56)

Fajr salah with the wudu of Isha salah

Question: I have come across in the books that the pious people, particularly, Hazrat Imam Abu Hanifah and Hazrat Shaikh Abdul Qadir Jilani (r) had been performing Fajr salah with the ablution of Isha salah for forty years. On revealing these stories, a person asked me that then how those personalities fulfilled their other necessities. Make us satisfied by answer.

M. E. Farooqi, Mahboobnagar)

Answer--- There is no shadow of doubt that Hazrat Imam Abu Hanifah and Hazrat Shaikh Abdul Qadir Jilani (r) are among the top ranked people of Allah (Auliya), a few miracles of them have also been witnessed and there is consent of Ahl-e sunnat wal jam'at (rightly guided people) about miracles of people of Allah (Auliya) that they are true and right. As far as the matter of mentioned story is concerned, perhaps it is meant here that

¹ Raddul Muhtar: 1/119, Matter About Ablution Over Ablution, Sa'eed. And so is in Al-Halbi al-Kabeer: 26, in Sunnats of Ablution, Suhail Academy, Lahore. And so is in at-Tahtaawi Ala Maraaqi al-Falah: 83, Characteristics of Ablution, قديمي

they used to avoid themselves to be in the state of without wudu and they used to maintain purity always. They were in the habit of making wudu as soon they needed purity; it means they did not like to be in the state of impurity even for a few moments.

And Allah knows the best!

(Kitabul Fatawa vol. 02 p. 53 & 54)

Plastic hand and wudu

Question: If anybody's hand is chopped off from elbow and gets fit plastic hand, will he be needed to wash along with elbow in the wudu? Will that plastic hand be considered real hand?

(S.G. Hassanabad)

Answer--- Plastic hand which is not an integral part of the body does not come under the ruling of real hand, but if a little part of the elbow remains—that is to say arm's ending part remains—then it is necessary to wash that part if possible, because jurists have written about that person whose leg is amputated and only remains less than three fingers length, then too it should be washed.¹

And Allah knows the best!

(Kitabul Fatawa vol. 02 p. 52)

Wudu on artificial hand

Question: There is a person whose half palm along with five fingers is cut off and he has an artificial hand but due to opening and setting it again and again, he faces so much difficulty and occasionally this process hurts his hand which causes severe pain. Can he perform wudu on the surface of that artificial hand without opening it?

Answer: There is no need to remove artificial hand in the above case.

Written by: Muhammad Zafar Alam Nadvi

¹ Kabeeri: p. 39.

(Fatawa Nadwatul Ulama vol. 01 p. 207)

Ruling about Ta`awwudh (A`ūdhu billāhi min ash-shaitāni r-rajīmi) at the time of wudu and entering toilet

Question: It is written in the book “Tajweed Muftadi” that to recite Ta`awwudh before starting any book besides the Qur’an is undesirable and forbidden while Hazrat Thanavi (r) replying a questioner has said that combining Ta`awwudh and Tasmiyah (Bismillahir Rahmanir Rahim) at the time of wudu is better. So is it lawful to recite combining Ta`awwudh and Tasmiyah at the time of wudu? Allamah thanavi’s answer is contrary to the text of “Tajweed Muftadi”.

Answer: *A’auzu* should not be recited before starting any book besides the Qur’an. Besides reciting the glorious Qur’an¹ there are many works before which *A’auzu* is recited, for example while making wudu² and before entering toilette *Allahumma inni a’auzubika minal khubsi walkhabaaisi* is recited. (Al-Durrul Mukhtar)³

There is no contradiction between both the texts.⁴ And Allah knows the best!

Written by (Mufti) Mahmood (may Allah forgive him), Darul Uloom Deoband

(Fatawa Mahmoodiyah vol. 05 p. 75)

Method of holding and putting water vessel while making wudu

Question: Where should water vessel be placed while making wudu; in the right or left side and what should be the method of holding it?

¹ Raddul Muhtaar, Aadaab us-Salaat (Etiquettes of Prayer): 1/489

² Raddul Muhtaar: 1/109, Sunnats of Ablution

³ Narrated by Anas RZ, he said: “Whenever the ProphetSAW went to answer the call of nature, he used to say, ‘اللهم انى اعوذ بك من الخبيث و الخبائث’ i.e. (O Allah, I seek refuge with You from alloffensive and wicked things (evil deeds and evil spirits). Agreed upon. (Mishkaat ul-Masaabeeh: 42, Chapter Etiquettes of Answering To Natural Calls, Qadeemi)

⁴ So what is in Az-Zakheerathat a’uzubillah is said only before talking, and not before any doing, does not negate that saying a’uzubillah issunnah before going for answering to the natural calls. (Raddul Muhtaar, Chapter: 1/489, Sa’eed)

Answer: While making wudu water vessel should be placed on the left side, but if there is such vessel from which water is taken by fist then it should be placed on the right side. If the water vessel has handle one should grip its handle otherwise one should grip it from side not above.

(Habibul Fatawa vol. 03 p. 46)

How to put water vessel after wudu; straight or upside down

Question: Should water vessel be placed straight or upside down after making wudu; in the right or left side and what should be the method of holding it?

Answer--- (In the name of Allah all praise is due to Him alone)

If there is a fear of falling dust and dirt or dropping feast of animals or there is apprehension that dog will make it impure by licking it, then it should be placed upside down.¹

Written by (Mufti) Mahmood (May Allah forgive him), Darul Uloom Deoband, 28/02/1391AH

Authenticated by (Mufti) Nizamudduin May Allah forgive him), Darul Uloom Deoband, 28/02/1391AH

(Fatawa Mahmoodiyah vol. 05 p. 77)

Is wudu lawful or not by brass and bronze water vessels

Question: How is it to make wudu by brass and bronze water vessels?

Answer: It is correct.²

¹ Narrated Jabir ibn Abdullah: The Prophet SAWsaid: "Shut your door and make mention of Allah's name, cover up your vessel even by a piece of wood that you just put on it and make mention of Allah's name, and tie up your water—skinmentioning Allah's name. (Sunan Abu Dawood: 2/128, Chapter In Covering Up Vessels, Imdaadiya)

² And it is disliked to eat in vessels made up of copper or صفر, and preferred is earthenware. (Durr e-Mukhtaar) And in Al-Jawharah: As for the vessel other than of silver and gold—like that of iron, صفر, copper, lead, wood and clay—there is no issue in eating and drinking in it and benefiting from it. So be warned. (Raddul Mhkhtaar, The Book Of Prohibition And Permission: 5/300, Zafeer)

That's all (Fatawa Darul Uloom Deoband vol. 01 p. 129)

Is wudu correct or not by brass water vessel

Question: Is it right to make wudu by brass water vessels?

Answer--- (In the name of Allah all praise is due to Him alone)

Wudu is correct by brass water vessels.

It is lawful to use brass pots as it is narrated by Abdullah bin Yazid (ra), he said that Prophet (saws) came to us and we brought water in brass vessel for him and he made wudu from it. (Narrated Bukhari)

(Al-bahrur Raiq vol. 01 p. 211)

And Allah knows the best!

Written by Habibullah Qasmi

(Habibul Fatawa vol. 02 p. 26)

Can wudu be done or not by mud water vessel specified for Istinja

Question: Can such a mud water vessel which is for toilet and urinal, be used for drinking water and making wudu?

Answer---

Such mud water vessel can be used for drinking water and making wudu, if it is free from impurity. It is obvious.

(Fatawa Ahyaul Uloom vol. 01 p. 271)

Using left hand because of m'azoori (excuse) in wudu

Question: A person has such a hand by which he can do everything but it does not reach to the face, from left hand he washes face and wipes left ear. Can he perform right

ear's wiping (masah) by left hand or according to Sunnah only left ear's wiping will be necessary and left ear's wiping will be excused?

Answer: Yes, he should do right ear's wiping by left hand. (Second supplementary p. 99)

6 Zil-hijjah 1331 AH

(Imdadul Fatawa Jadeed vol. 01 p. 35)

It is not necessary to look at sole while washing feet

Question: Is it compulsory to see sole while washing feet? How will one come to know without watching? Occasionally sole besmeared with such things which stop water to wash the feet.

Hafiz Abbas Mewati, Raiwind

Answer: In normal conditions no such things stick with sole, because it is protected by shoes, therefore, it will not be compulsory to watch sole in every wudu. This very method is followed. But a person who does not use shoes and he works in such a place where something sticks in his sole then it is better to watch.

And Allah knows the best!

Written by Abdul Ghaffar (May Allah forgive him)

7/7/1382 AH

(Khairul Fatawa vol. 02 p. 52)

If any part remains dry during wudu, should only that part be washed or be repeated complete wudu

Question: If any part remains dry forgetfully during wudu or ghusl, should only that part be washed or be repeated complete wudu. If it is enough to wash only that dry part, then is it applicable before parts of wudu dry or after drying too?

Questioner: 1349 Muhammad Yunus, Mathura

27 Ziqadah 1355 AH

10 February 1935 AD

Answer: It is enough to wash only dry part; either it is washed before it gets dry or after drying.

Muhammad Kifayatullah (Allah is enough for him), Delhi

(Kifayatul Mufti vol. 02 p. 267)

Dirt and dust in nails do not nullify wudu's validity

Question: Will wudu be valid or not if dirt and dusts which jammed in nails are not removed? Likewise in rainy season mud enters in feet's fingers, is it compulsory to eject those muds by *khilal* (asmall stick) or not while making wudu?

Answer:

(ولا يمنع الطهارة (ونيم) الخ (وحناء) الخ (ودرن ووسخ) ... وكذا دهن ودسومة (وتراب) وطين ولو (فى ظفر مطلقاً) أى قروياً أو مدنياً فى الأصح.¹

It means without erasing wudu will be valid and there is no need to wipe out.²

1 Muharram, Friday 1333 AH, third supplementary p. 05

(Imdadul Fatawa Jadeed vol. 01 p. 35 & 36)

Seeing mirror and using towel after wudu

Question: Some people say that seeing mirror and using towel for wiping body after wudu, invalidates wudu. Is it correct?

¹ Ad-Durrul Mukhtaar with Raddil Muhtaar, Matter About Discussions On Bathing: v. 1, p. 150, Anees)

² In ablution washing the nails of the legs, too, is obligatory. If the nails have flour, soil or polish on them, it is necessary to clean these substances and allow water touch the upper part of the nails. Likewise, if nails are long that under them these things like flour, soil or polish are present, then the lower part of the nails must be cleaned so that the water can touch their lower parts. Nevertheless, if the nails are small and they have soil or flour on them, then without cleaning them ablution will not be right. Nowadays, women apply nail polish. It is necessary to clean such polish while making ablutions. If the nails have dirt, it is allowed to make ablution without cleaning it. But, it is better to clean it. (Al-Fataawa At-TaataarKhaaniya: 1/90). (Commandments Related to Purification by AneesurRahmaan Qasmi)

Answer: Unless any impure thing comes out from body or an adult laughs loudly while performing salah, wudu remains valid. There is no harm in seeing mirror after wudu and as well there is no harm in wiping body by towel after wudu. Prophet (saws) had also a towel by which he used to wipe body after wudu and ghusl. Hazrat A'isha (ra) narrates that Prophet (saws) had a piece of cloth by which he used to wipe body after wudu.

”كان لرسول الله صلى الله عليه وسلم خرقة يلتف بها بعد الوضوء“ عن عائشة رضي الله تعالى عنها.³

However occasionally it happened that Prophet (saws) was offered a towel after wudu but he did not accept it. Zuhari (r) says that it is undesirable to use towel after wudu because wudu is measured.

إنما كره المنديل بعد الوضوء، لأن الوضوء يوزن، عن الزهري.⁴

It means both the ways are correct—from time to time towel should be used and occasionally not.

(Kitabul Fatawa vol. 02 p. 54)

Putting filled water for wudu and Istinja by Imam

Question: Imam of masjid fills *Matka* (pitcher) with water for wudu and Istinja. Will those people who use it be sinner?

Answer--- (Guidance is only from Allah)

If imam serves people in this manner then he gets reward.⁵ There is no reason for people to be sinner.

That's all (And Allah knows the best!)

³Al-Jaame' ut-Tirmizi, Hadith No. 53, Chapter What Has Come About Handkerchief After Ablution, Chapters of Purification

⁴ Al-Jaame' ut-Tirmizi, Hadith No. 53, Chapter What Has Come About Handkerchief After Ablution, Chapters of Purification

⁵“And help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety.” (Chapter Al-Maidah: 2)

(Fatawa Imarrat-e Shariyah vol. 02 p. 62 & 63)

A narration about sajd-e tilawat without wudu

Question: Is it lawful or not to do Sajd-e tilawat without wudu? It is narrated that ibn Umar (ra) used to do sajdah without wudu and when Prophet (saws) recited surah Al-Najm before pagans of Makkah, he (saws) did sajdah at ayah of sajdah and pagans also did who were in the state of without wudu.

Answer: Sajd-e tilawat without wudu is not lawful.⁶ Pagans are not obligated for performing ibadah and Sajd-e tilawat is an ibadah which is not obligatory for pagans.⁷

Ibn Umar's (ra) narration which has been reported by Imam Bukhari (r)⁸, does not deny purity⁹ and Baihaqi's narration which has been reported in Fathulbari, confirms that his saying was about sajdah with purity. Narration reads:

It is narrated from Ibn Umar (ra) that he said one should not do sajdah without purity.

¹⁰

While another narration in Fathulbari which is narrated from Saeed ibn Jubair (ra), informs about ibn Umar's practice of sajdah without wudu.¹¹ The author of Fathulbari has justified both the narrations in the following manner:

Nafe (r) and Saeed ibn Jubair's (ra) narrations have been justified in this manner that purity means bath or second narration is about both the options and first one is about need.

⁶ And the conditions for this prostration are similar to the conditions of prayer except Tahreemah. (Al-Fataawa al-Hindeeyah: v. 1, p. 125)

⁷ Even though the reciter is infidel or mad or child or a woman going through her monthly cycle or bleeding after childbirth or **has just attained** purification in less than ten days and four months, it will not become obligatory upon them. And so is the commandment regarding the listener. It is so in Az-Zaahidi. (Al-Fataawa al-Hindeeya: v. 1, p. 132)

⁸ And Ibn e-Umar RZ would prostrate without his ablution being on. (Saheeh al-Bukhaari, The Book of Prostrations in the Qur'an, The Chapter Prostrations of Muslims With Polytheists, Hadith no: 1071)

⁹ I'laa us-Sunan, v. 7, p. 225).

¹⁰ Fath ul-Baari: 3/715)

¹¹ Fath ul-Baari: 3/715)

فيجمع بينهما (أى بين رواية النافع^{١٢} وبين رواية سعيد بن جبيرة^{١٣} بأنه أراد بقوله طاهر الطهارة الكبرى أو الثانى على حالة الاختيار والأول على الضرورة^{١٢}

Here 'first' is meant for Saeed ibn Jubair's (ra) narration and jurisprudential method is that narration based on saying gets preference to the narration based on practice.¹³ If we accept ibn Umar's cult, then it is only his own but no one else's. Yes Imam Shafai's (r) cult is same. So practice should not be done on individuality but it should be necessarily based on entire (majority of) sahaba's saying. Ibadah cannot be performed without wudu.

Written by Masood Hassan Hasani

Authenticated by Nasir Ali Nadvi

(Fatawa Nadwatul Ulama vol. 01 p. 223 to 225)

Ruling about offering five salah with the wudu of funeral prayer

Question: Can any salah from the five daily prayers be offered by such wudu which is done for funeral prayer?

Answer: It is lawful because intention is not condition in wudu, whatever intention of wudu may be, salah can be offered from that wudu and though intention is condition in tayammum but salah can be offered from it too. Thus it is mentioned in Fatawa Alamghiri:

If tayammum is performed for funeral prayer or Sajd-e tilawat, Ulama say unanimously that obligatory prayer can be offered from that tayammum. The same is mentioned in the book *Muheet*.

(Fatawa Azizi Urdu, published by Saeed Company Lahor, p. 449)

¹² Fath ul-Baari: 3/715)

¹³ I'laa us-Sunan: 7/226)

Offering salah with wudu of funeral prayer or Sajd-e tilawat

Question: Can salah be offered by such wudu which is done for funeral prayer or Sajd-e tilawat? Explain and get reward.

Answer: It is lawful, rather, when water is not found or because of illness tayammum is performed for funeral prayer then too other salah can be offered from it.

Ibn A'bideen said that if tayammum is done for funeral prayer, all prayer is lawful from it but in the absence of water and when it is available but there is fear of missing funeral prayer then also other funeral prayer can be performed from the same tayammum when there is no gap between both and no other salah will be valid from it. (Raddul Mukhtar vol. 1 p. 226)

That's all (And Allah knows the best!)

23 Safar 1390 AH

(Ahsanul Fatawa vol. 02 p. 18)

Praying fardh salah with the wudu of funeral prayer

Question: Can fardh (obligatory) salah be offered by such wudu which is done for funeral prayer?

Answer: Fardh salah is lawful and correct from the wudu which is made for funeral prayer.¹

That's all (And Allah knows the best!)

Muhammad Usman Ghani

24/ 04/ 1375 AH

(Fatawa Imarat-e Shariyah vol. 02 p. 67)²

ان الصلاة تصح عندنا بالوضوء ولم يكن منوباً.¹

(Rddul Muhtar. Book of Salah. Vol.1 p. 223)

² Praying fardh salah with the wudu of funeral prayer is allowed.

How many salah could be performed by one wudu

Question: Zaid made wudu only for entering Masjid or touching the Qur'an or offering funeral prayer. Can he offer obligatory prayers by such wudu which is made for abovementioned purposes?

Answer: Obligatory and other prayers can be offered by mentioned wudu, sole purity is gained from wudu whether it is made with a specific intention or without intention.

Written by Muhammad Mustaqim Nadvi

Authenticated by Nasir Ali Nadvi

(Fatawa Nadwatul Ulama vol. 01 p. 207 & 208)

Is fresh wudu necessary or not after funeral prayer?

Question: An heir of a deceased person came in the masjid on 4th of Ramadan and announced that I have come with the dead body of that person, so funeral prayer should be performed right now so that we may take it to bury otherwise people will not

Question: What do ulama and Islamic jurists say in regard to the matter that can one pray Fardh salah with the wudu done for funeral prayer?

Answer: Praying fardh salah with the wudu of funeral prayer is allowed. Allah knows the best.

Written by Rasheed Ahmad Gangohi. (Fatawa Rasheediyyah Kamil. P. 238)

It is allowed to perform on-time obligatory prayer with an ablution made for funeral prayer: Question: If a Hanafi has performed ablution for funeral prayer, now can he perform on-time or qada obligatory prayer with that ablution?

Answer: From the ablution made for funeral prayer it is allowed to perform obligatory on-time or qada prayer. (It is because the ablution is still on and it is right to perform many prayers just with one ablution. What is famous among the public that on-time obligatory prayers cannot be performed with this ablution is wrong. Zafeer) That it is. (Fataawa Darul Uloom: 1/150)

Performing both obligatory and funeral prayer with one ablution:

Question: Is it right to perform obligatory prayers with the ablution with which one has performed funeral prayer? (Sayyid Abdur Raheem Manot, Prabhani)

Answer: Since ablution is the original method of seeking purification and in the Hanafi mazhab intention is not a condition for ablution, therefore for any purpose wherein ablution is required an ablution would be enough even though the intended purpose of the particular ablution was different. So, an ablution made with the intention of performing funeral prayer, will also do for other prayers. (Kitaab ul-Fataawa: 2/53)

participate latter in burial process and dead body is not in such a condition that we can keep it whole night at home.

Two rakat Taraweeh prayer had already been offered when that person entered in the masjid, thus, at that time Imam, Muqtadi (those who offer salah behind Imam) and participants went out of the Masjid and offered funeral prayer. Participants and the few Muqtadis went to the cemetery after performing funeral prayer while Imam returned to masjid and resumed Taraweeh salah and latter on offered witr and nafal prayers. Was it necessary for Imam and Muqtadi to make fresh wudu to offer salah after offering funeral prayer?

Answer: Imam undertook correct action, he should have done the same, there is no need to make fresh wudu after funeral prayer it does not invalidate wudu, wrong and ignoramus things have been popularized.

That's all (And Allah knows the best!)

Written by Muhammad Nizamuddin Azami (May Allah forgive him)

Mufti Darul Uloom Deoband, Saharanpur, 21/9/1385 AH

Authenticated by Mahmood (May Allah forgive him)

(Selected Nizamul Fatawa vol. 01 p. 150 & 151)

Praying fardh salah with the wudu of funeral prayer

Question: Zaid made wudu for funeral prayer then from the same wudu he offered Maghrib salah, whether salah will be valid from that wudu or he will has to make fresh wudu.

Answer: There is no need to make fresh wudu; he can offer every kind of salah from that wudu.

That's all (And Allah knows the best!)

Written by Muhammad Nizamuddin Azami (May Allah forgive him)

Mufti Darul Uloom Deoband, Saharanpur, 21/7/1385 AH

Authenticated by Syed Ahmad Ali Saeed and Muhammad Jamilur Rahman, assistant Muftis of Darul Uloom Deoband

(Selected Nizamul Fatawa vol. 01 p. 150)

Performing fardh and wajib by wudu of ghusl

Question: Can obligatory prayer be performed without any karahat (undesirability) from the wudu of bath likewise can obligatory prayer be offered from the wudu of Eid prayer?

Answer: Without doubt it is lawful and surely salah will be valid.¹

That's all (And Allah knows the best!)

Written by Muhammad Nizamuddin Azami (May Allah forgive him)

Mufti Darul Uloom Deoband, Saharanpur, 21/7/1385 AH

Authenticated by Syed Ahmad Ali Saeed and Muhammad Jamilur Rahman, assistant Muftis of Darul Uloom Deoband

(Selected Nizamul Fatawa vol. 01 p. 150)

Wudu will be regarded correct, if one took bath without intention

Question: Will wudu be done automatically, if bath is taken without any intention or swam in sea? If yes, will head's wiping (masah) also be existed?

Explain and get reward from Allah (swt)

Answer: Wudu along with masah will be correct, though reward will not be gained without intention.

It is explained in the book Al-alaiyah that wudu without intention is not Ibadah and the book Shami also explains that wudu without intention is not Ibadah because use of

¹ It is agreed upon that two ablutions for one bathing are not recommended. Allaama Nooh Aafindi RA said: Rather there have been narrations which declare it to be disliked. Allaama Tabraani RA related a hadith from Ibn e-Abbaas RZ in his book "Al-Awsat": The Messenger of Allah SAW said: "Whoever makes ablution after bathing is not from us." (Shaami: 1/711, Maktaba Faizul Qur'an, Deoband)

water intentionally or unintentionally, was for getting coolness or to remove filth as it is mentioned in the book Al-Fatah. (Raddul Mukhtar vol. 1 p. 99)

That's all (And Allah knows the best!)

21/6/1393 AH

(Ahsanul Fatawa vol. 02 p. 09)

Offering salah is lawful with the wudu of Janabat (sexual intercourse)

Question: Will salah be lawful from the wudu which is done for the bath of Janabat?

Answer: It is lawful. ²

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol. 01 p. 142)

Ruling about making wudu on grave

Question: There is a cemented grave in a masjid beyond its courtyard but grave's surface is equal to the remaining part's surface in height, only white colour distinguishes grave. There is a raised wall for making wudu in some distance in front of the graveyard. If Zaid sits on that wall facing Qiblah to make wudu and a few splashes of wudu water reach to the grave, will his wudu be lawful or not at that place in this case?

Answer: Aisha (ra) narrated that the Prophet (saws) said that dishonoring deceased person is like dishonoring alive person, it has been narrated by Malik, Abu Dawood and Ibn Majah (r) (Mishkat, the last of second chapter from section of burying deceased person) Tayyabi (r) said it is meant that dead person should not be humiliated as living person is not humiliated and Amar ibn Hazam reported that I saw Prophet (saws) sitting against a grave and said, "don't hurt the person who is in this grave." Reported by

² Narrated 'Aayesha RZ she said, "The Messenger of Allah SAW did not make ablution after bathing." This hadith has been narrated by ImaamTirmiziRA. (Mishkaat ul-Masaabeeh, The Chapter of Bathing, p. 48) He will not perform ablution afresh after taking a bath i.e. the first sunnat ablution in the beginning of the bathing would be enough. (Mirqaat: 1/338, Zafeer)

Ahmad. (Mishkat) Al-Hafiz says in the book Al-Fatah that it means 'don't dishonor dead person'. (Foot notes of the book Tanqihur Ruwat)

It is understood from these narrations and their explanations that the thing which is hurting to someone and undesirable in the state of being alive, the same ruling is also applied after being dead. It is evident that if wudu is made sitting by an alive person in such a way that splashes of water go over him, he will be hurt and think it a kind of humiliation, thus grave should also be protected from such actions but if there is no sign of grave then there is no harm.

6/11/1338 A.H. (sixth supplementary page. 16)

(Imdadul Fatawa Jadeed vol. 01 p. 39)

Will wudu be legally recognized or not from such a pail in which hand besmeared with dung, is entered

Question: A woman washed her impure hand which was besmeared with dung in pail and from the same hand cooked food. Though it is not witnessed by eyes but known by strong confirmations that most of the women do the same. Are eating those foods, drinking those pails' water and doing wudu from that water correct or not?

Answer: All things are ok as there is no eye witness.³

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol. 01 p. 346)

³ Surety is not erased merely due to suspicion. (Al-Ashbaah wan-Nazaair, The Third Rule: p. 75)

And if he suspects of impurity of water or clothe...it will not be considered. (Durr e-Mukhtaar) In at-Taataarkhaaniya: Whoever suspects if their vessel or cloth or body has become impure or not, it will be pure until they have become sure of it's impurity...And so is the commandment of the articles he takes from the polytheist or ignorant among Muslims, like ghee, bread, foods and clothes. (Raddul Muhtaar: A Little Before Discussions On Bathing: 1/140)

And if he is sure of impurity, it would become impure, and purifying it would be necessary. وروث و خثى افاد بهما نجاسة خراء كل حيوان غير الطيور و قالوا: مخففة و في الشرع نبالة: قولهما اظفر- (Durr e-Mukhtaar, Zafeer)

Should wudu only be made from pond if it is located nearby?

Question: Should wudu be made from pond every time if it is situated nearby

Answer: Everything is correct whether wudu is made from pond water or from pail's water.⁴

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol. 01 p. 346)

Wudu is correct without karahat (undesirability) from that water vessel in which siwak is put

Question: Is there any undesirability in making wudu from such water vessel in which siwak is put for the sake of wetting it?

Answer: There is no undesirability in this water, but for softening, it is better to wash it by water and there is no need to put it in the water vessel.

Doing siwak is muakkadah Sunnah (regular Sunnah of Prophet (saws) with water thrice (Durr-e Mukhtar) and every time it should be wetted.⁵

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol. 01 p. 184)

Wudu is lawful from the water of Dhekli (an irrigation system)

Question: Is wudu lawful or not from Dhekli water?

Answer: It is lawful.⁶

⁴Andritual (حکمیة) purification is allowed with water, and it (water) is what public mean by it generally. There is no need to define 'water'.... (Ghunyat ul-Mustamli: 46, Zafeer)

⁵ Raddul Muhtaar, Sunnats of Ablution: 1/105. Zafeer)

⁶ Because that water is pure. Impurity is removed with water, and it is what is generally understood when the word is spoken, like water of the sky, valleys, springs, wells, oceans, melted ice...(Ad-Durrul Mukhtaar ala Sadr e-Raddil Muhtaar, The Chapter of Waters: 1/166, Anees)

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol. 01 p. 184)

Wudu is lawful from governmental canal

Question: Are wudu and ghusl lawful from such governmental canals which are running for watering (gardens and fields) without permission of government or government officials?

Answer: Taking water from that canal for wudu and ghusl is lawful.⁷

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol. 01 p. 177)

Wudu by supply water

Question: There is a masjid in the campus of Mumtaz degree collage of our village Shaheed Ashfaqullah Nagar. Water connection in this masjid is linked with the DODA boring of the locality. Will wudu from that water be lawful or unlawful?

It should be clear here that water is supplied by this scheme without payment and permission and this scheme is introduced by the help of World Bank and health organization.

Answer: Wudu from this water is lawful but payment or permission is necessary.⁸

Written by Muhammad Zuhoor Nadvi (May Allah forgive him)

(Fatawa Nadwatul Ulama vol. 01 p. 277)

⁷ Says Abu HurairahRZ: "A man came to the Messenger of Allah SAW and said: 'O Messenger of Allah, we travel by sea and carry a small amount of water with us. If we use it for ablution, we will become thirsty. Can we perform ablution with seawater?' The Messenger of Allah SAW said: 'Its water is a means of purification, and its dead meat is permissible.'" (Sunan Al-Nasa'i, The Chapter In Water of Sea, Anees)

⁸ Ibid, Footnote No: 1.

Wudu by spare Istinja water

Question: Will wudu be lawful or undesirable if made by spare water of small Istinja (urination)? What is the opinion of religious scholars in this issue?

Answer: Wudu from this water is lawful without any undesirability.¹

That's all (And Allah knows the best!)

Rashid Ahmad (May Allah forgive him)

(Fatawa Rashidiyah Kamil p. 2238)

Wudu by spare water of women

Question: Is wudu lawful for man according to Imam Ahmad (r) by spare water of such water vessel from which a woman made wudu?

Answer: (All praise is due to Allah alone)

I do not have research about his opinion.²

¹ Ibid, Footnote No: 1.

² Note: It is allowed in Hanafi mazhab, but associated with dialkeness as it has been reported in Durr e-Mukhtaar and Shaami. And Allama Shaami RA has narrated from Imam Ahmad Bin Hanbal RA his mazhab, referring to his books, which suggests that it is not right according to him. And Allah knows the best. "Said in Ad-Durrul Mukhtaar: And from among his prohibitions منهياته is making ablution with the woman's leftover water. Ibn e-Aabideen said: As we have mentioned earlier that the prohibition here does not mean it is haraam; rather it is disliked but not to the extent of being haram. Said in al-Siraaj: It is not allowed for a man to make ablution or bathe with a woman's leftover water. And it suggests of it being disliked to the extent of being haram. And according to Imaam Ahmad RA when an adult woman امرأة مكلفة (who is subject to Shari'ah commandments) made such isolation with little water as isolation of marriage, and she sought ritual purification with it in her isolation it would not be allowed for a man or transgender to seek purification with it. So it is written in the texts of his mazhab.

And it something related to worship as the Five have narrated that the Messenger SAW prohibited that a woman should bathe in a man's leftover bathwater. Said in Ghurar il-Afkaar, the explanation to Durar ul-Bihaar in the Chapter of Water and after mentioning the mas'ala: And for us is the narration of Muslim RA that Maimunah RZ said: I took bath in a vessel wherein I left some water. Then the Prophet SAW came and started bathing from it. So I said: I have taken bath with it. He said: Water, nothing makes it impure." And what Imaam Ahmad RA has narrated abrogated due to this hadith. I say: the demand of abrogation is that to us it is not disliked to the extent of being haram; rather it is not disliked at all. And it is against what we have mentioned from al-Siraaj. (Raddul Muhtaar, The Book of Purification, Matter About Extravagance in Ablution: 1/133)

That's all (And Allah knows the best!)

Written by Mahmood (May Allah forgive him), Darul Uloom Deoband

(Fatawa Mahmoodiyah vol.5 p. 127)

Wudu is lawful or not from such water in which pure thing submerges and water becomes subdued

Question: Will wudu be lawful or not from such pure water in which pure thing submerges (i.e. colour and water merge) and water becomes subdued?

Answer: Wudu will not be lawful, if pure thing mixes in water and it becomes subdued which cannot be named water or colour and test do not remain.

The detail of this issue is in the following text of Durr-e Mukhtar:

And after this it is mentioned in the book Durr-e Mukhtar that until name (of water) is not changed i.e. when name is changed though liquidity remains, wudu will not be lawful from this water.

And the text goes on:

And the same case is with the water which mixed with saffron (Zafaran) and becomes such which may colour then it is also not pure water.¹

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol.1 p. 185)

Wudu is lawful if colour odorizes water

Question: For a few days colours odor water if drum or container is coloured and also test becomes different. Is use of this water lawful for wudu and ghusl?

And if a woman went in isolation to seek purification with it, it will remain purifier and it would not be allowed for a man to seek purification with it. It is in the apparent mazhab. (الانصاف في معرفة الراجح من الخلاف) على مذهب الامام احمد بن حنبل 1/ 47, 48, and so it is in al-Mughni by Ibn e-Qudaama al-Hanbali: 1/214, Maktabah al-Riyaaz al-Hadeesah, Anees)

¹ Ad-Durrul Mukhtaar with Raddul Muhtaar, The Chapter of Waters: 1/167,168. Zafeer

Explain and get reward from Allah (swt)!

Answer: Wudu and ghusl are lawful from this water though colour and test change with the condition that it is not coloured with the brush made of swine fur.¹

That's all (And Allah knows the best!)

1st Safar, 1389 A.H.

(Ahsanul Fatawa vol.2 p. 44)

Wudu from such water in which eyes-lash or nose dirt fell

Question: Will wudu be lawful and correct from such water in which a hair of eye-lash, grime of eyes and nose's dirt fall in small or big quantity or water itself be impure?

Answer---

Water will not be impure and wudu is lawful.²

(Aapkey Masail aur Unka Hal vol.3 p. 77)

Wudu is lawful from pail water in the presence of fresh water

Question: Will wudu and drinking be lawful from odorous pail water if fresh and clean water is available every time?

Answer: Wudu and drinking will be lawful as the water of pail is pure and odor is not there because of impurity.³

That's all (And Allah knows the best!)

¹ Because that water is pure. Because that water is pure. Impurity is removed with water, and it is what is generally understood when the word is spoken, like water of the sky, valleys, springs, wells, oceans, melted ice... (Ad-Durrul Mukhtaar ala Sadr e-Raddil Muhtaar, The Chapter of Waters: 1/166, Anees)

² The saying of Prophet SAW: Water is purifier, nothing makes it impure except what alters it in taste, colour, or scent. (Al-Hidaayah: v. 1, p. 156, The Book of Purification)

³ As for little water, it becomes impure even though it remains unchanged, it is against MaalikRA (لا لو تغير (بطول مكث), (Durr e-Mukhtaar) i.e. it will not become impure if it has altered. (Raddul Muhtaar, The Chapter of Waters: 1/171, Zafeer)

Ruling of wudu from malodorous water

Question: There is a governmental water pipe in a masjid. Occasionally its water smells and it is anticipated that there is a crack in the pipe somewhere and therefore unclean and impure water mixes in it. Can wudu be done from this malodorous water?

Answer: Do not make wudu from this malodorous water.

(وينجس) الماء القليل (بموت مائي معاش برى مولد) ... (و بتغير أحد أوصافه) من لوب أوطعم أوريح (ينجس) الكثير ولو جازياً
إجماعاً، آه

Durre Mukhtar on Al-ShamiahI. Chapter: The water. Vol.1 p.171)

That's all (And Allah knows the best!)

(Khairul Fatawa vol.1 p. 50)

Wudu is lawful from pure (Huqqa) shisha water

Question: Is wudu lawful from Huqqa water if fresh water is not available?

Answer: If Huqqa is pure then wudu is lawful. ¹

That's all (And Allah knows the best!)

(Fatawa Darul Uloom vol.1 p. 178)

Wudu by (Huqqa) shisha water

Question: What is the opinion of Ulama in this issue: A person was making wudu and due to water shortage one of his legs remained unwashed and there is no other water except Huqqa water which was sufficient. Should this man complete wudu by Huqqa water or should he make tayammum, if not then what is the reason and if yes

¹ (No) it does not become impure (even though it has changed due to) long (stay). And if he knew it'sstink isdue to impurity it will not be allowed. (Ad-Durrul Mukhtaar ala Sadr e-Raddil Muhtaar, The Chapter of Waters just before The Matter About Making Ablution With Tank Water Being Preferred,....: 1/186-Zafeer)

then why? Explain this issue in the light of Hanafi jurisprudence with reasons and get reward from Allah and thanks from people.

Answer: If Huqqa is pure then wudu is lawful by its water. Water does not become impure,¹ if smell and test change because of tobacco's smokes.

The other side of the issue is that the people who use malodorous things are restricted from entering masjid,² however, if there is no other water except Huqqa water then tayammum is not lawful.³

That's all (And Allah knows the best!)

Written by Anwar Shah (May Allah forgive him), assistant Mufti Madrasa Qasimul Uloom, Multan (18th Safar 1389 A.H.)

Authenticated by Mahmood (May Allah forgive him), Mufti Madrasa Qasimul Uloom, Multan (20th Safar 1389 A.H.)

(Fatawa Mufti Mahmood vol.1 p. 430 & 431)

Wudu by milk, chhachh (Buttermilk with live culture) and shorba (gravy)

Question: Is wudu lawful or not by milk, chach and oil or by such water in which milk and chach are captors in term of colour though the liquidity is remained? Likewise people take bath mixing turmeric with water.

¹ (The Book of Purification, The Chapter of Waters: v. 1, p 380, Publication Maktabah Rasheediya Koeta) And so it is in al-Bahr ur-Raa'iq: And purification is allowed with water wherein something pure has mixed and so changed one of its characteristics. (The Book of Purification: v. 1, p. 27, Publication Rasheediya Koeta) And also in al-Bahr ur-Raa'iq: Making ablution is allowed with water the scent of which has been altered due to long stay...he made mention of long stay because if he knew that its taste has changed due to impurity, making ablution with this water will not be allowed. (The Book of Purification, v. 1, p. 136, Publication Rasheediya, Koeta)

² And said in al-Mishkaat: Narrated by Jaabir RZ that he said: The Prophet SAW said: Whoever eats of this odorous tree, he must not come near us in our mosque for the angels are distressed by things that distress humans." Agreed upon (The Chapter of Mosques: 1/68, Publication Maktaba Qadeemi, Books House Aaraam Baagh, Karachi)

³ So it is in Ad-Durrul Mukhtar: (and access to water) (is enough for his purification). (The Book of Purification, The Book of Tayammum, The Matter About One Who Has Missed Both the Purifiers: v. 1, p. 477, Publication Maktabah Rasheediya, Koeta)

Jurisprudents write that wudu and ghusl are lawful from such water in which pure objects are mixed such as soap and etc. until its liquidity remains. How is it to make wudu by such gravy on which there is no oily substance or by similar things?

Answer: Wudu and ghusl are lawful, if there is no changing in liquidity of water because of mixed object and the mixed object is solid. Wudu and ghusl are not lawful, if mixed object is such liquid which has three characteristics and its two characteristics become apparent in the water or it has two characteristics and its one characteristic becomes apparent in the water or mixed object has no characteristic but its quantity becomes half or more than half in water.¹

(Maraqi Al-Falah)

That's all (And Allah knows the best!)

Written by Mahmood (May Allah forgive him)

Darul Uloom Deoband (09/04/1395 A.H.)

¹ Maraqi Al-Falah: p. 24, The Book of Purification, Qadeemi)

Making ablution is not allowed with milk, curd, oil etc. A man asked Ibn e-Abbas RZ: We grow grass and we do not find water. So, can we make ablution with milk? He said: No, Make tayammum (dry ablution). (Musannaf Ibn e-Abi Shaiba, 76, Regarding Making Ablution with Water, v. 1, p. 61, no. 649)

This is a saying of sahaaba RZ according to which making ablution is not allowed with milk because it does not have consistency and flow like water. The saying of a tabe'i is:

Listened from al-HasanRA say: He did not make ablution with nabiz (a non-alcoholic fermented beverage prepared from malt) nor with milk. (Musannaf Ibn e-Abi Shaiba in Making Ablution With Milk: 1/61, no. 650, Anees)

It is allowed to perform ablution with water fetched by one who does not offer prayers:

Question: Is it allowed or not to make ablution with the water brought by a muezzin who does not offer prayers?

Answer: It is allowed to make ablution with the water filled by such a muezzin. It will not affect the prayer of one who made ablution with the water. ¹

(Fataawa Darul Uloom: 1/176)

If any bid'ati (inventor in the religion) fetches water, making ablution from it is right:

Question: On 10TH of Muharram people arrange for water tanks. If one fills this water into the tank of the mosque will it be right to make ablution with it or not?

Answer: It is allowed making ablution with this water.² And it is not allowed to arrange it for ta'ziya (a structure portraying the tomb of Hadrat Husain RA which is generally carried in processions during Muharram).³ (Fataawa Darul Uloom: 1/ 176)

Making ablution with water brought by a Shi'ite or Mirzaai:

Question: Is it allowed or not to get water from the house of any Shi'ite or Mirzaai (one who believes in Mirza Ghulam Ahmad Qadyaani as prophet) or an infidel? A prayer performed with the ablution made from this water would be valid or not? Is it allowed or not to eat from their houses?

Answer: From the house of a Shi'ite, Mirzaai or infidel one may take water for making ablution. A prayer offered with the ablution would be valid. ⁴It is not allowed to eat meat from their houses. The edibles other than meat are halaal. But it is not suitable to engage with them much. Special care should be observed in relations with the Shi'ites and Mirzaai; it is very dangerous to keep relations with them. There is not as much danger

1 It does not matter who the water filler is. Whoever he may be, the only condition is that water should be pure. And حكمة (ritual?) purification is allowed with water...Taahir.(GhunyatulMustamli, The Chapter of Waters: 1/86), Zafeer)

2 Because water is pure. Impurity is removed with water, as it is understood from the word, like water of the sky, valleys, springs, wells, seas, melted ice... (Ad-Durrul Mukhtar alaRaddil Muhtar, The Chapter of Waters: 1/166, Zafeer)

3 The Prophet SAW said, "He who did any act for which there is no sanction from our behalf, that is to be rejected." Narrated by Muslim. (Mishkaat ul-Masaabeeh, The Chapter of Holding Firm the Book and the Sunnah: p. 27, Zafeer)

4 What is required is just that water should be pure. It does not matter on whom it is. Ibid No. 1: Anees

from common infidels. Allah knows the best. 23RD Safar, 1390 AH (Ahsanul Fataawa: 2/46)

It is right to make ablution in the train lavatory:

Question: What do ulama say about making ablution in the lavatory of the train during journey? Is it right or not? Explain and get rewarded. (Questioner: Abdul Hameed, Middle School Darazanda, D I Kha-2/5/1972 AD)

Answer: It is right.¹ And only He is the One Who enables. (Fataawa Deoband Pakistan, known as Fataawa Fareediya, v. 2: 40)

How is it to make ablution in the bathroom to perform the prayer:

Question: We make ablution in the bathroom while taking bath. After coming out of the bathroom, is it necessary to wash the feet?

Answer: Praise be to Allah and His blessings be upon Muhammad SAW.

It is not necessary. Nowadays the bathrooms have solid floors, therefore, the water used for bathing runs out immediately. In the early ages, the floors of the bathrooms would not be solid. And it was so that the commandment of washing feet was.² That it is. And only Allah Almighty knows the best. Written by the slave Habeebullah al-Qasmi (Habeebul Fataawa, v. 2, p. 28)

Making ablution naked in the bathroom:

Question: If the bathroom is closed, is it allowed to take bath naked? While nude, if ablution is made while bathing will the ablution be right? Can we offer prayer with such an ablution? (Muhammad Aadil Ahmad, First Lancer)

Answer: If the bathroom is closed that there is no fear of the 'Aurah (an Islamic terminology that refers to that area of the body which has to be covered. For men, it is from the navel to below the knees. As for women, their entire bodies are regarded as an 'aurah.) being exposed the bathe may be taken without clothes on the body. If

¹ Said Allama al-Haskafi: (and from the etiquettes) of ablution ... (is sitting on a high place) in order to remain safe from the used water. ماء مستعمل. و عيادة الكمال. and saving one's clothes from التقاطر and it is more inclusive. (Ad-Durrul Mukhtaar ala Sadr e-Raddil Muhtaar): v. 1, p. 94, The Book of Purification)

² (and it's sunnats) i.e. of ablution...(then he will make ablution) he made it common. Then returned to الكامل. So, he will not postpone washing his feet even though in a place where water gathers because right المعتمد is purity of the used water... Then there is no need of washing them; secondly...Perhaps those who opine that washing of the feet be postponed made it recommended so that the beginning and end of the bathing would be with the washing of the organs of ablution. (Ad-Durrul Mukhtaar Ala Sadr e-Raddil Muhtaar, The Matter In Sunnats of Bathing: 1/ 156 to 158, Beirut, Anees)

ablution is performed in this situation, it too will be valid. And also offering prayer with the ablution would be right. However, it is better to cover from the waist down to the knee even at such a safe and solitary place, or at least he should use underwear. Because the angels are all the time with human beings. And we should shy also from them.¹ (Kitaabul Fataawa: 2/ 57)

Making ablution naked while bathing:

Question: What is the Shari'ah commandment if one makes ablution while he has no clothes on his body? It is famous among public that ablution made in nudeness is not valid.

Answer: Exposing off the 'aurat is not from those things that nullify ablution. So what is famous among public that in case of nudity no ablution will be valid is wrong. Making ablution in the bathroom with no cloths on the body is allowed. Yes, shyness demands that 'aurat should be covered even in isolation.²

"For Mulla Ali QaariRA said: The synopsis or the commandment related to the one who has taken bath nakedly is that if he was at a solitary place where no one, upon whom seeing to his private organs is haraam, can see him it will be halaal for him. But preferred is that he should cover his 'aurat due to shyness from Allah Almighty. (MirqaatulMafaateeh explanation to MishkaatulMasabeeh: v. 2, p. 39, The Chapter of Bathing, Second Part) (1) Fataawa Haqqaniya, v. 2, p. 526)

Ablution is valid though made in case of nudity

Question: If one takes bath while he is nude, his bathing will be valid or not? If ablution is made in this situation, will it be valid or not?

Answer: In the said situation bathing is valid and so valid is ablution. Now, it is not necessary to make ablution again for offering prayer.

¹ "For Mulla Ali Qari (r) said: The synopsis or the commandment related to the one who has taken bath nakedly is that if he was at a solitary place where no one, upon whom seeing to his private organs is haram, can see him it will be halal for him. But preferred is that he should cover his 'aurat due to shyness from Allah Almighty. (Mirqaatul Mafaateeh explanation to Mishkaatul Masabeeh: v. 2, p. 39, The Chapter of Bathing, Second Part, Anees)

² Narrated Umm e-Hani bint Abi Talib: "I went to Allah's Apostle in the year of the conquest of Makkah and found him taking a bath while Fatima RZ was screening him. (Bukhaari, v. 1, p. 42, The Chapter of One Who Bathed Nude, Alone In Isolation)

And similar to it is a narration by MaimunahRZ in Saheeh Muslim: v. 1, p. 154, The Chapter Of Covering Of Bathing Person With Cloth Or Something Similar to It.

Narrated by Ayesha RZ: "The Messenger (saws) did not perform ablution afresh after taking a bath." (Tirmizi Shareef: v. 1) That it is. And Allah knows the best.

The slave Muhammad Anwar, 29/11/1399 AH (Khair ul-Fataawa: 2/53-54)

Putting wet feet on earth does not make them impure except that the earth has impurity on it:

Question: After making ablution how it is to pass over a wet place where shoes have been put to a place which is dry? Will or not it be necessary to wash the feet? Will the feet become impure or not?

Answer: If there is no apparent impurity, the feet will not become impure.¹ That it is. And Allah knows the best.

Written by Mahmood, Darul Uloom Deoband (Fataawa Mahmoodiya: 5/285)

Putting wet feet anywhere does not make it impure:

Question: A person made ablution and then put his feet where the shoes were put. Then he went around in the mosque and touched the pitchers of the mosque and offered prayer in the lines. What is the Shariah commandment?

Answer: In this situation, his feet do not get impure. So, the pitchers and the lines all remain pure. The ablution and the prayer are valid.² That it is. And Allah knows the best. (Fatawa Darul Uloom: 1/372)

¹ "If a man puts his leg over impure soil, or impure لبد (mane?) and the leg is wet and the soil or the mane dry, and he did not stand there; rather he just passed over it, his leg will not become impure. And if the leg was dry and the soil was wet, and the wetness appeared on the leg, his leg will become impure... (Al-Muheet ul-Burhaani: 1/213, The Seventh Chapter In Impurity, Ghaffariya)]

² He walked in any bathroom or something like it, he will not become impure unless he knows that the water over the floor is impure. (Durr e-Mukhtaar) i.e. if he walked over مشرعة tablets after a person whose leg was dirty had walked over it his leg will not be impure unless he knows for sure that he stepped exactly where the former had stepped. (Fath) And in it is about making impure: If he walked in soil or it got him and then without washing it he offered prayer, the prayer will be valid as long as there is no trace of impurity on it. He has to just observe care. As for it becoming impure, it will not be so. (Raddul Muhtaar, The Chapter in Seeking Purity After Answering to Natural Calls, just before the Book of Prayer: 1/324, Zafeer)

Going to the praying carpet while the organs of ablutions are wet and غسله of Muhammad SAW

Question: How it is to go on the praying carpet while the organs of ablution still have the traces of water over them? The Prophet (saws) made ablution and his companions RZ would take that water on his ablution organs and rub it over their faces.

Answer: The water that is left over the organs of the body is not the 'water used' or impure. Verily it is right to go to the praying carpet with it.

"As long as it is on the organs it does not become 'used water'. (Bahr: 1/93) ¹

Warning: A similarity should not be sought between the water with which Muhammad (saws) has made ablution and the water used by others for it. ² That it is. And Allah knows the best.

Written by Mahmood, Darul Uloom Deoband, 23/2/1391 AH. (Fataawa Mahmoodiya: 5/132-133)

Ablution or tayammum while going for sleep:

Question: Is it that one should be with ablution or tayammum while going for sleep?

Answer: While going for sleep in night, or going for siesta, if it is possible one should make ablution or at least he should perform tayammum. ³

Said in Ash-Shaami: And likewise in place of ablution he should make tayammum for the likes of sleep or entering the mosque. (Shaami: v. 1, p. 93)

And said in Tahtaawi: قوله : و ندب الوضو للنوم على طهارة، ظاهره انه لا ياتي بذلك المنسوب الا اذا اخذه (Tahtaawi: p. 46) (Maktoobaat: v. 1, p. 76)

(Fataawa Shaikhul Islam RA: p 18)

¹ Al-BahrurRaaq: 1/168, The Used Water, Rasheediya.

² According to authentic narrations the companions of the Messenger SAW would compete each other for getting his ablution water; they would wipe it over their faces. If it were impure the Prophet SAW would have prohibited them as he prohibited Abu Taiba, the barber, from drinking the blood that had come out of his body. (Al-Inaayah, the Explanation to al-Hidaayah on the footnote of FathulQadeer: 1/87, Mustafa Albaani al-Halabi, Egypt)

³ i.e. it is not better. Anees

Kissing after ablution

Question: If the husband and wife, who are between 55 to 65 years of age, kiss each other over forehead after Fajr prayer as a manifestation of their love for each other, will the ablution remain or will it be nullified?

Answer: If mazi (minor involuntary seminal discharge) does not come out the ablution will remain and if it comes out the ablution will be nullified.¹

Written by Muhammad Zafar Aalam Nadwi, authenticated by Naasir Ali Nadwi (Fataawa Nadwatul Ulama, v. 1, p. 211)

Ablution after eating camel meat

Question: Zaid says that if a person whose ablution is on eats camel meat the ablution will be nullified. Please explain in the light of the Shariah.

Answer: Eating meat of any creature whatsoever does not nullify ablution. Yes, it is better to rinse the mouth after eating meat.

Narrated by Abu Umamah RZ: If any one of you was with ablution and he ate food, he will not perform ablution except that it were the milk of camel; when you drink it, gargle with water. (Ilaa'us Sunan: v. 1. P. 108)

Written by Masood Hasan Hasani, authenticated by Naasir Ali Nadwi (Fataawa Nadwatul Ulama, v. 1, p. 211-212)

Offering prayer without rinsing mouth after eating beetle leaves or tobacco

Question: If one person eats beetle leaves or chews tobacco, then he stays so long that their effect ends, can he perform prayer without having gargled? Or will he need gargling?

¹ If man and woman embrace each other it will not nullify their ablution whether they have clothes over their bodies or not. Their siding with each other or kissing each other or any baby does not nullify ablution either. Commandments of Purification, p. 135, Anees)

Narrated by Aayesha RZ that the Prophet SAW kissed some of his wives....and did not perform ablution. (Sunan Abu Dawood, The Chapter of Ablution Due to Kissing, The Book of Purification, Hadith No: 179) And in minor involuntary seminal discharge and ودی there is no bathing; rather there is ablution in them. (Al-Hidaayah with al-Fath: v. 1, p. 71)

Answer: Even then gargling is better. And if he does not gargle, then too prayer will be valid.¹ (Fatawa Darul Uloom Deoband i.e. Azeezul Fatawa: 1/194)

Ablution after applying henna

Question: While it were nine days to my purification, I applied henna in hands and hairs. But suddenly I became pure. And having known about my purification I washed off the henna immediately but its colour still remains. Is it allowed for me to offer prayer or touch the holy Qur'an?

Answer: The colour or henna does not check purification from taking place. (2)
²Therefore, prayer will be valid after purification.

Note: It is allowed applying henna while one is not pure. It's colour is always pure. A woman going through monthly cycle has been stopped from offering prayers, fasting and reading or touching the holy Qur'an. The dress over her body is also pure if it has no impurity over it. Even her sweat is pure. After taking bathe for purification she can even put on the clothes, without washing, she had worn during her period. (Nassir Ali)

Written by Muhammad Zafar Aalam Nadwi, authenticated by Naasir Ali Nadwi. (Fataawa Nadwatul Ulama, v. 1, p. 212)

Making ablution with lip stick, powder or cream still on the skin

Question: What is the commandment of making ablution if one has used lip stick, powder or cream?

Answer: The traditional lip sticks, cream etc. are like oil; the powder like dust. They do not make a layer on the skin. Therefore, ablution will be valid even though these things are present on the organs. But while making ablution take care to first make them wet and then wash. But if the lip stick or the cream make a layer like nail polish does, then an ablution or bathe performed with them being present on the skin will not be valid.

“Said Allama al-KaasaaniRA: It is narrated by Khalf bin AyyubRA that he said: It is suitable for a person making ablution in winter that he makes his organs wet like fat then make

¹ Narrated by Abu UmamahRz: If any one of you was with ablution and he ate food, he will not perform ablution except that it were the milk of camel; when you drink it, gargle with water. (Ilaa'usSunan: v. 1. P. 108, Anees)

² And in al-JaameusSagheer: Abul Qasim was asked about the person who has grown his nails and so filth remains in his nails or the one who works in soil or the woman who has applied henna on her finger or exquisitor painter. he said: All of them are equal. Their ablution will suffice them if these things cannot be avoided but with difficulty. (Al-Fataawa al-Hindeeyah: v.1, p. 4)

water slip over it because water passes over the organs in winter. (Baddai' al-Sanaai': v.1, p. 3, The Book of Purification)¹ (Fataawa Haqqaneeyah, v. 2, p. 511)

Making ablution after one has applied oil on his hands or legs:

Question: A person has applied oil on his hands and legs. If he makes ablution, will it be right or not?

Answer: The ablution will be right.

“And if he applied oil on both his legs then made ablution or let water slip from over them and water did not persist there due to oiliness, the ablution will be right.” That it is. And Allah knows the best. Written by the slave Habeebullah al-Qasmi (Habeedul Fatawa: 4/48)

Washing the skin under brows, beard or moustache in ablution:

Question: If the eyebrows, beard or moustaches are so dense that the skin does not appear, is it obligatory or not to wash the skin hidden behind them?

Answer: Not obligatory. Shaami: 1/66.² (Fataawa Mahmoodiya: 5/42)

Commandment of ablution of a man having long moustache:

Question: A man has a long moustache. When he makes ablution, water does not reach under the hairs. Is his ablution valid or not?

Answer: His ablution is valid.³

“And when the moustache of the person making ablution is long and water does not reach under it during ablution, his ablution will be right.” (as it is in al-Fataawa al-

¹ And in al-Hidayah: also v. 1, p. 9, The Second Chapter in What Are Recommended)

² “(There is no washing of the inner part of the eyes) nose, mouth and the roots of hairs of eyebrows, beard and moustache.” (Ad-Durrul Mukhtaar)

It is when the eyebrows are dense. As for when the skin appears from behind them washing them is obligatory...And so is said about beard and moustache.” (Raddul Muhtaar: 1/97, 98, The Pillars of Ablution Are Four, Saeed, and so is in al-Fataawa Aalamgeeriyah: 1/4, The First Chapter in Obligatory Acts of Ablution, Rasheediyah, and so is in al-Fataawa At-Taataarkhaaneeya: 1/98, Ablution, Idaaratul Qur'an, Karachi)

³ If the moustache is shaved, washing its skin is obligatory in wudu and if it is not shaved, water should be reached to its root. If the moustache is thick and long and the watering in its root is difficult, only washing the hair of moustache is sufficient. (Fatawa Tatarkhaniyah. Vol.1 p.88,89)

If the moustache is so thick and long that covers the lips, combing the moustache with wet finger is necessary, so that the wet reach to the lips. (Raddul Muhtar. Vol.1 p.101) Taharat Ke Ahkam Wa Masail. P.103. Anees)

Hindeeyah: 1/4) That it is. And Allah knows the best. Written by Habeebullah al-Qasmi (Habeebul Fataawa: 4/47-48)

Using soap on hands and legs after ablution:

Question: In cold regions, people apply various kinds of soaps on their hands and legs in order to prevent them from cracking. If it is done after making ablution will it affect the ablution?

Answer: Soap in itself is pure and it is allowed to use it for neatness. Therefore, in the said situation applying soap and then offering prayer with it being present on the skin is right.

Said al-Qudoori RA: Seeking purification is allowed with water wherein has mixed something pure and so altered one of its characteristics; like water of flood and the water wherewith has mixed saffron and soap...(Mukhtasar ul-Qudoori, The Book of Purification: p. 9)¹ (Fatawa Haqqaniyah, v. 2, p. 516)

Someone without ablution is not 'impure'

Question: Zaid (who is a scholar) was once speaking about zakat in a mosque. During his talk he said, "By paying zakat, the rest of the wealth is made pure." And elaborating the meaning of 'purification' he said, "If someone thinks that since his wealth does not have any dirt or impurity in it, then what does 'purification' means? It's answer is: some of the commandments of the Shariah have such wisdoms in them which we are unable to perceive. We cannot have mental access to them. So, whether or not our logic accepts them, we must accept these Shariah commandments unhesitatingly."

And he gave the example: "Like a man answers to his natural calls and also cleans the place of impurity as per the Shari'ah commandments, now there is no apparent dirt or impurity on his body. Can he perform prayer in such a condition? Can he offer other acts of worships in which ablution is required? Evidently, the Shari'ah prohibits him from doing them unless he is with ablution. So it suggests that though apparently there is no impurity on his body, the Shari'ah has considered them impure if they are not with ablution. He cannot perform prayers without ablution. Similarly, the Shari'ah has considered the whole wealth as impure unless zakat has been paid from it. And by paying a certain amount as zakat the whole wealth becomes pure. As in case of washing some certain organs in ablution the Shari'ah considers the whole body as pure; and then

قال إبراهيم الحلبي: وتجاوز الطهارة بماء خالطه شيء طاهر فغير أحد أو صافه كماء البدن والماء الذي يختلط به الأشتان والصابون أو الزعفران... الخ¹
(Kabeeri. Chapter: By which thing purifying is allowed. P.90)

the prayers or other acts of worship which are not allowed without ablution are now (in the condition of being with ablution) allowed according to the Shari'ah."

After prayer, Bakr (who is not an aalim, but is aware the religion) objected Zaid over his statement: "Without ablution the Shari'ah has considered them impure." And they started arguments that only when someone is junubee (has had sexual intercourse or ejaculated sperm and is yet to take bath) will he be called "impure". As for in other conditions, we can say he is 'without ablution' but we cannot term him 'impure'." So Zaid told him that hadath i.e. impurity is of two types:

- (1) The Big Impurity (Hadath e-Akbar): and it is the impurity when someone is junubi.
- (2) The small impurity (Hadath e-Asghar)

The situation which entails obligatory bathing is the big impurity and the situation which entails only ablution, and without ablution they cannot perform that act of worship, is small impurity. However both the situations may be called the situation of impurity. The only difference is that the former is the big impurity while the latter is small impurity. But Bakr insists, "Your this sentence is wrong." They have had long discussions over it. So, Zaid asked Bakr to enquire any scholar and said that if he was wrong he would admit his mistake.

So, please explain whether the said statement of Zaid is right in the context of the said background. Who is right: Zaid or Bakr?

Answer: Bakr says: "The person in the situation that requires just ablution would not be termed impure," is right. The Shari'ah does not declare such a person as impure. Yes, it is معنوی incorporeal impurity. Therefore, ablution is a condition in prayer etc. incorporeal

Written by Muhammad Mustaqeem Nadwi, authenticated by Nasir Ali Nadwi. (Fatawa Nadwatul Ulama: 1/292 to 294)

Ablution for reading out Tasbeeh

Question: Can Tasbeeh be chanted without ablution?

Answer: Chanting Tasbeeh without ablution is right without any type of dislikeness.

Written by Muhammad Taariq Nadwi, authenticated by Muhammad Zahoor Nadwi. (Fatawa Nadwatul Ulama, v. 1, p. 222)

Darood Shareef without ablution:

Question: Can we read durood Shareef without ablution? Or it is right only with ablution? Also, can it be read in schools, home, market etc. while walking? (Zaahida Sultana, Qazipura)

Answer: The commandment about durood Shareef is similar to that of other zikr (literally remembrance of Allah) and prays. Besides the Qur'an, all types of zikr can be done not only without ablution but also in the state of janabat (when someone has had sexual intercourse and is yet to take bathe). There is no specification of the place either. So, durood Shareef can be read in the mosques, home, marketplace, school and when walking. The hadith has that the Messenger of Allah SAW would was always busy remembering Allah.

“The Messenger of Allah (saws) would remember Allah Almighty all the time.”¹

As it is apparent ‘all the time’ also consists of the situation wherein ablution his ablution would not be on and also the situation he would pass by the marketplace. Yes, doing zikr of Allah is unsuitable on these places like in toilet, bathroom, in the state of answering to natural calls or when in sexual intercourse. Reading also durood shareef on such occasions is disliked and against respect. However, the commandment related to recitation of the holy Qur'an is different to other types of zikr. Ablution is not required for reciting the Qur'an; but it cannot be touched when ablution is off except that it has cover on it. Similarly, if one has to take obligatory bathe, even recitation of the Qur'an is not allowed. (Kitabul Fatawa: 2/54-55)

Doing zikr is allowed in all the situations:

Question: A person always says: O Allah, O Rahman, O Raheem, O Kareem. He does not care if he is in the state of purity or impurity. Is it allowed or not? Will he get rewards or not?

Answer: Saying O Allah, O Rahman, O Raheem, O Kareem every time and making it a habit is allowed; rather nice and preferred. And for the reader there is reward.

If he is with ablution it is good and more virtuous and if he is without ablution then too it is right and rewarding.² That it is.

(Fatawa Darul Uloom: 1/171)

¹ Sahih Muslim, Hadith no. 373, narrated by Ayesha RZ, The Chapter of Doing Zikr of Allah in the State of Being Junubi and Other, The Book of Monty Cycle.

² Ablution for doing zikr is recommended and quitting it is against the desired الاولى (Ad-Durrul Mukhtaar on Raddul Muhtaar, The Discussions On Bathing: 1/161)

Reading the holy Qur'an without ablution

Question: A person is without ablution. Can he open the holy Qur'an and also recite or not?

Answer: In the condition of janaabat or when one has to take necessary bathe, he can touch the holy Qur'an provided it is covered with any cloth and he touches it from above it.³ He can even take away it with him. However, he cannot touch the Qur'an directly either when he is in the condition of janaabat or without ablution. The difference is that if one is without ablution he cannot touch the Qur'an but can recite it, and the person in the condition of janaabat cannot recite it either. That it is. And Allah knows the best.

Written by Muhammad Nizamuddin Azmi, Mufti Darul Uloom Deoband, Saharanpur, 21/10/1385 AH, The answer is correct: Mahmood (Muntakhabaat Nizaamul Fataawa: 1/156)

Reciting the Qur'an without ablution

Question: A man is without ablution. Now, can he recite the holy Qur'an without touching it? A person told that one can recite the holy Qur'an, also touch it, without ablution.

Answer: Touching the holy Qur'an without ablution is not allowed. Yes, one can read it without ablution.⁴

Written by Masood HasanHasani, authenticated by Naasir Ali Nadwi (Fataawa Nadwatul Ulama, v. 1, p. 223)

Ablution for touching the Qur'an and religious books

Question:

- (1) Can the holy Qur'an be touched by one who is not pure?
- (2) Can the Qur'an be gifted to a non-Muslim?
- (3) How is it to make companion of the one who disrespects the Qur'an?

Answer:

³ It is not allowed for the junubee or for anyone whose ablution is not on to touch the Qur'an except when it is covered with a cover that exceeds the size of the Qur'an like الخطرطة chart. (Fataawa Hindeeyah: 1/83, Rasheediyah, Pakistan)

⁴ "Which (the Qur'an) none can touch but the purified ones." (The Qur'an, 56: 79) And touching the Qur'an is haraim due to big impurity or small impurity. (Durr e-Mukhtaar with al-Radd, v. 1, p. 315)

- (1) In the state of impurity neither touching the holy Qur'an nor reciting it is allowed.⁵
- (2) If the non-Muslim is capable of giving respect to the Qur'an and it is hoped he would get guidance there is no issue in gifting the holy Qur'an to such non-Muslim.
- (3) It is necessary to avoid companionship of such a person.

Written by Muhammad Mustaqeem Nadwi, authenticated by Nasir Ali Nadwi (Fatawa Nadwatul Ulama, v. 1, p. 219-220)

It is allowed for a non-Muslim to write the Qur'an and learn it:

Question: Is it allowed for a non-Muslim touching the holy Qur'an and getting its education? Or is it allowed for him to handwrite the whole Qur'an or any of its chapters or gifting (selling off) it?

Answer: It is not allowed for a non-Muslim to touch the Qur'an unless he has taken bath.⁶ Fatawa Qaazi Khan has it: "When a harbi or a zimmi seek learning the Qur'an they should be taught it, but they should be stopped from touching the Qur'an or they have taken bath."

And it adds: "If a harbi or zimmi infidel asks a Muslim to teach him the Qur'an, the ulama say, there is no issue in teaching him the Qur'an and understanding of the religion. Because it is expected that he may be guided towards Islam and so becomes a Muslim. Yes, the infidel will not touch the holy Qur'an."

And those who are not allowed to touch the Qur'an also they are not allowed to handwrite it. It also has: The person for whom it is not allowed to touch the Qur'an he cannot write the Qur'an either, even though it is on the ground and he does not touch it. It is the saying of Imaam Muhammad and it has been taken by our Mashaaikh.

The rule similar to that about touching the whole Qur'an also applies to the pages of the Qur'an or the Qur'an with binding. The author or Al-Bahr says while explaining "Reading the Qur'an and touching it without any cover": It is not allowed to touch the Qur'an, whether in shape of a book or some of its verses written on any tablet, coins, wall etc.

⁵ "Which (the Qur'an) none can touch but the purified ones." (The Qur'an, 56: 79) "None except the one with ablution touches the Qur'an." (Al-Mustadrak ala as-Saheehain: v. 1, p. 552, Hadith no: 1447) "The woman in her periods or the junubi shall not read anything from the Qur'an. (Jame at-Tirmizi, The Chapters of Purification: The Chapter That The i

⁶ Yes, if it is known that the non-Muslims take bath, they may be given the Qur'an. Anees

As for the Qur'an in shape of a book i.e. Mushaf, it is not allowed even to touch it whether it is the place where there is inscription or not.

It is in Shaami:

And a woman going through her periods will be stopped from reading the Qur'an (which is not in the shape of a book) and touching it even though it is written on any tablet, coin or wall. As for the place where there is no writing, it will be allowed to touch that place.

As for Mushaf, the Qur'an in the shape of a book, it is not allowed to touch even its binding and also the place where there is no writing. And some of the ulama said: It is allowed. And it is closer to Qiyaas. But prohibition is closer to the demands of respect. So it is in al-Bahr. And the right is prohibition.

Based on these sayings it is not allowed for a non-Muslim to write the Qur'an in any circumstances. It does not make difference if he is touching the written place or not. And regarding printing the Qur'an and gifting it, since the hands of the printer and the person offering gift touch the Qur'an, it is not allowed for a non-Muslim to print or gift it unless he has taken bath. (Fataawa Firangi Mahal named Fataawa Qaadiriyya: 141-142)

Commandments related to touching the Mushaf

Question: Mention the commandments related to touching the Mushaf.

Answer: There is difference of opinion as regards a person without ablution, a junubee, a woman going through her monthly cycle or bleeding after childbirth touching the holy Qur'an. And you have written about the stand of different mazhab: Hanafi, Shafe'i and that of Imam Bukhari. There is no need of repeating it. But what you have written: "It is not allowed for a junubee, the person without ablution and the woman going through her periods or bleeding after childbirth to drive the camel laden with the Qur'an. And you wrote: "It is the opinion in Shafe'i mazhab." It is not present in the books of Shafe'i mazhab. And apparently it seems to be an exaggeration by someone. Yes, the commandment according to the Shafe'i mazhab is that the box etc. containing the Qur'an should not be lifted by the said persons. Similarly, if the Qur'an is put into a container like a leather bag it is not allowed for any person without ablution or the said persons to lift it. It, too, is the commandment according to the Shafe'i mazhab.

As for the mazhab that you attributed to Imam Bukhari, so Bukhari has not explained it in his book. Yes, he has mentioned the mazhab of Abdullah ibn Abbas RZ that he deems it allowed for a junubee to read the Qur'an. So, the mas'ala may be abstracted from it that according to him also touching the Mushaf is allowed. So, now let us understand the origin of these mazhabs. If Allah wills, the meanings will be clear and the doubt will be removed.

The fact is that the authentic hadith have it: "None except who is pure shall touch the Qur'an."

About touching the Qur'an this hadith is the real, while regarding reading the Qur'an this hadith is the real: "I do not make halaal the Qur'an for a woman going through her period or a junubee."

As for whether the woman in period or bleeding after childbirth, the junubee or the person whose ablution is not on can lift the box containing the Qur'an or not, there is no explicit hadith about it. There is not any hadith either if they can write the Qur'an or not. Yes, it is sure that the inscriber shall touch the paper on which he is writing the Qur'an. And for the people mentioned above it is haraam to touch the Qur'an. So, also writing it will be haraam. On the contrary, merely looking at the Qur'an does not necessitate its touching. Now, let us know what is meant by the hadith: "None except the pure will touch the Qur'an." What is meant by the Qur'an? Is it its reality? No. Because the reality of the Qur'an is that it is *كلام نفسي* and *كلام نفسي* is from among the attributes of Allah Almighty. And it is not possible to touch it. Similarly, what represents that *كلام نفسي* is *كلام لفظي*. It too is not meant. Because the situation of *كلام لفظي* is that it remains with the air and it cannot be touched. And which is impossible to touch, there cannot be any commandment regarding it. So it became evident that in the hadith neither *كلام نفسي* is meant nor *كلام لفظي*. Rather what is meant here are the inscriptions which indicate towards the *كلام لفظي*. So, what is meant is 'the written'.

In the discussions by commentators on the Qur'an like Kashshaaf and MaddarikutTanzeel there is indications towards it. They have written:

What is meant by touching is touching the written."

And what is meant by this sentence is *توجيه* and it is not mentioning the mazhab of any particular denomination. Now, I will discuss how differences came into existence between Hanafi and Shaafe'i. To sum up:

Here what is meant by the Qur'an is the Mushaf according to the Ijmaa. And it is proven from nass that touching the Mushaf is haraam for the person without ablution and other mentioned ones. Now, let us define Mushaf. So, Mushaf, rather the names of every book, do not precisely indicate only towards the limited space where words are inscribed. Rather Mushaf and book imply also to their footnotes, between the lines, the binding attached to the book and the cover attached to the binding. So for the said persons it is not allowed touching whatever is related to the Mushaf. The commandment related to 'the written' will also apply to these things (like the binding and cover etc.). And commandments are different regarding the attached and detached articles. To elaborate, selling of 'the land' also include the things attached to it like tree and building

etc. even though they have not been mentioned explicitly. And those which are detached to it, like lock, the utensils and the animal present there, will not be included in the 'sold' land. So, the mazhab of Ahnaaf is true. Therefore, if the Qur'an is put in a satchel which is not sticking to the cover it is allowed for muhdis (the one whose ablution has gone off) and the mentioned people touching the Qur'an from above the satchel. It does not matter if they lift it by the tape attached to it or they touch the satchel in case there is no tape.

Similar is the commandment if the Qur'an is in any leather holder, like leather cover, which is not attached to the Qur'an, rather the Qur'an has been just put in it. It will be allowed touching that particular bag. Because any person touching it will not be deemed that he has touched the Qur'an nor will he have touched the Qur'an in reality.

Those following the Shafe'i mazhab argue that the container in which the Qur'an has been put will be treated as the Qur'an because so is considered by the public and is also the demand of caution. It does not matter whether the container is attached to the Qur'an or it is detached from it. Therefore, it is haram for the muhdis and the mentioned people to lift the container. According to them, same commandment applies to the container and the thing contained. Public out of respect does not touch, without ablution, which contains something respectable.

Now we modify this equality analog قياس مساوات and say that the thing that contains something, or the thing that contains what already contains something else, the commandment applying to both of them will be same as that of the thing that is contained. Here, equality analog is right because the preamble is exactly right because that which contains something that already contains something else is the container (ظرف). But here is the way that we can possibly distract the Safe'ees. So we say that if this analog is deemed correct, it will not be allowed for a muhdith touching also the walls of the house wherein the Qur'an has been put. The Shafe'ees may reply: There are two types of 'container':

(1) When it is said that a certain thing has been transferred somewhere the public will think that the particular container too has moved with it. This is the first type of container. Here, the container is aimed wherein the particular thing is put.

(2) The second type of container is that when it is said that a certain thing has been transferred somewhere the public will not think that the particular container too has moved with it. The 'house' is a case in the point. So, it is said, "The pearl is in the box and the box is in the house." So we know that the pearl is in the house. But when the pearl is transferred the house will not move away. While the box is moved when the pearl is transferred. And such a container (house) is not for that particular thing. And here the possessive case is used just for specification. So touching such a container will

not be haram. Because what is haram is touching the particular container which has been designed principally for the Qur'an and wherein the Qur'an is present.

It should be known that it has been proven by the Ijmaa of the Ummah that which contains the words of the Qur'an, which can be termed either the Qur'an or some of the Qur'an, it will be haram touching it due to it being Qur'an. So, a piece of paper whereon have been inscribed the verses of the Qur'an or amulet which has verse of the Qur'an in it, or the coin whereon verse of the Qur'an has been inscribed, it is haram touching them according to Ahnaaf. Similarly, it is also haram according to the Shaafe'eeyah. It has been written in Anwar:

"It is not haram carrying the articles or baggage wherein Qur'an is present even he/she knows about the presence of the Qur'an in them."

This commandment is different than the commandment related to a box. Lifting that box is haram according to the Shaafe'eeyah for muhdith and the said people. Commandments differ in view of the container whether it has been particularly designed for the Qur'an or like other things also the Qur'an is contained in it.

The stand of Imam Bukhari is not in practice. From his book it is not evidently understood. The argument of Bukhari is that the letter the Prophet SAW sent to the Caesar contained also verse from the Qur'an. But, it will not be right to say that for a junubee or muhdith touching the Mushaf is allowed because if a verse or two are written in any letter or book it is not due to them being Qur'an. If it is right then also touching the book Gulistaan should be haram for a muhdith or junubi because they too have the verses in them:

اعملوا آل داؤد شكرا و قليلا من عبادى الشكور⁷.

"Work you, O family of Dawud (David), with thanks!" But few of My slaves are grateful." (Qur'an: 34/13) Besides, it has some more verses. Also touching the letters should be haram which have انا لله وانا اليه راجعون in place of condolence and in place of thankfulness which have الحمد لله رب العالمين. But touching such books and such letters is not haram. So the Tafseer books, in which compared to the texts of the commentary the words of the Qur'an are not more, it is allowed touching them. That is all about different mazhabs in this mas'ala. And Allah knows the reality. (Fatawa Azizi Urdu, Publication Sa'eed Company, Lahore: 448-451)

⁷ Chapter Saba, p. 22

Clearing the doubt over touching the Qur'an without ablution being haram:

Question: They inferred over touching of the holy Qur'an being not allowed for a person whose ablution has gone off from the verse: “None except who is pure shall touch the Qur'an.” While it may be interpreted in many ways. And when there is possibility of many interpretations, drawing a certain conclusion from it becomes invalid. As for the hadith: “None except the pure touches it.” it is weak which cannot be used for inferring. And similar is the hadith that “One shall not touch the Qur'an except when in purity.” About these two hadith Allama Nawawi RA and Ibn e-Kathir RA have written that some of the ulama said that the ‘pure’ is a believer or a person pure from real impurity. It is reported from Ibn e-Abbas RZ, Ash-Sha'bee RA, Az-Zahhak RA and Dawood RA that it is allowed for a person not with ablution touching the Qur'an. And majority of ulama have agreed that touching the Mushaf is not allowed for a junubi person. But no evidence is known for the Jumhur.⁸

Answer: Is the agreement of the Jumhur not is a symbol that the hadith must have some strong origin though weakness has prevailed over it due to some reason. For more details see Ihya us-Sunan. 13rd Rabiuth Thaani, 1337 AH, Fifth Excursus, p. 83.⁹ (Imdadul Fatawa New: 1/147)

Inscribing the holy Qur'an, without ablution, in a way that the hands do not contact the paper

Question: Asked if a person can write any verse of the holy Qur'an while his ablution is off, an Islamic scholar told that if one has to inscribe any verse of the Qur'an while his ablution is not on, he should not touch the paper where the verse of the Qur'an is being written. Is it right or wrong?

⁸ Summary of the question: The fuqaha have inferred over touching of the holy Qur'an being not allowed for a person whose ablution has gone off from the verse of the Qur'an: “None except who is pure shall touch the Qur'an.” But it may be interpreted in many ways due to which any definite conclusion cannot be drawn from the verse. And the hadith: “None except the pure touches it.” is weak which cannot be used for inferring. And similar is the hadith that “One shall not touch the Qur'an except when in purity.” About these two hadith Allama Nawawi RA and Ibn e-Kathir RA have written that some of the ulama said that the ‘pure’ is a believer or a person pure from real impurity. It is reported from Ibn e-Abbas RZ, Ash-Sha'bee RA, Az-Zahhaak RA and Dawood RA that it is allowed for a person not with ablution touching the Qur'an. And majority of ulama have agreed that touching the Mushaf is not allowed for a junubee person. But no evidence is known for the Jumhur. (Anees)

⁹ Summary of the answer: Is the agreement of the Jumhur not is a symbol that the hadith must have some strong origin though weakness has prevailed over it due to some reason. For more details refer to Ihya us-Sunan. (Anees)

Answer: There is a difference in the mas'ala. There is also a scope for what the scholar told.

And in Ad-Durrul Mukhtar: And it is not disliked to write the Qur'an or the Sahifa (the Qur'an as it is understood commonly) or the tablet on the earth according to the second. The opinion of Imam Muhammad RA is different. It is suitable to be said that if he puts the hand over the Sahifa and something is there between the Sahifa and his hand the saying of the second will be adopted otherwise the saying of the third would be considered. It is said by al-Halabi RA. (Ad-Durrul Mukhtar with Raddul Muhtar: v. 1, p. 175, a little before The Chapter of Waters.) 28TH Rajab 1442 AH, (Fifth Excursus, p. 277) (Imdadul Fatawa New: 1/147-148)

Touching without ablution any book containing verses from the Qur'an

Question: The book "قربات عند الله و صلوات الرسول" which has been compiled by you, the first Manzil of it contain mostly the Qur'anic verses. Is it allowed to touch it without ablution? What is the commandment regarding it? Can a junubi or a woman going through her period touch it?

Answer: It is not allowed to touch without ablution the particular portion.¹⁰ And about reading of the junubi or the woman in her periods the detail is that it is not allowed to read it with the intention that they are reading the Qur'an. It is allowed to read it with the intention of just pray. 6TH Zul Qa'da, 1341 AH. Fifth Excursus, p. 245. (Imdadul Fatawa New: 1/1/146)

It is not allowed touching the blank paper of the Qur'an without ablution:

Question: What is the Shari'ah commandment regarding touching the portion of papers of the Qur'an where no verse is written, like the top of the page in the Qur'an? Explain and get rewarded.

Answer: It is also not allowed touching the blank paper of the Qur'an without ablution. Rather it is also prohibited to touch it's cover.

"Said in At-Tanweer: And it is haram to touch the Mushaf, in case of the big impurity or small impurity, except with a cover not attached to it. (Raddul Muhtar: 1/160)

¹⁰ And it is in al-Siraaj about al-Eizaah: Regarding the books of Tafseer, it is not allowed touching the places where Qur'an is inscribed, and he can touch the other parts. Similar is the commandment about Fiqh books wherein there is something from the Qur'an. Consider the difference between Mushaf and the Qur'an. Because in a Mushaf everything will be deemed Qur'an. فان الكل فيها تبع للقرآن. (Raddul Muhtar: v. 1, p. 320, Anees)

And touching of a woman the Qur'an without any cover even though it is in a tablet, coin or wall. But she will not be prohibited from touching the Qur'an except where the 'written' is. As for Mushaf, it is not allowed to touch the blank space or its cover. (Raddul Muhtar: 1/ 270) That it is. And Allah knows the best. 28TH Rajab, 1396 AH (Ahsanul Fatawa: 2/19-20)

We cannot touch without ablution also the blank space in the pages of the Qur'an

Question: (a) We read the Qur'an. In the meantime, if we piss we use straw to turn over the pages.

Or

(b) Or we lightly touch the blank space, where no words are inscribed, considering it not to be from the Qur'an. Is this allowed as per the Shari'ah or not? Explain and be rewarded. Qaari Mahfooz Ahmad, staying in Rawalpindi.

Answer: Straws or other things can be used for turning over the pages. As for the blank space, where no verse has been inscribed, it too cannot be touched except by one who is with ablution.

(a) And it is halaal to turn over the pages of Mushaf with wood or something similar to it because in this case he is not touching the Mushaf. (Shaami: v. 1, p. 161)

(b) It is not allowed touching the cover or the blank space in it. And some of the ulama say it is allowed. And it is closer to Qiyaas. And prohibition is closer to the demand of respect. So it is in Al-Bahr i.e. the right is prohibition as we shall mention it. (Shaami: 1/270)

(c) And right is prohibition from touching the footnotes of the Mushaf and the blank space where there is no inscription. So it is in at-Tabyeen. (Aalamgeeri: v. 1, p. 20) That it is. And Allah knows the best.

Muhammad Anwar, Mufti of this institution, 24/12/1410 AH. (Khairul Fataawa: 2/67)

Ablution for touching Tafseer and the Chapters in plastic binding

Question (1): Is it allowed reading or touching Bismillahir rahmaanir Raheem, commentary on the Qur'an or any book the major portion of which is Urdu text and the words of the Qur'an are less?

(2) Is it prohibited to put in pocket Yaasin Shareef or other selected chapters of the Qur'an which are covered with plastic? A man goes in the toilet and sometimes he also bears impurity.

Answer (1): Whatever commentary on the Qur'an may be, it's respect and greatness demand it should be read when ablution is on. Yes, if compared to the words of the Qur'an the words of the commentary on the Qur'an are more, there is scope for reading without ablution.¹¹

(2) There is no issue in putting in the pocket any collection of some chapters. Yes, it is not right to go for toilet with it. On such occasion, one should put it at some safe and pure place and then go for answering the needs. And if it is not possible doing so it is surely disliked to put it into the pocket.

Written by Muhammad Zafar Aalam Nadwi, authenticated: Naasir Ali Nadwi. (Fataawa Nadwatul Ulama, v. 1, p. 222-223)

Ablution for studying commentaries on the Qur'an

Question (1) Is it necessary to read the commentaries on the Qur'an only when ablution is on?

(2) Is there any sin in reading the books dealing with virtues of actions without ablution?

Answer: (1) Ablution is not necessary for studying commentaries on the Qur'an.¹²

(2) There is no sin.¹³

Written by Muhammad Zafar Aalam Nadwi. Authenticated Naasir Ali Nadwi (Fataawa Nadwatul Ulama, v. 1, p. 222)

¹¹ Because it has been clearly stated in al-Ashbaah that touching the commentary on the Qur'an is allowed. So, the commentary is like any Shari'ahbook. Rather it seems to be apparent stand of all our ulama. The author of Durarul Bihaar has also declared it as allowed. And it is in al-Siraaj with reference to al-Eidaah: In the books dealing with commentary on the Qur'an it is not allowed to touch the place where the words of Qur'an have been written. But he can touch the other places. Similar is the case about the books of Fiqh containing verses from the Qur'an. It is not the same case with the Mushaf every part, whether there is inscription or not, of which is considered to be Qur'an. (Raddul Mukhtaar: v. 1, p. 320)

¹² And our ulama stated that for a Muhaddith touching the books of Tafseer is allowed. And they did not see any difference if the major part of it contains the words of Tafseer or the Qur'an. And if it is decreed considering the major part it would have been good. (Durre Mukhtaar with al-Radd: v. 1, p. 320)

¹³ Qur'an it is not allowed to touch the place where the words of Qur'an have been written. But he can touch the other places. Similar is the case about the books of Fiqh containing verses from the Qur'an. It is not the same case with the Mushaf every part, whether there is inscription or not, of which is considered to be Qur'an. Said Taa: And what is in al-Siraaj is more compatible with the rules. P. 182. (Ad-Durrul Mukhtaar with Raddul Muhtaar, just before the Chapter of Waters: v. 1, p. 76 or 77, Anees)

Touching translation and commentary on the Qur'an when ablution is off:

Question: Is it allowed or not to touch the Urdu Qur'an without ablution?

Answer: It is disliked. So it is in Raddul Muhtaar under the saying of ad-Durrul Mukhtaar: 'and commentary on the Qur'an is like Mushaf' just before the Chapter of Waters.¹ (First Excursus, p. 10) (Imdaadul Fataawa New: 1/145)

Touching Tafseer books without ablution:

Question: What is the commandment regarding touching without ablution the places in a Tafseer book where any verse has been written? Is it haraam or disliked?

Answer: In Ghunyatul Mustamli: And for a muhdith or someone like him it is also prohibited to touch the commentaries on the Qur'an and fiqh books and likewise the books of Sunan. More right is that it is not disliked according to Abu Haneefa RA. p. 57.

So, if the words of non-Qur'an are more it's touching, without any condition, is allowed as per the opinion of Imaam RA. And in following this opinion is easiness.

17th Safar 1333 AH. Third Excursus of page 19. (Imdaadul Fataawa New: 1/145-146)

Touching Tafseer and hadith book without ablution:

Question: Is it allowed to touch and read Tafseer books or the books of hadith like Bukhari, Mishkaat etc. without ablution? Please reply.

Answer: If the words of commentary are more than the words of the Qur'an it is allowed to touch it without ablution. But where Qur'an has been written he should not touch that place. As for the books of hadith, it is allowed to touch them without ablution.² That it is. And Allah knows the best. 2nd Jumaadal Ukhra 1398 AH (Ahsanul Fataawa: 2/27)

Reading or touching without ablution the books of religious discourses:

¹ Raddul Muhtaar: v. 1, p. 179, Anees

² And it is in al-Siraaj with reference to al-Eidaah: In the books dealing with commentary on the Qur'an it is not allowed to touch the place where the words of Qur'an have been written. But he can touch the other places. Similar is the case about the books of Fiqh containing verses from the Qur'an. It is not the same case with the Mushaf every part, whether there is inscription or not, of which is considered to be Qur'an. Said Taa: And what is in al-Siraaj is more compatible with the rules. P. 182. (Ad-Durrul Mukhtaar with Raddul Muhtaar, just before the Chapter of Waters: v. 1, p. 76 or 77.)

Question: You religious lectures contain Qur'anic verses. When I am free I read them. But it is not allowed touching the Qur'an without ablution. What is the commandment regarding the lectures? Is it allowed to touch or read such a book without ablution?

Answer: And our ulama stated that for a Muhaddith touching the books of Tafseer is allowed. And they did not see any difference if the major part of it was the words of Tafseer or the Qur'an. And if decree is issued considering the major part, it is good.

And it is in al-Siraaj with reference to al-Eidaah: In the books dealing with commentary on the Qur'an it is not allowed to touch the place where the words of Qur'an have been written. But he can touch the other places. Similar is the case about the books of Fiqh containing verses from the Qur'an. It is not the same case with the Mushaf every part, whether there is inscription or not, of which is considered to be Qur'an. Said Taa: And what is in al-Siraaj is more compatible with the rules. P. 182. (Ad-Durrul Mukhtar with Raddul Muhtar, just before the Chapter of Waters: v. 1, p. 76 or 77.)

Since religious discourses are neither the books of Tafseer nor the major part of their words contain verses from the Qur'an, it is allowed to touch them without ablution. And reading them without ablution would surely be allowed. But the places where any verse has been written one should not touch that particular place without ablution. 8TH Rajab, 1342 AH, Fifth Excursus, p. 271. (Imdadul Fatawa New: 1/146-147)

Touching without ablution the verse from the Qur'an written in any newspaper

Question: How is it to touch the place in a newspaper where any verse from the Qur'an is written? Explain and get rewarded.

Answer: Where there is the verse of the Qur'an it is prohibited to touch that place. It is allowed to touch other places. However, according to one saying if the verse is shorter than six letters it is allowed to touch it.

Said in explanation to at-Tanweer: "And it is haraam due to both small and big impurity touching the Mushaf i.e. wherein there is a verse like a coin and wall."

And in the footnote: But in non-Mushaf touching only the place where any verse has been written is haram. So is in the Chapter of Menstruation in Al-Bahr. And he made it conditioned to verse because if the written is less than a verse it's touching will not be haram as it has been mentioned in حيض الفهستاني

(Raddul Muhtar: 1/160) That it is. And Allah knows the best. Rajab 27, 1392 AH (Ahsanul Fatawa: 2/18-19)

Commandment regarding touching newspapers and religious magazines:

Question: Nowadays the words of the Qur'an with translation are mentioned in the newspapers, magazines, and journals. Likewise, in Tafseer books the major part is related to the commentary. Is it allowed touching the pages of commentary if the words of the Qur'an are avoided?

Answer: It is not allowed to touch the holy Qur'an. However, about touching or holding the pages of Tafseer or white papers therein, there are different opinions from Imaam Abu Hanifa RA. They indicate towards both dislikeness and non-dislikeness. Allama Ibrahimi al-Halabi RA has preferred the saying of non-dislikeness. Also there is ease in it. But it is surely against the preferred.

"Said al-Shaik Ibrahim al-Halabi RA: For a person whose ablution has gone off or someone like him it is disliked to touch Tafseer of the Qur'an, the books of Fiqh, and likewise the books of hadith. The reason is that they are not devoid of Qur'anic verses. And according to this opinion, the explanation to the Nahw, too, will be prohibited...

More authentic is that it is not disliked according to Imaam Abu Hanifa RA. (Kabeeri: p. 56, in the last of the Chapter of Bathing) (Fataawa Haqqaniya, v. 2, p. 510)

Touching tape record of the Qur'an or its plate without ablution

Question: The recitation of the holy Qur'an is run in phonogram or on radio. Now, can anyone touch without ablution or in the state of being junubee the recorded Qur'an present in the plate or tape? Does the record bear the similar command as the normal Qur'an regarding sajda e-tilaawat (the prostration that becomes incumbent after reciting or listening to certain verses of the Qur'an)? Explain and get rewarded.

Answer: If the verse of prostration has been read on radio the prostration will become obligatory on the listener.¹ In the plate or the tape record there is no Qur'an either in the shape of inscription or voice; rather it is the copy of voice as is case in echo. Therefore it's commandments are not like those of the Qur'an. It is allowed to touch it without ablution.² And if one listens to the verse of prostration the prostration will not become obligatory. That it is. And Allah knows the best. 9TH Safar 1394 AH (Ahsanul Fataawa: 2/ 19)

What is the Shari'ah commandment about touching the cassette of the Qur'an without ablution or record or write it when ablution is off?

¹ While the verse of the prostration is broadcasted directly on radio, Anees.

² Said in explanation to at-Tanweer: And it is haraam, both in case of big impurity or small impurity, to touch the Mushaf wherein there is a verse like a silver coin or wall. But in non-Mushaf only touching the place where there is writing is haraam. So it is in the Chapter of Monthly Cycle in al-Bahr. (Raddul Muhtaar: 1/160, Anees)

Question: Nowadays, the Qur'an is saved in tapes through recorder. Is it allowed to record the Qur'an without ablution or not? Moreover, can the cassette of the Qur'an be taken in the hand when ablution is off? How is it in the view of the Shari'ah to write the Qur'an without ablution?

Answer: In the said situation recording the Qur'an or taking it into the hand everything is allowed because cassette is only confined to the air. There is nothing like the words that is captured. It is quite different to writing wherein things like the words are captured and enslaved. Therefore neither writing the Qur'an without ablution nor touching it without ablution will be allowed. It is according to the clear injunctions.¹ That it is. And Allah knows the best.

Written by Nizaamuddeen, Mufti Darul Uloom Deoband. The answer is right: Habeebur Rahman Khairaabaadi (Selection of Nizaamul Fataawa: 1/ 25)

Research about touching the cassette of the Qur'an without ablution

Question: Phonograph is an instrument for copying the voice. In it lectures, songs, music and recitations of the Qur'an are enslaved through a certain invention. Then people hear the voice in loneliness, gatherings and amusement places through the instrument. So, recording the voice of the Qur'an in it and then listening to it through phonograph is allowed or not? What is phonograph: is it an instrument of song or something else? Such a voice of the Qur'an will be deemed as Qur'an or something else? Imaam Aazam RA says in al-Fiqh ul-Akbar: And the Qur'an is written in Mushafs, saved in the hearts and read on the tongues. (Explanation to al-Fiqh ul-Akbar: p. 39) Will this definition be applicable to the said voice in positivity or negativity? I would like to elaborate a little that the instrument which is used to record the voice on the plate, some round-shaped lines are inscribed on it. It has a part in it wherein a diamond spark is attached. When the machine is run the diamond spark makes rounds over it and it creates voice. The lines do not seem distinguished from each other; rather the lines over each plate seem to be uniform. There may be some distinction between them, but apparently it is not. The one who runs the machine has have to remember such a from has so and so thing inscribed on it. So, what is the commandment of these inscriptions? It is not an instrument for remembering Allah; rather it is an instrument of pastime. Therefore, recording recitation of the Qur'an in it or listening to it is against the respect of the Qur'an. But if someone has recorded, will it be allowed or not to touch the plate without ablution? Whether it will be considered as Qur'an or not? And also it is evident that the instrument in itself is not a musical instrument; rather it just copies the voice; so

¹ And a junubi shall not write the Qur'an even though the Sahifa were on the ground. And he shall not put his hands over it even though it were less than a verse. (Fatawa Alamgiri: 1/20, The Book of Purification) and also "Which (the Qur'an) none can touch but the purified ones." (The Qur'an, 56: 79, Anees)

whatever is recorded on it, the instrument produces the voice of that particular thing; so if a song is recorded it will produce the voice of a song and so on. So, it cannot be termed as solely musical instrument. I hope you will express your opinion about it.

Answer: These inscriptions will not be deemed as written words unless they are capable of being read. Therefore, it is allowed for the muhdith and the junubi to touch them. They are like the Qur'anic words inscribed in the mind. Touching the mind without ablution is allowed. Yes, if they are started to be read they will be treated as written words due to دلالت وضعيه غير لفظيه. This commandment is related to the inscriptions. And the voice that comes out of it is not recitation. Rather it is copy and reflex of the recitation. It is like the voice of bird and echo. So, it, too, will not be considered recitation. And your opinion that it is not like song, is right. It's being allowed or not allowed will be in the view of its use. But since the aimed from it is amusement recording the Qur'an in it will not be allowed due to this reason. And Allah knows the reality. 27TH Shawwal, 1325 AH. Imdad: v. 2/81 (Imdadul Fatawa New: 1/144-145)

RULINGS OF MASAH (WIPING) OVER LEATHER SOCKS

Rulings on masah (wiping) over leather socks

What is the proof of masah (wiping) over socks

Question: Is wiping over socks proved by Quran and hadith?

Answer: Wiping over leather socks is proved by hadith. It is mentioned in Durre Mukhtar that it is proved by famous sunnah and the companions (r) who narrated hadith of wiping over leather socks are more than 80, out of them the 10 companions who are given the glad tiding of Jannah are also in them.¹

وهو (أي المسح على الخفين) جائز الخ بسنة مشهورة فمنكره مبتدع وعلى رأي الثاني كافر. وفي التحفة: ثبوته بالإجماع بل بالتواتر رواه أكثر من¹ ثمانين منهم العشرة. قهستاني-

(Al-Durrul Mukhtar on Raddul Muhtar. Chapter: Wiping over leather socks. vol.1 p. 245. Zafeer)

عن المغيرة بن شعبه رضي الله عنه: كنت مع النبي صلى الله عليه وسلم فقال: أين مغيرة، خذ الإداوة، فأخذتها فأنطلق حتى تورى عني فقضى حاجته وعليه جبة شامية فذهب ليخرج يده من كتف فضأقت فأخرج يده من أسفلها فصببت عليه فتوضأ وضوئه للصلاة ومسح على خفيه-

(Bukhari. P. 363. Muslim. P. 274. Extracted from a long hadith narrated by Mughirah)

وأيضاً عن أبي وقاص رضي الله عنه عن النبي صلى الله عليه وسلم أنه مسح على الخفين-

(Bukhari. Chapter: Wiping over leather socks. Muslim. Chapter: Wiping over leather socks.)

It should be clear that wiping over the leather socks is proved by mutawatir hadith.

Quran reads:

“وَأَمْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلِكُمْ إِلَى الْكَعْبَيْنِ”

(Surah Maidah: 06)

If the word “أَرْجُلِكُمْ” is recited with kasrah (genitive form), Imam Shafae' (r) said that wiping over the leather socks is allowed by this verse of the glorious Quran.

Wiping over leather socks

Shariah has obligated to wash in wudu those parts of the body that are undressed usually and the dust gets on them. For example; face, hand and feet. Besides these parts, other parts are covered by clothes usually are not obligated to be washed, because it will cause difficulty. Similarly, Allah Almighty regarded wiping over the parts of the body sufficient in some conditions instead of washing them in order to ease with His servants and protecting them from difficulty. For example; if the face or hands or feet are injured and it is feared that washing them will intensify the illness or covered with bandage, wiping over them is sufficient. Similarly, it is commanded to wipe over the head, because washing it may harm. The same condition is with feet that if one has worn leather socks in feet, Shariah did not obligate to wash them by taking off, rather wiping over them without taking off is sufficient. (Taharat Ke Ahkam Wa Masail. P. 139)

Washing feet is better in wudu

Over which kind of socks, masah is correct

Question: If the woolen socks that are thick, dense and strong that cannot tear after walking in them four miles without shoes, is wiping over them is correct for the person who is suffering from lasting illness and making wudu is very difficult for him in winter? Is it compulsory to have leather socks for wiping over? Please tell us correct masail.

Answer: If the socks are too thick and dense that water cannot strain in them and cannot tear after walking in them four miles without shoes as you told, wiping over them is allowed.¹

it should put into account that wiping over the socks is not better, rather it is permitted by Shariah. It is better to wash them after taking off for the one who has taken them on. (Raddul Muhtar. Vol.1 p. 264) (Taharat Ke Ahkam Wa Masail. P. 148)

The injunction of wiping for one who took bath

If bath is obligated on a person, he has to take off the socks and wash feet while taking bath. If you did not wash feet, he will not be pure. Wiping over socks will not be sufficient here for junub (sexually impure person) and menstruating woman. Similarly, if he is taking bath as sunnah like for Jumah, Eidain etc., sunnah bath will not be complete without washing feet. (Raddul Muhtar. Vol.1 p. 267) (Taharat Ke Ahkam Wa Masail. P. 147)

Obligation of wiping over

There are some conditions when one is ordered to wipe over socks necessarily. For example; a person has water that cannot suffice for washing parts of wudu, but if he wipes over socks, he can wash other parts of wudu in obligated number, it is necessary for him to wipe over socks, or the time of Salah is ending and he fears that if he makes complete wudu, he cannot perform Salah in time, or he fears to miss staying in arafah, it is necessary to wipe over the socks in all these conditions. (Raddul Muhtar. Vol.1 p. 264) (Taharat Ke Ahkam Wa Masail. P. 139. Anees)

Wiping over head is mentioned in Quran and wiping over socks is described in hadith with detail completely. According to that, Fuqaha explained the matter of wiping over socks as follow:

(Taharat Ke Ahkam Wa Masail. P. 139)

¹ How the socks should be

The socks are worn to cover the feet up to the ankles and they can protect from cold. They should be made with something that is thick and one can walk in them normally and they can stay over feet without fastening them and water enter inside. This kind of socks are normally made with leather. As the socks of the Prophet (saws) was made with leather. (Tahtawi. P. 70). The companions also used such socks and wiped over them, but it is not necessary that the socks should be made with leather. If they are made with thick, dense and strong cloth or foam, wiping over them is also allowed. However, if the socks are made with such things they should fulfil the following conditions:

1. That socks should cover the part of feet which is obligated to be washed along with ankles. They should be good untorn. If they are torn, it should be less than three little fingers of feet. If they are torn only on the fingers of feet and it is above less than three fingers, wiping over them is allowed. For example; the socks are torn from above the toe and next toe, wiping over it is allowed. If torn is also on other part besides fingers and it is less than three little fingers of feet, wiping over it is allowed else not. (Tahtawi. P. 70)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Wiping over socks is allowed one day and night for resident and three days and nights for traveller. ¹Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5. p. 196, 197)

What are the conditions and rules of masah?

Question: What are the definitions of masah and which conditions are necessary. E.g. if he is in need to take off and on his shoes after doing masah (wiping), later he wants to do masah or wash?

Answer: it is necessary to be allowed for masah that he put on after ablution.² If he wants to perform salah after he had put off the Khuff, it is enough to wash the feet in case that ablution is valid.³

2. The socks should be stuck on feet.
3. They should be so strong that one can walk in them two miles (about 3.21869 kilometres) or more than that normally. (Raddul Muhtar. Vol.1 p. 261. Hidayah. Vol.1 p.50)
4. They should be so thick that the skin should not appear from inside.
5. They should not absorb water that if it is poured on them, the water should not reach inside.
6. They can stay over feet without fastening. (Taharat Ke Ahkam Wa Masail. P. 142- 144. Anees)

”أما المسح على الجوارب، فلا يخلو: إما أن يكون الجوارب رقيقاً وإما أن كان ثخيناً متعللاً، ففي هذا الوجه يجوز المسح بلا خلاف الخ“

(Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 267. Wiping over socks. Idarah Al-Quran. Karachi. Halabi Al-Kabeer. P. 121. Wiping over socks. Suhail Academy, Lahore)

¹ _____ فلو تخفف المحدث الخ

If muhديث (the person who is not with ablution) put on the Khuff and the water entered and wet his feet then he completed his ablution then he nullified it, *masah* will be allowed for one day and night for *muqim* and three days and nights for traveller. (Ad-Durrul Mukhtar: vol.1, p.271, Book of *masah* on Khuff, sa'eed and so is in al-Fatawa al-Alamgiriyyah: vol.1, p.23. Book no. 5th of *masah* on Khuff, Rashidiyyah, and so is in al-Bahrur Raique: vol.1, p.298, Book of *masah* on Khuff, Rashidiyyah)

(.....He said, “I came Aishah (r z) She said: “The Prophet (saws) prescribed three days and nights for travellers and one day and night for *muqim* (Muslim: Book of defining the time for *masah* on Khuff, p.130 Hadith. 276/639 Abu Dawood: Book of defining the time for *masah*, p.23, Hadith.157 Nasai: Book of defining the time for *masah* on Khuff for *muqim*, p.18 Hadith.129. Anees)

² _____ ويجوز من كل حدث الخ

Masah is allowed after every *hdath* (small impurity) that mandates wudu, when one put Khuff after complete purity then he nullified wudu. (al-Hidayah: Book of *masah* on Khuff, vol.1, p.57, Zafeer)

Masah is not allowed on such Khuff that were not put on with complete purity before *Hadath*. (Taharat Ke Ahkam Wa Masail: p.146, Anees)

³ All that nullifies wudu, nullifies *masah*.... putting off Khuff also nullifies Similarly putting off one of them.....and so is passing prescribed time. When the time passed, he will put off Khuff and wash feet and perform salah, and he does not need to repeat the remaining wudu. And so is when he put off before the time. (Hidayah: Book of *masah* on socks. vol.1, p.59,60, Zafeer)

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That's all. (Fatawa Darul Uloom: vol.1, p.268)

Masah on Khuff, however, whether they will be thin..... or thick with leather beneath it. In this case mash, will be allowed without difference (Fatawa Tatarkhaniyah: vol.1,

The one who put on socks, removed both socks or one of them, his wudu nullified in this case. If his wudu is valid already, now he should wash both feet and there is no need to repeat wudu. (Taharat Ke Ahkam Wa Masail: p.154, Anees)

1- Narrated by Mughirah bin Sh'ubah, (r z) he said: "Once I was travelling with Prophet (saws) I wanted to take off his Khuff. He said: "Let it be, I put on them after purification." Then he did masah on them." (Bukhari: Book: When one insert the feet and they are pure. p.40, No.206)

2- Sa'ad Ibn Waqqas (r z) came out from toilet, make ablution, and did masah on his both. It is said to him: "Do you do masah on them, though you came out from toilet. He said: "Yes, when you enter your feet in Khuff, and they are pure, do masah on them and do not put off them except for Janabat" (Musannaf ibn Abi Shaibah: Book of the person who does not define masah at all, Musannaf Abdur Razzaque, Book of masah on Khuff)

3- One Companion of the Prophet (saws) narrated about a man who is doing masah on his Khuff then he feels and put off. He said: "He will wash his feet. (Al- Sunan lil-Baihaqi: Book of the one who put off his Khuff after doing masah on them. Vol.1, p.432, No.1370)

4- Ibrahim (r) is reported to have said: "When you put them off, wash your both feet. Thauri (r) have the same opinion (Musannaf Abdur Razzaque: Book of putting off the Khuff after masah. Vol.1, p.210, No.813)

5- Jabir (r z) narrated Prophet (saws) said pointing out by his hand: "Like this from the corner of the fingers till the bound of the calf." And he drew with fingers. (Ibn Majah: Book about masah on the Khuff and under the Khuff. P.78, No.551) It is indicating that the bound of Khuff is till calf.

6- I asked Mamar (r) about the rug that is put in Khuff. He replied that if something came out from the place of wudu, do not do masah on it and put it off. (Baihaqi: Book of Khuff on which Prophet (saws) did masah. Musannaf Ibn-Abi Shaibah: about the person does masah on his Khuff then put them off)
If there is rip in the sock and feet are disclosing, he should not do masah but put them off and wash the feet.

7- Abu Waqqas (r z) reported from the Messenger of Allah (saws) that he did masah on Khuff. (Bukhari: Book of masah on Khuff. p.39, No.202, Muslim: Book of masah on Khuff. p.132, No.274/626)
This hadith tells that the Prophet (saws) did masah on Khuff (leather Khuff). it will be consider as a proof that the conditions of leather Khuff will be noticed. Anees

The conditions that make masah on Khuff correct

The best way of wearing Khuff is that one should make wudu completely. He will wash the parts of wudu including feet. Then he will put on Khuff and when his wudu discharged, he will wash the parts of wudu and will do masah on the Khuff of feet. The Prophet (saws)'s usual custom was the same. Therefore, the condition to do masah on Khuff is that they should be worn after complete wudu, and whether this purity is attained before wearing or after wearing. But it should be before nullifiers. (Raddul Muhtar: vol.1, p.270)
It means that if he had worn after complete wudu, masah will be allowed while making wudu. Likewise, if he worn Khuff after washing feet before wudu then he wash the remaining parts of wudu, it is also correct. Withal it is not necessary to wear it immediately after wudu. For example, if a person made wudu for Fajr salah and he performed Zuhar salah by that wudu and wore Khuff after that. Then he went toilet and after purification he made wudu for Asr salah, he can do masah on his Khuff. (Taharat Ke Ahkam Wa Masail: p.151, 152. Anees)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks p.267, masah on Khuff, idarah al-Qur'an Karachi, and so is in al-Halabi al-Kabir: p.121 masah on Khuff, Suhail Academy, Lahor)

If Khuff are worn without wudu, masah is not correct on it

Question: I wore Khuff without wudu, then salah time came, I make wudu and did masah on Khuff.

Will my salah be correct or not? About this matter, the word of purity came in the books of fatawas or there is preiod of one and three days in masah that describes wudu. We say that purity means the purification of the body and cleanliness of feet from najasah?

Answer: Without wudu, that is if he wears without washing feet, masah will not be correct on them.

To wear Khuff after purity means to put on them after wudu. This matter is agreed upon with no difference, and what you understood is wrong.¹ Masah preiod will be after Hadath one day and one night for muqim, and three days and their nights for traveler.² That's all. (Fatawa Darul Uloom: vol.1, p.272)

Women also can perform masah over socks

Question: My mother grown aged. She suffers so much in making wudu in winter. We told her to wear Khuff. Can women also perform masah on Khuff? (Dildar Ali, Shah Jamal Town, Lahore)

Answer: Women can also perform masah on Khuff like men.³

¹ Masah is allowed after impurity that makes wudu mandatory on condition that he put on them after complete purity. Then he became impure... And what he said, that if he wore them after complete purity, is not including the condition of being complete at the time of wearing but at the time of Hadath. (Hidayah: Book of masah on socks. vol.1, p.57, Zafeer)

Sa'adlbn Waqqas (r z) came out from toilet, make ablution, and did *masah* on his both. It is said to him: "Do you do *masah* on them, though you came out from toilet. He said: "Yes, when you enter your feet in Khuff, and they are pure, do *masah* on them and do not put off them except for *Janabat*" (Musannaf ibn Abi Shaibah: Book 218 the person who does not define *masah* at all. Vol.1, P.168, No.1933. Musannaf Abdur Razzaque, Book of *masah* on Khuff. Vol.1, p.154, No.761) This Hadith tells that if he wore the socks with purity, masah will be allowed. Anees

² Masah is allowed till one day and night for muqem and three days and nights for travellers. (Al-Hidayah: Book of masah on socks. vol.1, p.57, Zafeer)

³ In the case of masah man and woman are equal. Masah is allowed for both. But the woman who is suffering from menstrual disorder, if she wore the socks after wudu, she will do masah after new wudu for each salah. (Al-Fatawa al-Tatar Khaniyah: vol.1, p.279)

Taharat Ke Ahkam Wa Masail: p.147, Anees)

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Woman is in the place of man in case of masah on socks. Because they both are similar in meaning that is allowing masah, as it is in Muheet . (Alamghiri: vol.1, p.19)

That's all. And Allah knows the best.

The slave Muhammad Anwar, Mufti Jamia Khairul Madaris, Multan. (Khair ul-Fataawa: vol.2, p.132)

The way of doing masah on socks

Question: What is the way of doing masah on socks? Till when can Muqem do masah and which way should be chosen by traveller and what will be the period?

Answer: The way of doing masah on socks is that he should wet his hand's fingers and drew them ahead. He should put the fingers on full socks and separate the palm from socks, then he should draw them towards calf. If he put palm along with fingers, and drew fingers along with palm, it is also correct.

The period of masah is one day and night for muqem and three days and three nights for travellers. Fatawa Hindiyah says:

وكيفية المسح أن يضع أصابع يده اليمنى على مقدم خفه الأيمن ويضع أصابع يده اليسرى على مقدم خفه الأيسر ويمد
ها إلى الساق فوق الكعبين ويفرج بين أصابعه - (هكذا في الفتاوى قاضيخان) وهو أن يكون في المدة وهي للمقيم يوم وليلة
وللمسافر ثلاثة أيام ولياليها. هكذا في المحيط -

(Alamghiri. Vol.1 p.17)

The way of masah is that he should put the fingers of his right hand on the forehead of his right sock and he should put fingers of his left hand on the forehead of his left sock and then he should draw them till calf above the ankle and he should extent between his fingers. (it is as in Fatawa Qazikhan) and he should be in the period which is one day and one night for muqem and three days and three nights for traveller. It is as in Al-Muheet. (Alamghiri: vol.1, p.17) That's all.¹ The slave Muhammad Anwar, (Khair ul-Fataawa: vol.2, p.131)

¹ How to do masah:

In fact, masah is to apply wet of water on the socks. it may be with hands or with any other thing. Masnoon way of performing masah is that one should make wudu first, it means he should wash hands and face according to sunnah, and apply wet hand on head, then he should wet his hands with unused water. He should put the spreading fingers of both hands on the socks of his both feet. Right hand will be on right foot and left will be on left. Then masah of both socks will be performed in one go. The starting of masah will be

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Duration of masah over socks

Question: A man performed wudu and put on leather socks. His wudu nullified before Isha. He does not know whether it nullified at eight o' clock or at seven thirty. So its duration will finish at the same time next day. On next day, he performed wudu for Isha salah and did masah on socks, but his wudu nullified before Isha salah. It may be that he did not perform masah after passing 24 hours. He did not remember, at what time wudu nullified. Probably his wudu nullified at 7:30. Next day he performed wudu after 7:30 and did masah. So in this case, will this masah be correct or not after passing a more than 24 hours and a little more? Will salah be correct which is performed with that masah, or is it necessary to perform again? Kindly, explain it.

from the fingers of feet, and the fingers of hands should be drawn to knee (the root of calf) in such a way that it made lines of water on socks. Masah should be performed with the bottom of the fingers not with the back, and they should be put on the back of socks not on the bottom. It should be done only once. (Raddul Muhtar: vol.1, p.270)

The mentioned above is the way to perform masah according to Sunnah, but if one cannot perform as explained, he should perform in such a way that fardh masah should be covered.

Fardh of masah:

To perform masah on the front side of socks which is on the back side of feet, to perform masah of both socks by three fingers of the small finger of hand, starting from the place of feet fingers between the place of brace tying. There is no difference whether he does masah with his hand or with any other things or makes someone else to perform masah or they got wet on their own. E.g. if a man walked on the grass and his socks got wet by dew or by the faint of water, this masah will be allowed, because intention is not necessary for masah. It is also optional that he does masah of both socks together or separately. (Raddul Muhtar: vol.1, p.268)

The place masah

The place of masah is the part of socks which is on the foot. This place is from the fingers of feet along with the place of brace binding till rising bone on feet. That is why, if a person performs masah in the bottom of socks or from the side of heel, it will not be allowed. But if he performs masah on the above side attaching with calf, it will be allowed. (Al-Fatawa Al-Tatar Khaniyah: vol.1, p.265) (Taharat Ke Ahkam Wa Masail: p.140-142)

Ruling of masah for the one whose feet are cut

If a person's leg is cut by the ankles, he is instructed to do masah on cutting spot when he performs wudu. Similarly, if that person wore socks, he will perform masah on socks. If one of his foot is cut from above the ankles or he lost it completely, but the next foot is safe and he has worn socks in that, masah will be allowed on that sock. If one of his feet is cut less than ankles and the remaining part is less than the measure of three fingers, and the next foot is quite safe, in this case he will not perform masah on his socks, because, when some parts of cut foot is remaining, it is mandatory to wash it in wudu, and whereas it is less than three fingers, masah will not be allowed on it. So it is necessary to wash it. When washing of one foot is mandatory the next foot will be the same, that is, masah will not be allowed on the next foot. Likewise, if the part of cutting foot is remaining by the measure of three fingers and that part is not from front side, but it is from backside or heel side from the bottom, masah will not be allowed in this case too, as the remaining part is not the place of masah. If the remaining part of cut feet is from front side, and it is by three little fingers of hand, masah will be allowed on the socks in this case. (Al-Fatawa Al-Tatarkhaniyah: vol.1, p.280,281) (Taharat Ke Ahkam Wa Masail: p.149,150. Anees)

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Answer: The duration of masah finished after 24 hours passed. Therefore, it is necessary to put off socks and wash feet. If his wudu is not valid at that time, the duration will renew when he performed wudu and wore socks.¹ So, it is mandatory to perform that salah again.

That's all. Allah knows the best.

Written by slave Mahmood, Darul Uloom Deoband, 21/12/1388 A.H.

Answer is correct: Nizamuddin, Darul Uloom Deoband, 22/12/1388 A.H. (Fatawa Mahmoodiyah: vol.5, p.194)

Ruling of masah if musafir (traveler) becomes muqem (non-traveller) after completing the duration of iqamat (residence)

Question: Zaid being muqem, wore socks at the time of Zuhr and performed masah. Immediately, he went on Sarayi journey and he returned home next day at the time of

¹ The permission of performing masah is narrated instead of washing feet in wudu, but the injunction of masah is not common. It means that if a person wore socks after performing wudu once, he can perform masah while making wudu at most one day and one night in iqamat (residence). Later it will be necessary to put off the socks and wash feet in wudu. But if a person is travelling, he can perform masah three days and three nights. In this regard, the Prophet (saws) is reported to have explained: (That hadith is coming further). This Hadith clearly illustrate the knowledge of duration of masah. However, which time will be consider for duration of masah. Will it be considered from the time of wudu or from the time of wearing socks, or from when wudu nullified by any cause after wearing socks or from the time of performing masah on socks after nullifying wudu? So it should be noticed in this regard that the duration will consider from when wudu nullified. To take an example, a person performed wudu and he wore socks while his wudu is valid. After some time he slept. So one day one night will be counted for muqem and three days and three nights for traveller, from when he slept, since sleeping nullified wudu.

(Addurrul Mukhtar with Raddul Muhtar: vol.1, p.271) (Taharat Ke Ahkam Wa Masail: p.152, 153)

عن شرح ابن هاني قال: أتيت عائشة رضي الله عنها سألتها الخ

Shurah ibn Hani narrated, he said: "I came to Aisha (r z) to ask her about masah on socks." She replied: "Go to Ali Ibn Abi Talib and ask him, because he has been with the Prophet (saws) in journey." He said: "We asked him." He said: "The Prophet (saws) prescribed three days and three nights for traveller and one day and one night for muqem. (Muslim: Book of defining the period of masah on socks, Abu Dawood: Book of defining the period of masah, Anees)

It -means masah- is allowed with sunnat -e- mashhoorah for Muhdith (the one whose wudu is not valid) -on back side of his socks--on his socks-.....-which are thick- -were worn with complete purity..... - at the time of hadith-..... then he nullified his wudu, it will be allowed to perform masah one day and one night for muqem. (Tanweerul Absar with Durrrul Mukhtar) Allama ibn Abideen said: "His statement: "And diseased person, He ... ومعدور فإنه الخ".....and he will perform masah in three remaining salah in time only. When the time passed, he will put off and will wash, as it is in Al-Bahr..... (Raddul Muhtar: vol.1, p.271, Book of masah on socks, Sa'eed. And so is in Al-Bahr Al-Raiq: vol.1, p.195, Book of masah on socks. Rashidiyah. And so is in Majmaul Anhur: vol.1, p.72, Masah on socks. Darul Kutub Al-Ilmiyah. Bairute. And so is in Al-Nahr Al-Faiq: vol.1, p.121, Book of masah on socks. Rashidiyah)

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Isha. Will he wash his feet putting off the socks or will perform masah on them? Explain, you will be rewarded. (Questioner: Muhammad Afzal, Tayyab General Store, Kala Mandi, Multan City)

Answer: The permission of masah terminated, because the duration of iqamat (residence), which is 24 hours, passed, from the time of hadath after wearing socks when he reached home.

والمسافر إن أقام بعد ما استكمل مدة الإقامة ينزع خفيه ويغسل رجليه- اهـ

If the traveller returned his residency after completing the duration of iqamat (residence), he will put off his socks and will wash his feet. (Alamgiri old: vol.1, p.17)

If his wudu is valid he is permitted to put of his socks and wash feet only, but it is the best to perform wudu again.¹

وبعدهما أي النزع والمضي غسل المتوضي رجليه لا غير- اهـ (درمختار) (قوله غسل المتوضي رجليه لا غير) ينبغي أن يستحب غسل الباقي أيضاً مراعاةً للولاء المستحب وخروجاً عن خلاف مالك كما قال سيدي عبد الغني، ثم رأيت في الد المنتقى مصرحاً بأن الأولى إعادته- اهـ

And after them it means after putting off the socks and passing the duration, the one who is making wudu will not wash but his feet. (Durre Mukhtar) (His statement: غسل the one who is making wudu will not wash but his feet.) It will be desirable to wash remaining parts also, relying desirable continuity and preventing from the difference of Malik (r) as it is said by my master Abdul Ghani. Then I saw it in Al-Durr Al-Muntaqa saying clearly that the best is to perform wudu again. (Shami: vol.1, p.255) That's all and Allah know the best. The slave Muhammad Anwar, Mufti Jamia Khairul Madaris, Multan.17/4/1411 A.H. (Khair ul-Fataawa: vol.2, p.135)

¹ If a muqem performed masah and went on journey before completing one day and one night, he will perform masah according to duration of muqem which is three days and three nights including past one day and one night. Similarly, if a traveller spend one day and one night or more than that then he returned home or intended to stay there, he will put off socks and will not perform masah. Move over, if his wudu is not valid, he will perform wudu as new and will wash feet. If he returned before completing one day and one night, he will complete the duration of day and one night. Muqem is the person who is living in his country, city and village or he is on the way less than 77 km. Traveller is the person who intended to go on the journey of 77 km. and got out from the residency of his region. (Taharat Ke Ahkam Wa Masail: p.153, 154. Written by: Aneesur Rahman Qasmi)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

A few Masail of masah over socks

Question: I am copying the following extract from a researcher's book. Please read it and reform my understanding. The recitation of Naf'e, Abdullah bin Amir, Hafsa, Kasai and yaqoob is **أَرْجُلُكُمْ** with *fatah*. It proves the injunction to wash feet. While the recitation of Abdullah bin Katheer, Hamzah bin Habib, Abu Amr bin Al-Ala and Asim is **أَرْجُلَكُمْ** with *kasr* which infers the injunction of masah on feet. It is clear from the action of Prophet (saws), that they do not contradict each other. But both recitations are indicating two injunctions for two difference conditions. If the one whose wudu is not valid, wants to perform wudu, he should wash feet and if the person whose wudu is valid, wants to renew his wudu, he will perform only masah. If a person performed wudu and wore socks after washing feet, he can perform masah one day and one night at residency and three days and three nights in journey. I have some questions in the mentioned above:

At the residency, is it 24 hours continuous without putting off the socks, as security guard etc?

What is meant by three days and nights? Is it without putting off the socks?

Will masah annulled, if he puts off his socks?

According to these conditions, if I took bath and -without making wudu orderly- I reached office after wearing clothes and shoes. If I wash hands, face, and perform masah on head and feet on high washbasin to recite the Qur'an in free time, do I am granted with complete wudu?

What is meant by socks? Does it includes closed shoes and sandals?

Does the condition of "not remaining even a hair" go for masah of Tayammum or socks? Kindly, explain it. You will be rewarded.

Answer:

Yes, from the time when wudu nullified till 24 hours.

Yes, three days and three nights from the time of nullifying wudu.

Yes, masah will terminated by putting off socks and it will be necessary to wash.

Yes, if you are wearing Sharayi socks with complete purity on which masah is allowed, you will get complete virtue of complete wudu.

Socks means here leather socks or the shoes which is closed completely up to the ankles

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This condition is not in masah, but it is in Tayammum. To know Masail in detail, you must study Bahishti Zewar.¹ That's all and Allah knows the best. Jumada Al-Ukhra 21, 1393 A.H. (Ahsanul Fatawa: vol.2, p.62)

Ruling about masah over socks till ankle

Question: if socks are made by strong leather in such a way that they covered ankles, is masah allowed on such socks?

Answer: it is mandatory for masah on socks that they cover ankles, moreover, if they cover some part of calf, there will be no objection for masah on socks.

قال في الهندية : منها أن يكون الخف ميا يمكن قطع السفر به و تتأبع المشي عليه و يستر الكعبين و ستر ما فوقها ليس بشرط . هكذا في المحيط . حتى لو لبس خفًا لا ساق له . يجوز المسح إن كان الكعب مستوراً .

(عن صفوان بن عسال رضي الله عنه قال : كان رسول الله ﷺ يأمرنا إذا كنا الخ)¹

It is narrated by Safwan bin Assal (r z), he said: "When we were in journey, Prophet (saws) was commanding us not to put off our socks for three days and three nights, but due to janabat not for defecation, urine and sleeping. (Tirmizi: Book of masah on socks for traveller and muqem. P.28, No.96. Nasai: Book of defining the duration of masah on socks for traveller. P.18, No.127)

(عن مغيرة بن شعبه رضي الله عنه قال : غزونا مع رسول الله ﷺ فأمرنا الخ)²

Mughirah bin Sh'uba (r z) narrated: "We went in a battle with Prophet (saws). He commanded us to perform masah on socks till three days and nights for traveller and one day and one night for muqem unless they put off their socks. (Al-Sunan Lil-Baihaqi: Book of the person who put off his socks after performing masah on them. P.434, No.1367. Musannaf Ibn Abi Shaibah, 221. About the person who performs masah on his socks then he put them off. Vol.1, p.170, No.1960) the text مالم يخلع (unless he put off his socks) tells that if socks untied from feet, the feet will be washed.

(قال أتيت عائشة رضي الله عنها ----- فقالت : جعل رسول الله ﷺ الخ)³

He said: " I came to Aisha (r z) " She said: "The Prophet (saws) prescribed three days and three nights for traveller and one day and one night for muqem." (Muslim: Book of defining the period of masah on socks, Abu Dawood: Book of defining the period of masah, Nasai: Book of defining the period of masah on socks for muqem)

(عن عبد الرحمن بن أبي بكره رضي الله عنه عن أبيه عن النبي ﷺ الخ)⁴

Abdur Rahman bin Abu Bakrah (r z) narrates from his father who narrates from Prophet (saws) that he permitted the traveller, when he wore socks after performing wudu then he nullified wudu, to perform masah for three days and three nights and for muqem one day and one night. (Ibn Majah: Book of what is narrated about defining the duration of masah for muqem and traveller. P.78, No.556)

(عن الثوري في المسح على الخفين قال : ----- الخ)⁵

It is reported from Thouri (r) about masah on socks. He said: ".....you will perform masah from hadath even it is Asr. So you will perform masah on them till tomorrow Asr. (Musannaf Abdur Razzaq: Book of masah on them from hadath. Vol.1, p.164, No.807)

This Athar tells that the duration of masah wil start hadath, not before that. Anees

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

It is said in Fatawa hindiyah: “Out of them, the socks should be as in which one can explore and can walk regularly. It should cover ankles and there is no condition of covering above that. So is in Al-Muheet. Even if he wore a socks that has no calf, masah will be allowed on condition that it covered the ankle. (Al-Fatawa Al-Hindiyah: Book: 5 about masah on socks.321)² (Fatawa Haqqaniyah. Vol.2, p.553)

Ruling about masah over Boot

Question: If one wore boot that covers ankles. They are so strong that there no torn in them. Is masah allowed on them? It should be also notice that walking is possible to three miles.

Answer: These kinds of boots have all conditions of allowing masah. Therefore masah is allowed on them.³

قال العلامة الحصكفيّ: (شرط مسحه) ثلاثة أمور: ----- الخ

Allamah Haskafi (r) said: “ (The conditions of *masah*) are three: “ First :(It should cover the part). (Feet along with ankles.) or its damage is less than torn which is not allowed. So *masah* will be allowed on shoes if it is tied. (and)Second: (It should be feet-wrought) to prevent from reaching *hadath* (and) Third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* (4 kilometres) or more than that. Ibn Al-Abideen said: “His statement ‘مشدوداً’ because his tying is in the place of sewing which holds by itself after tying like sewn socks with each other, take it. And it is narrated from M’eraj in Al-Bahrur Raiq: “Masah is allowed on shoes which are split on the back of feet and it has buttons that tie it, because now it is like non-split. If some parts of feet are seen, it will be like tatters of socks. (Al-Durrul Mukhtar with Raddul Muhtar: vol.1, p.182, 183. Book of masah on socks)⁴ (Fatawa Haqqaniyh: vol.2, p.555)

² قال الحصكفيّ: شرط مسحه ثلاثة أمور: ----- الخ

Haskafi (r) said: “ The conditions of masah are three: 1. It should cover the part of feet, which is mandatory to wash, along with ankle. (Al-Durrul Mukhtar in the margin of Raddul Muhatar. Book of masah on socks. Vol.1, p.261)

³ The high boots that are used in our era they all have these conditions. So masah will be allowed on them and to perform salah wearing them is also allowed. Anees

⁴ قال ابن نجيم: ويجوز على الجأروق المشقوق الخ

Ibn Nujaim (r) said: “Masah is allowed on shoes torn on the back of feet which has buttons tightens and blocks the torn, because it is like non-torn. If some parts of feet are seen, it will be like tatters of socks.(Al-Bahrur Raiq: Book of masah on socks. Vol.1, p.183)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks Is wudu correct, if only boot is washed not foot?

Question: What does religious ulama say about this matter that if a soldier or *mujahid* washed his boot not feet, can it be enough in wudu? Explain it, you will be rewarded.
Questioner, Muhammad Azram Tabook, Saudi Arabia. 07/07/1401 A.H.

Answer: If it does not have the conditions of masah on socks, washing feet will be necessary.⁵ Allah is the Giver of taufeeq. (Fatawa Deoband Pakistan, known by Fatawa Faridiyah. Vol.2, p.60)

Masah is lawful or not over English boot

Question: Is it allowed to perform masah on such English boot that is tied with lace, takes time to put off and on and it is so high that covers ankles completely, as long English boot?

Answer: If that English boot covered upto the ankles and the lace on the back is fastened tightly that both edges joined completely and the shoes is pure, masah will be allowed on them on condition that he wore it with purity, as it is understood by the text of Shami:

ويجوز على الجاروق المشقوق على ظهر القدم و له أزراريسد ها عليه تسده لأنه كغير المشقوق الخ

“Masah is allowed on shoes torn on the back of feet which has buttons tightens and blocks the torn, because it is like non-torn.”⁶ That's all and Allah knows the best. (Fatawa Darul Uloom: vol.1, p.268)

Ruling about masah over such English boot which covers complete foot

Question: Is masah allowed over full boot that covers ankles?

⁵ قال العلامة الحصكفي: (شرط مسح) ثلاثة أمور: الخ

Allamah Haskafi (r) said: “ (The conditions of *masah*) are three: “ First :(It should cover the part). (Feet along with ankles.) or its damage is less than torn which is not allowed. So *masah* will be allowed on shoes if it is tied. (and)Second: (It should be feet-wrought) to prevent from reaching *hadath* (and) Third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* (4 kilometre) or more than that. Ibn Al-Abideen said: “His statement ‘مشدوداً’ because his tying is in the place of sewing which holds by itself after tying like sewn socks with each other, take it. And it is narrated from M’eraj in Al-Bahrur Raiq: “Masah is allowed on shoes which are split on the back of feet and it has buttons that tie it, because now it is like non-split. If some parts of feet are seen, it will be like tatters of socks. (Al-Durrul Mukhtar with Raddul Muhtar: vol.1, p.182, 183. Book of masah on socks)

⁶ Raddul Muhtar, Book of masah on socks: vol.1, p.174, Zafeer

Answer: وفي الدر المختار: بآب المسح على الخفين. (شرط مسحه) الخ

And Durre Mukhtar says: Book of masah on socks, (The conditions of *masah*) are three: "First : (It should cover the part) which is mandatory to wash (Feet along with ankles.) or its damage is less than torn which is not allowed. So *masah* will be allowed on shoes if it is tied except when the measure of three fingers is open, (and) Second: (It should be feet-wrought) (and) Third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* (4 kilometres) or more than that. In Raddul Muhtar: "His statement 'مشدوداً' because his tying is in the place of sewing which holds by itself after tying like sewn socks with each other, take it. And it is narrated from M'era'j in Al-Bahrur Raiq: "Masah is allowed on shoes which are split on the back of feet and it has buttons that tie it, because now it is like non-split. If some parts of feet are seen, it will be like tatters of socks. I say: "It looks that it is socks which Turkish wear in our era."⁷

Since this boot has all three conditions of allowing masah which are mentioned in the above hadith, masah will be allowed over it. But due to its use as shoes or it is impure or it is against respect, one should not perform in such boot without necessary cause. Allah knows the best.

Adhha day 1322 A.H. Imdad: vol.1, p.6. (Imdadul Fatawa: vol.1, p.80)

Masah is correct or not over full boot

Question: performing masah over socks is allowed even it is characteristic of *Ahle Sunnat Wal Jam'at*. There is no doubt that the Prophet (saws) used it. The type and shape *manchali* of the Prophet (saws) is also detailed and explained in the books of biography of Prophet (saws) and the shape is also known. It is understood that wearing *manchali* over socks is not deductive. But this matter is not explained in any book e.g. Safar Al-Sa'adah, Madarij Al-Nubuwwah and Raudhatul Ahbab etc. as the explanation of cap and turban is mentioned. Injunction of masah includes full boot which is upto the ankles or above that in some conditions, and if it is worn over cotton socks, woollen socks or without both, will masah be allowed over it or not?

Answer: After performing masah over socks, it is also condition for allowing salah that socks should be pure. It means there should not be najasat (impurity) which contract to allow salah. If this condition is noticed in wearing only socks, it is not necessary that they should be used with shoes. if a person is wearing only socks and they are pure, masah will be correct over them and salah will be allowed also.

⁷ Al-Durrul Mukhtar with Raddul Muhtar: vol.1, p.261-263. Book of masah over socks. Anees

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

However, Prophet (saws) was wearing shoes over socks or not, some ahadith tell that he was wearing shoes over socks. Its map which is famous though wearing them over socks looks difficult but it is possible that Prophet (saws) wore other shoes which contain no lace on fingers. It has only one leather strip on the back. Besides, if Prophet (saws) was wearing only socks, he knew the conditions of purity, so he was performing masah over them. If it is so, what is the problem to perform masah over them? It should also be notices that socks should cover feet along with ankles. However, if any boot is upto the ankles and it covered feet and ankles completely, masah is allowed over them, and if they are pure, salah will be correct in them.¹ That's all. (Fatawa Darul: vol.1, p.275)

Masah over such shoe in which dusts not enter

Question: If one's wudu nullified, can he perform masah on a shoes in which dust cannot enter?

Answer: في الدر المختار: (شرط مسحه) الخ

Durre Mukhtar says: (The conditions of *masah*) (It should cover the part) (Feet along with ankles.) or its damage is less than torn which is not allowed. So *masah* will be allowed on shoes if it is tied except when the measure of three fingers is open,.....because his tying is in the place of sewing which holds by itself after tying like sewn socks with each other, take it. And it is narrated from M'eraaj in Al-Bahrur Raiq: "Masah is allowed on shoes which are split on the back of feet and it has buttons that tie it, because now it is like non-split. If some parts of feet are seen, it will be like tatters of socks. I say: "It looks that it is socks which Turkish wear in our era. Vol.1, p.269.²

It is known from the above text that masah over the shoes mentioned above is allowed, on condition that the inner socks or feet should not be seen while walking.³ if it is seen,

¹ (شرط مسحه) ثلاثة أمور: الخ

(The conditions of *masah*) are three: "First : (It should cover the part) which is mandatory to wash (Feet along with ankles.) (and) Second: (It should be feet-wrought) to prevent from reaching hadath (and) Third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* (4 kilometres). (Al-Durrul Mukhtar in the margin of Raddul Muhatar. Book of masah on socks. Vol.1, p.241, Zafeer)

² Addurrul Mukhtar with Raddul Muhtar: Book of masah over socks. vol.1, p.261-263, Anees)

³ الخف إذا أصابته النجاسة الخ

If the socks are polluted with impurity and it has body like filth, muck and sperm, it will be pure after scratching when it dried. If it is wet It cannot be pure but by washing. (Alamghiri Kishwari: Book of the conditions of salah. Vol. 1, p.56, Zafeer)

If socks are torn as much that they open while walking the measure of three little fingers, masah will be nullified. You have to wash feet and wear fine and safe socks. If there are more than one holes, they are equal to three little fingers collectively, masah will not be allowed such socks. if this condition occurred after

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it should be mentioned in the question that how much is it. First complement, p.8.
(Idadul Fatawa: vol.1, p.80,81)

Masah is not correct over impure boot

Question: (1) If one wore long boot which goes upto the knee after wudu and he perform masah at second time of wudu, is this masah correct or not? Can this boot work in the place of socks according to shariah? Is salah correct or not?

Question: (2) The part of boot which is touching earth cannot be pure, but the part that is above sole, and bottom of feet are touching it, is pure. Is salah allowed in this boot or not?

Answer: When the below part of boot which is touching earth is not pure, masah is not allowed over it, and salah will not be correct wearing this boot.¹ That's all. (Fatawa Darul Uloom. Vol.1, p.274)

Masah over socks other than leather socks

Question: What do Muftis of shariah say about the matter that Zaid and Amar are disputants? Zaid says: "Masah is not correct but over leather socks. However, if they are made from wool or double thick cloth, knitted so strong that dust cannot enter, so hard that if they are put on the earth, they can stand, masah will be correct over them. Explain it with books' references you will be rewarded.

Answer: Zaid's statement is correct.² Aini (r) has narrated fatwa in the key of Hidayah accordingly.³

wearing socks, masah will be nullified and it mandate to put off socks and wash feet. (Taharat Ke Ahkam Wa Masail. P.155. Anees)

¹ If the socks are impure, masah is not allowed over them. Similarly, if one wore impure leather socks e.g. made with leather of pig, let alone masah over it even its use is not allowed. Leathers of all animals whether they are Halal Haram, become pure after tanning, Whether a Muslim tanned it or a non-Muslim. Likewise, the leathers of these animals will become pure without tanning if they are slaughtered. (Raddul Muhtar.vol.1,p.230) Therefore, use and masah over the socks made from these kind of leathers is allowed. (Raddul Muhtar) (Taharat Ke Ahkam Wa Masail. P.145,146. Anees)

² Socks made from nylon, cotton and wool that are commonly used in this era, masah is not allowed over them. But if they have the qualities of leather socks, masah will be allowed over them. If the socks are mineral made from glasses, tins, elephant's teeth and iron etc. masah is not allowed over them until they have the conditions of leather socks. (Taharat Ke Ahkam Wa Masail. P.144,146. Anees)

³ It means the difference in simple and thick socks is reported from Imam Abu Hanifah and Sahibain, but most of Mashaikh's fatwa is according to Sahibain. Allamah Aini (r) reported the same. Sa'eed.

The conditions of masah over Jurab (a kind of socks other than leather)

Question: What are the conditions of masah over Jrab? Over which kind of Jurab is masah correct? Kindly, explain you will be rewarded.

Answer: في شرح التتوير: الثخينين بحيث يمشي فرسخاً الخ

It is written in Sharh Al-Tanweer: Thick is meant that one can walk one Farsakh (4 kilometers) and it stands on calf itself, inside is not seen and not sifted. (Tanweer Al-Absar with Durrul Mukhtar: Book of masah over socks. Vol.1, p.179)

This narration declared that masah is allowed only over the socks that have the following conditions whether they are made from nylon or wool.

1- They are so thick and condensed that if they are worn without shoes and walked three Sharai miles, they do not rip. According to Fuqaha (r) Sharai miles are 4 thousand cubits and one foot is measured one and half cubit. So, three Sharai miles stood for 8 thousand feet.

2- If they are worn and tied over calf it should not fall.

وخلوكل منهما عن الخرق المانع واستمساكهما على الرجل من غير شد

They should not have the torn which prevents masah and they stay over feet without tying.

This should be because of their thickness. If they are not falling due to fitness or fabric threads, this staying will not be considered.

3- They should not sieve water.

4- Feet should be seen from inside. (Raddul Muhtar. Vol.1, p.248)¹ That's all and Allah knows the best. Zulhijjah 2, 1385 A.H. (Ahsanul Fatawa. Vol.2, p.61)

عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ، قَالَ: تَوَضَّأَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَسَحَ عَلَى الْجُورَبَيْنِ وَالتَّغْلَيْنِ۔¹

Mughirah bin Shubah (rz) narrated and said: "Prophet (saws) performed wudu and did masah over Jaurabain and Nalain (the socks with leather beneath it) (Tirmizi Sharif: Book of masah over Jaurabain and Nalain. Abu Dawood: Book of masah over Jaurabin)

In this Hadith it is mentioned that Prophet (saws) performed masah over Jaurabain and they were Muna'al (having leather beneath it).

سَمِعْتُ ابْنَ عُمَرَ يَقُولُ: الْمَسْحُ عَلَى الْجُورَبَيْنِ كَالْمَسْحِ عَلَى الْخُفَّيْنِ²

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Masah over accustomed Jurab of cloth is lawful or not

Question: Is masah allowed over accustomed Jurab of cloth only or not? I questioned a Molvi Sahab. He replied that masah over Jurab of cloth is proved by the Prophet (saws). There is no condition of thin and dense. Explain, you will be rewarded.

Answer: Masah is not allowed over Jaurabain, because they should have four condition to be allowed masah over them. Three of them are that which are mandatory in masah over leather socks. One more condition is added in masah over Jaurabain.

في الدر المختار: (شرط مسحه) ثلاثة أمور الخ

It is said in Durre Mukhtar: (The conditions of *masah*) are three: "First : (It should cover the part.....Feet along with ankles.) (and) Second: (It should be feet-wrought (and) Third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* (4 kilometres). (Till he said) or over his thick Jaurabain that one can walk one *Farsakh* (4 kilometers) and it stands on calf itself, inside is not seen and not sifted. (Al-Durrul Mukhtar on Shami. Vol.1, p.179)¹

If the socks consist of these four conditions, masah will be correct. It means (1) they cover feet along with ankles. (2) They should be feet-wrought, that is no part of feet can be seen after covering. (3) One can walk in them habitually. (4) They should be so dense

I listened Ibn Umar (rz) saying: "Masah over Jaurabain is like masah over socks. (Musannaf Ibn Abi Shaibah. 224, The one who said: "Jaurabain are placed socks." vol.1, p.173, No.1994. Musannaf Abdur Razzaq: Book of masah over Jaurabain. Vol.1, p.157, No.782)

This Athar tells that masah over Jaurab is like masah over socks of leather and there is no condition of Minchli or Muna'al. So masah will be correct over common Jaurab also.

عن سعيد بن المسيب والحسن أنهما قالا: يسح على الجوربين إذا كانا صفيقين-3

It is reported by Sa'eed Ibn Musayyib (r) and Hasan (r) that they said: "He will perform masah over Jaurabain if they are thick. (Musannaf Ibn Abi Shaibah, about masah over Jaurabin). This Athar tells that masah is allowed if Jaurab is thick otherwise no.

Note: Imam Abu Hanifah (r) took back in his last ages to perform masah over thick socks. The text is given here.

سبعت أبا مقاتل السمرقندي يقول: دخلت أبي حنيفة في مرضه الذي مات فيه الخ

I listened Abu Muqatil al-Samarqandi (r) saying: "I went to Abu Hanifah (r) at the time of his illness when he came to die. He asked water, performed wudu and did masah over Jaurabain that he has worn. Then he said: "I acted today something that I was not doing before. I performed masah over Jaurabain and they were not Mua'al (with leather beneath it)." (Tirmizi: Book of what reported about masah over Jaurabain and Na'alain) This text notifies that Imam Abu Hanifah (r) took back in his last ages to perform masah over thick socks. Anees

1 Al-Durrul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. Vol.1, p.248. Zafeer

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks that nothing can enter in them. Since all these conditions are absent in accustomed Jurab, masah will not be allowed over them.¹

كما قال الشامي: إنهم أخرجوه لعدم تأتي الشروط فيه غالباً الخ

Shami also said: "They excluded Jaurab, because it does not have most of the conditions."²

The statement of Molvi Sahab, Masah over Jurab of cloth is proved by Prophet (saws), has no fact. It is lie and ignorance of dictionary, because Hadith says:

أنه عليه السلام مسح على خفيه - الحديث ملخصاً

That Prophet (saws) performed masah over his socks. Hadith in short.³

However, masah is proved over socks and Jaurab but they are the socks that consist of the conditions mentioned above. Only Jurab of cloth is not meant. That's all.

Rasheed Ahmad (May Allah forgive him)

Authenticated by:

The slave Azizur Rahman (May Allah forgive him) (Fatawa Darul Uloom. Vol.1, p.266, 267)

Muna'al Jurab of cloth

Question: A person, here, sewed leather sole over Jurab which is only for two or two and half paisa. He stitched up only some seams. Sole is quite similar to cloth, it has neither heel nor extended towards fingers. Now he performs masah over it like socks. Is this masah allowed? Is the figure of Muna'al ha similar? Actually, I am confused in the figure of Muna'al.

1 Socks made from nylon, cotton and wool that are commonly used in this era, masah is not allowed over them. But if they have the qualities of leather socks, masah will be allowed over them. (Taharat Ke Ahkam Wa Masail. P.144. Anees

2 Raddul Muhtar: Book of masah over socks. Vol.1, p.248, Zafeer

3 Jam'ul Fawaed, masah over socks. Vol.1, p.42, Zafeer

To cite the text: Prophet (saws) performed wudu and did masah over Jaurabain. (Tirmizi and Abu Dawood. Zafeer)

It is reported by Sa'eed Ibn Musayyib (r) and Hasan (r) that they said: "He will perform masah over Jaurabain if they are thick. (Musannaf Ibn Abi Shaibah, 223, about masah over Jaurabin. Vol.1, p. 171, No. 1976, Anees)

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Answer: Muna'al has the same figure, the explanation with the leather in the sole is found acceptable, but to be Muna'al is not sufficient in Jurab of cloth. Therefore, masah over Jurab mentioned in question is not allowed at all, as it is clarified below:

Jurab consists of four kinds: 1- Thick with the leather beneath it. 2- Thick with no leather beneath it. 3- Thin with the leather beneath it. 4- Thin with no leather beneath it. Masah is allowed over first one with consent of all and in the second, there is difference. Abu Hanifah(r) does not allow it while Sahibain allowed it. Fatwa is according to the opinion of Sahibain as it mentioned in Hidayah, Sharah Wiqayah and so on, and Abu Hanifah (r) performed masah over thick Jaurabain before three or seven days of his illness that came to his death and said: "I acted what I forbade from." This statement points out to take back, as it is obvious, though it is also possible that he acted upon other's opinion. But to prove taking back is not necessary for fatwa. The persons whose opinions are preferred can give fatwa on the basis of the authentication of evidence. The injunction of third is coming soon and masah is not allowed in the fourth according to anyone. This detail is mentioned in few books of Fiqh and it is understood in few. There is neither explanation nor possibility against it in any book. As Fatawa Qazi Khan mentions:

وإن مسح على الجوربين فهو على وجه إن كانا رقيقين غير منعلين لا يجوز المسح عليهما في قولهم وإن كانا ثخينين منعلين جاز المسح عليهما في قولهم وإن كانا ثخينين غير منعلين لا يجوز المسح عليهما في قول أبي حنيفة ٢٢٠. وفي قول صاحبيه يجوز، وعن أبي حنيفة ٢٢١ أنه رجع إلى قولهما وهكذا في العناية شرح الهداية والبحر الرائق وخلاصة الفتاوى وغيرهما وأيضاً هو المفهوم من مختصر القدوري والكنز وغيرهما من المتون المعتبرة.

If one performs masah over Jaurabin, it consists of few kinds: If they are thin with no leather beneath them, masah will not be allowed over them with consent of all. If they are thick with the leather beneath them, masah will be allowed with consent to all. If they are thick with no leather beneath them, masah will not be allowed according to Abu Hanifah (r) while it is allowed according to Sahibain. It is reported by Abu Hanifah that he took back to the statement of Sahibain. So it is in Al-Inayah Sharah Hidayah, Al-Bahrur Raiq, Khulasatul Fatawa and so on. It is understood from Mukhtasarul Quduri, Kanz and other authentic texts.

Now the third kind, thin with no leather beneath them, is remaining. The question is about this. However, after research it came out that the texts of Quduri, Kanz, Multaqal Abhur and Tanweer Al-Absar indicates permission of masah, because the authors said in the texts (وصح على الجر موق والجورب المجلد والمنعل الثخين ونحوه)

"Masah is correct over Jurmooq (overshoes) and thick Jaurab with the leather beneath it and like it."

He attached Muna'al and Thakin each other that results in to be allowed masah over Muna'al in all conditions whether it is thick or not. But what is in Sharah Wiqayah and Noorul Izah, means against it. For Sharah Wiqayah says:

“أو جوربيه الثخينين منعلين أو مجلدين”

“Or over his thick Jaurabain with the leather beneath it or made from leather”

This clearly says that according to Abu Hanifah (r)'s opinion it should have leather beneath it along with its thickness. Only to be covered with leather is not sufficient as Muhaddis Chilpi (r) explained it with complete detail and finally noted:

”والذي تلخص عندي بعد هذه المباحث أن الجورب (الرقيق) الذي لا يجوز عليه المسح إجماعاً إذا جلد أسفله فقط أو مع موضع أصابع الرجل بحيث يكون محل الفرض الذي هو ظهر القدم خالياً بالكفية (و معلوم أن القدم إذا ظهر بقدر ثلث أصابعها جعل كالخالي بالكفية منه) لا يجوز عليه المسح قطعاً لأنه لا ريبة أن منشأ الاختلاف بينه وبين صاحبيه اكتفاً ثهما بمجرد الثخانة والاستمسك على الساق وعدم اكتفائه به قائلًا بأنه لا يكفي في جواز المسح ما ذكر بل لا بد معه من أمر زائد عليه وهو المنعل أو المجلد ليتمكن به على المشي حتى يكون الجورب باً جتماع هذه الأمور فيه في معنى الخف وإذا انتفى شيء منهما خرج عن كونه في معناه لأن إلحاق الشيء بالشيء إنما يتأتى إذا كان في معناه من كل وجه وله مؤيدات كثيرة لا يتحمل هذا المختصر إيراده فتأمل، آهـ

“What I summarised after these discussions that Jaurab (thin) which is not allowed to perform masah over it with the consent of all, if it covered with leather beneath only or at the place of leg fingers the place which is mandatory that is the back of feet is quite open (it is known that if the measure of three fingers of feet is seen, will be understood that complete feet are open) masah will not be allowed over it at all. Because the point of difference between Abu Hanifah (r) and Sahibain is only consider the sufficiency of its thickness and its steadiness over calf. As he said that the above conditions are not enough to be allowed masah rather one more condition is necessary. That is to be covered with leather or soled so that it can be possible to walk till this Jaurab, with all conditions, will take the place of socks. If any condition is not found, it will exclude from the meaning of socks. Because attaching something to something will complete only when both are in the same meaning in all spheres. There are so many its affirmations. It is impossible to copy that detail in this short piece of writing. Think!

Durre Mukhtar says: “في حاشية عبد الحليم ما يفيد اشتراط الثخانة في المنعلين لا في المجلدين. الخ”

In the margin of Abdul Haleem is written what tells the condition of thickness in soled one not in covered with leather one.

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

To quote the words of Noorul Izah:

”صح المسح على الخفين في الحدث الأصغر للرجال والنساء لو كانا من ثخين غير الجلد سواء كان لهما نعل من جلد أو لا-آه“

Masah is correct over socks in Hadath al-asghar (small impurity) for men and women on condition that the socks are thick not covered with leather whether it has sole of leather or not.

It also explained that thickness is the condition of Muna'al, because masah is not correct over thin Muna'al. As the third condition that is:

وكونه مما يمكن متابعة المشي فيه (أي من غير لبس المداس فوقه“ شامي-)

It should be in a way that regular walking is possible (It means without wearing lace over it. Shami) and the first condition that is ”كونه ساتر القدم مع الكعب“ it should cover feet along with ankle, is not found here. This discussion is about usual texts which précised that this kind of explained injunction is not available in any text. But permission is understood by some Ulama because of no condition and no permission is understood by some due to condition that's why it is compulsory to consult Shurooh of Fatawa. So Shurooh of Fatawa declares that masah is not allowed over thin covered with leather, because Khulasatul Fatawa denotes the condition of thickness in covered with leather Jaurab. To cite the text of Khulasatul Fatawa:

”وتفسير الجورب المنعل أن يكون الجورب المنعل كجورب الصبيان الذين يمشون عليهما في ثخونة الجورب و غلظ النعل يجوز المسح عليه آه“

The interpretation of soled Jaurab is that it should be like children's Jaurab who walk in the thickness of Jaurab and the sole, masah will be allowed over it. Besides, Khulasah explained that masah is not allowed over Jaurab of cloth though it is Muna'al (soled). The reason is not but thinness. As He said:

”وأجمعوا أنه لو كان منعلًا أو مبطنًا يجوز المسح عليه ولو كان من الكرباس لا يجوز المسح عليه آه“

The Fuqaha are agreed that if Jurab is Muna'al (soled) or Mubattan (with the leather inside) masah will be allowed over it. If it is made from cloth, masah will not be allowed over it.

Therefore Allama Tahtawi has written in Maraqi al-Falah:

(تحت قوله أو كرباس) وظاهر كلام الحلبي عن الحلواني والخلاصة أنه لا يصح المسح عليه إلا إذا كان مجلداً فليراجع آه.
قلت يندفع الإشكال بما سنحدر على قول الحلواني-

Under his statement (or made from cloth) the distinct of the statement of Halabi who narrates from Al-Halwani and Al-Khulasah is that masah is not correct over it but it should be covered with leather. So you should consult. I said: "The confusion will be solved by what we will write soon about the statement of Halwani. Allamah Ibn Humam writes in Fathul Qadeer:

”لا شك أن المسح على الخف على خلاف القياس فلا يصح إلحاق غيره به إلا إذا كان بطريق الدلالة وهو أن يكون في معناه ومعناه الساتر لمحل الذي هو بصدد متابعة المشي فيه في السفر وغيره الخ (ص ١٣٩ ج ١)

There is no doubt that masah over socks is paradoxical. Therefore, it is not correct to attach other thing with it. But when the indication is found which is to be in its meaning, to cover the place which is in the process of regular walking in journey and at residency. (vol. 1, p.139)

It came out from the above text that thin Muna'al is not sufficient, because does not cover the part which is necessary. Moreover, Raddul Mukhtar reported from Muniyah:

”أن ما يعمل من بطوخ يجوز المسح عليه لو كان ثخيناً بحيث يمكن أن يمشى معه فرسخاً من غير التجليد والتنجيل وإن كان رقيقاً (يجب حمله على أن رفته ليس كرقعة الكرباس) فمع التجليد أو التنجيل ولو كان كما يزعم بعض الناس أنه لا يجوز المسح عليه ما لم يستوعب الجلد جميع ما يستر القدم إلى الساق لما كان بينه وبين الكرباس فرق-

The socks which is used by Botookh masah is allowed over it if it is thick as one can walk in it one farsakh (4 kilometres) without covered with leather and without soled, if it is thin(it should be supposed that its thickness is not like the thickness of cloth) it should be covered with leather or soled. If it is so as some people say that masah is not allowed until the leather covered the whole part from the feet till calf, there will be no difference between Jaurab and socks of cloth.

It clearly means that Jaurab of cloth should be covered with leather. Allamah Halabi devided Jaurab in Shrhe Munyah as follow:

ذكر نجم الدين الزاهدي عن شمس الأئمة الحلواني أن الجورب خمسة أنواع من المرعزي والغزل والشعر والجلد الرقيق والكرباس. قال: وذكر التفصيل في الأربعة ومن الثخين والرقيق والمنعل وغير المنعل والمبطن وغير المبطن وأما الخامس فلا يجوز المسح عليه كيفما كان- آه

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks
Najmuddeen Azzahidi reported from Shamsul Aimmah Al-Hulwani that Jaurab is of five kinds: Made of cashmere, yarn, hair and thin leather. He said: he denoted the detail of four: thick, or thin, soled or non-soled, covered with leather inside or no leather inside. However, masah will not be allowed over fifth at all.

(It means that masah is not allowed over thick Jaurab of cloth, but Allamah Shurumbulali allowed masah in this case. As it mentioned earlier and the injunction of permission is correct. Now we have to conjecture the statement of Hulwani (r) that is there was not used such thick cloth that comes under the meaning of thick which are available in this era, e.g. Double jean. So this depends on the difference of situations. Allah knows the best.) So is in Tatar Khaniyah. (Hashiyah of Al-Bahr Authored by Allamah Shami: vol.1, p.182)

The above explanations declared that soled (Muna'al) is not necessary for thickness. Masah is not allowed over thin Muna'al. Even the text of Zahirur Riwayah proves it:

(قال شمس الأئمة السرخسي في المبسوط: وأما المسح على الجوربين فإن كان ثخينين منعلين يجوز المسح عليهما)

Shamshul Aimmah Al-Sarakhsi writes in Mabsoot: Masah over Jaurabain will be allowed only when it is thick and Muna'al. This is the main text which are the words of Imam Muhammad (r), he reported the opinion of Imam Abu Hanifah. There is the condition of thickness along with Muna'al. Shamslu Aimmah (r) said explaining that:

لأن مواظبة المشي سفرأ بهما ممكن . وان كانا رقيقين لايجوز المسح عليهما . لانهما بمنزلة اللقافة وإن كانا ثخينين غير منعلين لايجوز المسح عليهما عند أبي حنيفة لأن مواظبة المشي بهما سفرأ غير ممكن فكانا بمنزلة الجورب الرقيق وعلى قول أبي يوسف ومحمد رحمهما الله يجوز المسح عليهما

Because regular walking in the journey is possible. If they are thin masah is not allowed over it, because it like fascia. If it is thick without sole, masah will not be allowed over it according to Imam Abu Hanifah (r) because regular walking in the journey is not possible. So it became like thin Jaurab and masah will be allowed over it in the opinion of Abu Usuf (r) and Muhammad (r). (vol.1, p.102)

Here, the condition includes Muna'al in thin Jaurab which is compared with thick Jaurab, so it came out that masah is not allowed over thin Muna'al with the consent of all. Imam Abu Hanifah (r) said in Muzmarat:

وأما الإمام أولاً لأنه يشترط في جواز المسح على الجورب الثخين أن يكون منعلًا أو مجلدًا

Earlier Imam Abu Hanifah (r) mandate Muna'al or covered with leather to be allowed masah over thick Jaurab. It means normal soled Jaurab is not sufficient but thickness

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لا نرى بأساً بالمسح على الجوربين إذا كانا صفيقين، قد قال ذلك أبو يوسف ومحمد، وأما أبو حنيفة - رحمه الله تعالى - فإنه كان لا يرى ذلك حتى يكونا صفيقين ويكونا مجلدين (هذا على رواية الحسن) وهي أن المنعل ما جلد أسفله وأعله بحيث يستتر الكعبين فالمجلد والمنعل مترادفان وأما في ظاهر الرواية فالمنعل ما جلد أسفله، فقط ١٢ منه فيكونان كالخفين.

We do not see any thing wrong to perform masah over thick Jaurabain, said Imam Abu Usuf (r) and Imam Muhammad (r) but according to Imam Abu Hanifah (r) it should be thick and covered with leather (Mujallad). It is narrated by Hasan (r) that is Muna'al is the Jaurab that soled inside and outside in such a way that covers the ankles. So Mujallad (covered with leather) and Muna'al (soled) are synonyms. Muna'al according to Zahirur Riwayah is the Jaurab which is covered with leather inside. So it will be like socks. That's all.

However, the difference between Imam Abu Hanifah and Sahibain about Jaurab depends on the condition of thickness. Sahibain said the thickness of Jaurab is enough to be allowed masah over it but Imam Abu Hanifah (r) made to be Muna'l mandatory. Fatwa is according to Sahibain whether it is because of Imam Abu Hanifah took back or something else. But it does not mean that masah is allowed over Muna'al only. So something ignored in the text of Kanz, even there is another ignorance in the text of Wiqayah. It means it also proves that masah is not allowed over thin covered with leather Jaurab which is against fact. The clearest text is in Noorul Idhah in this regard that as known. Allah knows the best and He is all Knowing and all Wise.

Note: To take a digressional masalah which is unknown in common. The socks, masah is allowed over it, if it is overworn that will tear by further walking, masah is no more allowed over it. As Allamah Shami (r) wrote about the text of Durrul Mukhtar: (و) الثالث:

(كونه مما يمكن المشي المعتاد فيه فرسخاً فأكثر -)

(and) third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* (4 kilometres) and more.

Written by Abdul Karim May Allah forgive him. 17 Shawwal 1451 A.H. (Imdadul Ahkam. Vol.1, p.388- 393)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks Masah over cotton and woolen Muna'l Jurab (with leather beneath it)

Question: Is masah allowed over cotton woolen Muna'l Jurab (with leather beneath it)?

Answer: It is allowed. So is in Raddul Muhtar. Vol.1, p.278. ¹

But it is against what is written in Al-Muniyah even they are muna'l.²

Therefore, we should prevent from its opposite. That's all. Allah knows the best.

Written by slave Mahmood Gangohi, Asisstant Mufti, Madrasah Mazahire Uloom Saharanpur (Fatawa Mahmoodiyah. Vol.5, p.193)

Explanation of Muna'l and Mujallad

Question: In an issue of ziqadah namely Al-Rasheed, the words Jaurab Muna'l or Mujallad is used in a fatwa under the term of masah. I understand jaurab is the one which is known Jurab in soubriquet. But here is a doubt in its meaning of Muna'l or Mujallad. According to my knowledge, matter of masah has details that if there is Jurab inside or outside, masah is allowed over it. Actually, I don't know the meaning of Muna'l and Mujallad. You are requested to denote its explanation?

Answer: Jaurab Muna'l is the one which has leather inside the Jurab. Durre Mukhtar

Writes: ³(والمعتلين) بسكون النون: ما جعل على أسفله جلد الخ

(And Muna'lain) with sukoon of Noon: Which is made from leather beneath.

¹ أما المسح على الجوب فلا يخلو إما أن يكون الجوب رقيقاً ----- وإما إن كان ثخيناً منعلاً الخ

Masah on Khuff, however, whether they will be thin..... or thick with leather beneath it. In this case mash will be allowed without difference (Fatawa Tatarkhaniyah: vol.1, p.267, masah on Khuff, idarah al-Qur'an Karachi, and so is in al-Halabi al-Kabir: p.121 masah on Khuff, Suhail Academy, Lahor) and so is in Raddul Muhtar. Vol.1, p.270. Masah over socks. Saeed, and so is in Al-Hidayah. Vol.1, p.61, Masah over socks. Sharikah Ilmiyah)

² ثم بين المشائخ اختلاف في مقدار النعل الذي الخ

Then there is difference among Mashaikh in the measure of sole that is sufficient to be allowed masah over it. Some ulama said if inside sole is covered with leather masah is allowed. (Sharah Al-Munyah of Halabi Al-Kabeer: Book of Purity, last chapter about masah over socks. p.123, Suhail Academy Lahore)

³ Addurul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. vol.1, p.249. Zafeer.

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Jurab Mujallad is the one which has leather covered outside.¹ However, masah is not allowed over Jurab without leather,² but if it is Muna'l or Mujallad, masah is correct over it as it is allowed over socks of leather, so is written in Al-Rasheed. That's all. (Fatawa Darul Uloom. Vol.1, p.271, 272)

Meaning of Muna'l (soled)

Question: What is the meaning of Muna'l to perform masah over Jurab? Will the condition of Muna'l fulfil if someone put brogue inside Jurab or tied it with thread?

Answer: The meaning to be Muna'l is that it has leather inside and covered the heel, ankle, fingers and back of feet with leather as explained by Shami.³ It should be noticed that the leather should be sewn not tied. That's all. (Fatawa Darul Uloom. Vol.1, p.275)

Masha over cotton socks is lawful or not

Question: Is masah over cotton socks, that are accustomed in all over the world nowadays, or not?

Answer: Masah is not correct over cotton or woolen Jurabs, but if it is thick and dense that one can walk in it without shoes one farsakh (three Miles) as stated in Durre Mukhtar:

ولو من غزل أو شعر الثخينين بحيث يستمسك ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف الخ

though it is made from thick yarn or hair as it stays over calf itself and inside is not seen, not diaphanous....⁴ And Shami added: since cotton Jurab does not fulfil these conditions

(قوله والمجلدين) المجلد ما جعل الجلد على أعلاه وأسفله¹

His statement (and Mujalladain) Mujallad is the one which has leather inside and outside. (Raddul Muhtar: Book of masah over socks. vol.1, p.249.)

2 إذا لم يكن منعلاً وكان رقيقاً غير جائز اتفاقاً

If it is not Muna'l while it is thin, masah is not allowed with the consent of all. (A-Bahrur Raiq: Book of masah over socks. vol.1, p.192. Zafeer.)

3 (والمنعلين) --- ما جعل على أسفله جلدة الخ³

(And Muna'lain) is the one which has leather inside (and Mujalladain). (Durre Mukhtar) (His statement (the one which has leather inside) like Na'l for feet. It is Zahirur Riwayah, and according to Al-Hasan, the one which reaches till the ankle. (His statement, and Mujalladain) Mujallad is the one which has leather inside and outside. It will be proved according to the text above that if the place of masah, back of feet, is covered with leather along with beneath it, masah will be allowed over it as we mentioned earlier. (Raddul Muhtar: Book of masah over socks. vol.1, p.249. Zafeer.)

⁴ Addurul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. vol.1, p.248. Zafeer

عن سعيد بن المسيب والحسن أنها قالوا: يسح على الجوربين إذا كانا صفيقين-

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks mostly, therefore fatwa is to be unlawful masah over it.¹ Thus we should not perform masah but over leather socks. That's all. (Fatawa Darul Uloom. Vol.1, p.267)

Masah over Jaurabain

Question: Masah over Jaurabain is proven according to the view of Sahibain (r) in the fiqh books, but with the condition of thickness. What is the limit of thickness? Qudoori writes: “يشفان الماء” (they sift the water). What is written in margin referring Jauharah al-Nayyirah: “ملا يرى ماتحتها من خلاله” (the inside should not be seen), Sharah Wiqayah: “يستمسكان على الساق بلا شد” (they should stay over the calf without tying), create doubt. That's why I want to ask that the socks which we use in winter and summer whether they are cotton, woolen, double or thin, is masah lawful over them?

A friend of mine who has knowledge of Deen, but he does not believe in Taqleed, advised me to perform masah over these kinds of socks without doubt. And added: that is proven by Ahadeeth and book of fiqh. That's why I needed to question. Because I listened from the first day all ulama saying “masah is lawful over leather socks” while it is said that the meaning of “يستمسكان على الساق” is they should stay over calf, the feet should not be opened. It is known that they should remain over calf and it should not fall after walking one or two farsakh.

Answer: What is written in Durre Mukhtar are conditions. The reason of all conditions to be fond is to give the meaning of leather socks which is its evidence and it is meant by “لا يستمسكان” (they should not fall). What is denoted in hadith is ambiguous, because that is the narration of an event which does not consist of action.¹ So we should consult another evidence, since accustomed Jurab does not have that quality. Thus masah is not allowed over them.² That's all.

It is reported by Sa'eed Ibn Musayyib (r) and Hasan (r) that they said: “He will perform masah over Jaurabain if they are thick. (Musannaf Ibn Abi Shaibah, 223, about masah over Jaurabin. Vol.1, p. 171, No. 1976, Anees)

وقال: خرج عنه أماكن من كرباس بالكسر وهو الثوب من القطن الأبيض الخ وأنهم أخرجه لعدم تأني الشروط فيه غالباً الخ¹

He said: it is excluded from what is known كرباس that means white cotton cloth... they excluded, because it does not fulfil most of the conditions. (Raddul Muhtar: Book of masah over socks. vol.1, p.248. Zafeer) And masa'lah is so in Fatawa Mahmoodiyah. Vol.1, p.193. Anees

² There are three hadith reported in term of masah over Jaurab. Mughirah (rz), Abu Musa Ashari (rz) and Bilal (rz) narrated that Prophet (saws) performed wudu and did masah over Jurab and Minchali. Hadith narrated by Abu Musa (rz) and Bilal (rz) is weak, but hadith narrated by Mughirah (rz) is stated as Hasan Saheeh by Imam Tirmizi. (Imam Tirmizi narrated from Mughirah bin Shobah that he said: Prophet (saws)

Injunction of masah over Jurab and cotton socks ¹

performed wudu and did masah over Jaurabain. He said: this hadith is Hasan Saheeh. Ibn Hibban also narrated it in his Saheeh. Anees)

But other grand Muhadditheen commented on it. (For detail study Nasbur Rayah. Vol.1, p.184-186, Ma'arifus Sunan Shaarah Tirmizi Shareef Written by Maulana Usuf Binnauri (r). Vol.1, p.348-351). Moreover Hadith is compendious in this regard that Jurabs were thick or thin, with the leather beneath them or without it, because the words of Hadith are:

“مسح على الجوربين والنعلين” (he performed masah over Jaurabain and Na'lain). So, some Muhadditheen explained it as, he performed masah over Jaurabain with the leather beneath them. It is also necessary to define that Prophet (saws) performed Wudu because of wajib, that means he did it in the situation of hadath, or it was desirable, that it was wudu after wudu. It should be known also that this injunction is for all not specified with Prophet (saws). So it can say that it occurred specifically. Saeed Ahmad

¹ Jurabs, whether they are woolen or cotton are of two kinds: thick and thin. Thick according to fuqaha is the Jurab that has so thick and strong, one can walk three miles without shoes and they can stay over calf without tying by elastic. This staying should not be due to tightness, but they stay because of their thickness and density. They should not absorb water quickly and sift water.

However, there are three conditions in thick Jaurabain: 1. They should not tear if one walks three miles in it. 2. They should stay over calf without tying. 3. They should not sift water and not absorb water quickly. So, the Jurab which lost any one of these conditions that will be considered thin.

After confirmation of the definitions of thin and thick, it should be noticed that some people attach leather over their Jurabs that are varied in types. So, according to this detail Fuqaha divided Jurabs into two types again. 1. Mujallad 2. Muna'l. Mujallad is the one which has leather covered outside and inside till the ankles. Muna'l is the one which has leather beneath only. The Jurabs of our country which are covered with leather beneath and heel, they are Muna'l with the consent of all. They will not come under mujallad. Therefore, Al-Bahrur Raiq define Muna'l as the jurab which is not covered with leather completely till ankles. Thus this accustomed Jurab is not another type but it includes in the two: Mujallad and Muna'l.

After the detail we can divide Jurabs into six types: three of them are from thick Jurabs: thick Mujallad, thick Muna'l and thick simple (neither Mujallad nor Muna'l), and three are from thin: thin Mujallad, thin Muna'l and thin simple.

Injunctions in detail: Masah is lawful in first three types with the consent of Hanafiyah, though Imam Abu Hanifah differs from in the third, but his taking back towards Sahibain's opinions is also known. Most of Hanafi Mashaikh has given fatwa according to Sahibain's opinions. Thus the third type is included in the two agreed upon.

The remaining three types (thin Mujallad, thin Muna'l and thin simple) has some details. Masah is allowed over thin Mujallad with the consent of all Hanafiyah while it is not allowed over thin simple with the consent of all. Mashaikh have different opinions in thin muna'l. Some Mutaqaddimeen are silent in its case while some said not to be lawful. Muta'kkhireen Hanafiyah also said that if common cotton Jurabs are made muna'l, masah will not be lawful over them. The difference of Muta'kkhireen is only about thick and strong woolen Jurabs but they are not much thick. If such Jurabs are made muna'l, some ulama said to be allowed, but most of them differ.

The detail to be lawful is reported only by Shareh of Muniyah (r), Allamah Shami (r) and Shaikh Abdul Ghani Nabulisi (r). They also stated it against Taqwa (piousness). On the other hand, the Author of Durre Mukhtar (r) has written a booklet about not to be allowed. Shami (r) justified it by many Mashaikh and stated the

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Question: Is masah lawful over woolen or cotton socks?

Answer: Durre Mukhtar says: أو جورييه ولو من غزل أو شعر الثخينين بحيث يستمسك ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف الخ

Or over his Jaurab, though it is made from thick yarn or hair as it stays over calf itself and inside is not seen, not diaphanous....¹

It means that if the socks whether they are woolen or cotton fulfil the following conditions, masah will be lawful over it.

- (1) They should be so thick and dense that if one walk in them three miles (12000 steps), they should not tear.
- (2) They should stay over calf without tying.
- (3) They should not sift the water.
- (4) Nothing can be seen from inside, even it is seen closely.

13th Ziqadah 1321 A.H. Imdad. Vol.1, vol.5 (Imdadul fatawa Jadeed. Vol.1, p.75-77)

Masah over Jurab is lawful or not

Question: Is Masah allowed over Jurab or not and what are the reasons? Was Jurab available in the age of Prophet (saws) or not? If it was not. Is Masah allowed over Jurab by the rules that maks masah lawful over socks?

declaration by Akhi Chilpi the same. Even the Authers of Bada'e, Khulasah, Bahr, Alamghiri, Tahtawi and Mara'iqi Al-Falah are agreed not to be allowed.

Noticing this difference, when we have a glance on rules, it clears that main Faridhah is to wash feet that is proved by the glorious text of Qur'an. But it is also declared by Ahadith Mutawatirah that masah is also lawful in the case of wearing socks. Now to issue this injunction in Jurabs will be when it is certain that all conditions of leather socks are found in them. If there is doubt that the conditions of socks are found in that Jurabs or not, masah will not be allowed over it by the rule: "اليقين لا يزول بالشك" (doubt cannot remove certain)

Note: If one wore leather socks over Jurab of cloth (whether they are thick or thin), masah will be allowed over them as Muhaqqiqeen gave fatwa the same. Some ulama gave fatwa of unlawful following Fatawa Al-Shami.

Note: This all discussions is extracted abridgement from a booklet "Nailul Ma'arib fil Mashi alal Jawarib" written by Mufti Muhammad Shafi (may Allah forgive him) registered under Fatawa Darul Uloom Deoband. Vol.1, p.23-48 (coming soon in the same chapter)

فجزاه الله عن المسلمين أحسن الجزاء و بارك الله في حياته. Saeed

¹ Addurul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. vol.1, p.246. Anees.

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Answer: Prophet (saws) has performed masah over leather socks.¹

If it is woolen or cotton Jurab, it should be so thick that can stay over calf without elastic and one can walk in it three miles or that Jurab should be Mujallad or Muna'l. Muna'l is the one that has leather beneath it and Mujallad is the one that has leather over all. Durre Mukhtar said:

على ظاهر خفيه أو جرموقيه الخ أو جوربيه ولو من غزل أو شعر الثخينين بحيث يستمسك ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف الخ والمنعدين والمجلدين. الخ.

Over the back of his socks or shoes... or over his Jaurabain though it is made from thick yarn or hair as it stays over calf itself and inside is not seen, not diaphanous and over Muna'lain and Mujalladain.....²

This texts mean what is mentioned above. (Fatawa Darul Uloom. Vol.1, p.268,269)

Doing masah over Jurab

Question: What is the injunction to do masah over Jurab?

Answer: If Jurab is thin, masah is not allowed over it. if it is so thick and strong that can stay over calf and there is no problem in walking in it without tying and it does not sift and the wet should not reach till feet, whether it is cotton or silken, made of leather or hair, masah is correct over all of them according to Sahibain's opinions. But according to the view of Abu Hanifah (r) masah is not allowed over it until it is Mujallad or Muna'l. Mujallad is the one which has leather inside and outside and Muna'l is the one which has leather beneath.

It is said that Abu Hanifah (r) returned towards the opinion of Sahibain(r). Durre

Mukhtar says: أو جوربيه ولو من غزل أو شعر الثخينين بحيث يستمسك ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف الماء الخ

عن شهر بن حوشب قال رأى جريد بن عبد الله توطأ ومسح على خفيه الخ¹

It is narrated by Shahr bin Haushab: I saw Jareed bin Abdullah performing wudu and doing masah over his socks. I said to him about it. He replied, I saw Prophet (saws) performed wudu and did masah over his socks. (Tirmizi: Book of masah over socks. vol.1, p.14. Deoband. Anees)

المُغِيرَةُ بْنُ شُعْبَةَ. قَالَ: تَوَضَّأَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَسَحَ عَلَى الْجَوْرَبَيْنِ.

Mughirah bin Shubah (rz) said: "Prophet (saws) performed wudu and did masah over Jaurabain (Tirmizi Sharif: Book of masah over Jaurabain. Vol.1, p.15. Deoband. Anees)

² Addurul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. vol.1, p.246. Zafeer.

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks
Or over his Jaurab, though it is made from thick yarn or hair as it stays over calf itself
and inside is not seen and it does not sift the water ¹

And Qadhi Khan writes: وإن مسح على الجوربين فهو على وجه النخ

Performing masah over Jaurabain is of some kinds. If it is thin without leather beneath, masah is not allowed with the consent of all. If it is thick with leather beneath it, masah is allowed with the consent of all. Thick Jaurabain is the one that stands on calf itself and does not fall, and not sift. Some fuqaha said: لا ينفذان which means water should not reach till feet. It is also said that it means it should not sift water to it like leather. If it is thick without leather beneath it, masah is unlawful over it according to the opinion of Abu Hanifah (r) while it is allowed according to the opinions of Sahibain(r). It is also reported from Abu Hanifah (r) that he returned towards the opinions of Sahibain (r) before his death. ²

Masal'ah: All kinds of jurab if it is so thick that can stay over calf and there is no problem in walking in it without tying and it does not sift and the wet should not reach till feet, whether it is mauna'l (with the leather beneath it) or mujallad (with the leather above and beneath that covered whole feet or the place of masah, masah will be allowed. But if the leather is only over the fingers though it is with the leather beneath, masah will not be allowed. If it is without leather beneath and above, masah will be allowed in this case according to the opinions of Sahibain (r). But Imam Abu Hanifah's (r) first view is that masah is not allowed over Jurab but over thick with the leather beneath and above. Later he returned towards the opinions of Sahibain (r) three or six days before his death. So is in Muzmarat. Sadr Al-Shari'ah said: Fatwa is according to Sahibain's (r) opinions.

It came in Sharah Gurar:

كان الإمام لا يجوز أولاً ويجوز أصحابه ثم رجع إلى قولهما، وبه يفتى-

Imam Abu Hanifah(r) was not allowing before while Sahibain (r) were allowing, then Abu Hanifah (r) returned towards the opinions of Sahibain (r). It is fatwa also.

Hidayah writes:

وعنه أنه رجع إلى قولهما وعليه الفتوى-

¹ Addurul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. vol.1, p.269. Anees.

² Fatawa Qadhi Khan on the margin of Al-Fatawa Al-Hindiyah. Vol.1, p.51,52. Anees

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

It is reported from him that he returned towards the opinions of Sahibain (r). It is fatwa also. ¹

Sharah Hamiduddeen states:

أنه صح أنه مسح على جوربيه في مرضه . وقال: فعلت ما كنت أمتنع الناس عنه وهذا رجوع إلى قولهما۔

It is correct that he performed masah over his Jaurabain when he was ill, and said: Today, I acted something from what I was forbidding people. It is his returning towards the opinions of Sahibain (r). ²

Shamsul Aimmah Hulwai said:

هذا الكلام يحتمل أن يكون رجوعاً إلى قولهما ويحتمل أن لا يكون رجوعاً ويكون اعتذاراً بما أخذ بقول المخالف للضرورة فلا يثبت الرجوع بالشك انتهى

This statement may be returning towards the opinions of Sahibain (r) on the other hand it may not be and he may apologize for acting upon the opinion of his opposite. So, only doubt cannot prove returning. ³

(Fatawa Abdul Haiee Urdu. P.196)

Conditions of Masah over Jurab

Question: What does Shariah say about performing masah over Jurab? Some people perform masah over nylon Jurab. In this case, wudu will be or not?

Answer: Masah over socks is proved by Hadithe Mutawatir. Socks are usually made from leather, that's why masah is not allowed over normal jurab. Ulama has denoted four conditions to perform masah over Jurab that follow:

¹ Hidayah. Vol.1, p.61. Anees

² سمعت أبا مقاتل السمرقندي يقول: دخلت أبي حنيفة في مرضه الذي مات فيه الخ

I listened Abu Muqatil al-Samarqandi (r) saying: "I went to Abu Hanifah (r) at the time of his illness when he came to die. He asked water, performed wudu and did masah over Jaurabain that he has worn. Then he said: "I acted today something that I was not doing before. I performed masah over Jaurabain and they were not Mua'al (with leather beneath it)." (Tirmizi: Book of what reported about masah over Jaurabain and Na'alain. Anees)

³ Shamsul Aimmah Hulwai said: This statement may be returning towards the opinions of Sahibain (r) on the other hand it may not be and he may apologize for acting upon the opinion of his opposite. So, only doubt cannot prove returning. Anees

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

- (1) They should be so thick and dense that if one walk in them three miles (12000 steps), they should not tear.
- (2) They should stay over calf without tying.
- (3) They should not sift the water.
- (4) Nothing can be seen from inside, even it is seen closely.

Since, accustomed nylon Jurab does not fulfil these conditions, masah is not allowed over it and wudu will be incomplete in this case.

قال الحصكفيّ أو جوربيه ولو من غزل أو شعر الثخينين بحيث يستمسك ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف إلا أن ينفذ إلى الخف قدر الفرض.

Haskafi (r) said: Or over his Jaurab, though it is made from thick yarn or hair as it stays over calf itself and inside is not seen, not diaphanous, but what when the water reached the place of Fardh. Addurul Mukhtar on the margin of Raddul Muhtar: Book of masah over socks. vol.1, p.269.)¹ (Fatawa Haqqaniyah. Vol.2, p.555)

Masah over Jurab is lawful or not and prayer behind such person is correct or not

Question: (1) Is masah allowed over cotton or woolen Jurab or not? If not, is the prayer behind such person is permissible or is it worthy to repeat?

Question: (2) A person said that Imam Abu Hanifah's (r) fatwa is that masah is allowed as it is in Qudoori. What to say if Hanafi ulama do not read it.

Question: (3) The questioner asked that person that did ulamae Ahnaf also give fatwa to be allowed? He replied: that is fatwa of Abu Hanifah (r) not a joker. What about this person?

Question: (4) Is there any fatwa of Imam Azam (r) concerning to be allowed in Qudoori?

¹ قال ابن نجيم: (قوله والجورب المجلد والمنعل والثخين) أي يجوز المسح الخ

Ibn Nujaim (r) said: (his statement, and Jaurab with the leather beneath, and above and thick) i.e. masah is permissible over Jaurab if it is Mujallad or Muna'l or thick (after some lines) thick jurabain is the one that stays over calf without tying and neither falls not sifts. Tabyeen writes: and inside is not seen. (Al-Bahrur Raiq: Book of masah over socks. vol.1, p.182. And so is in Khulasatul Fatawa: Book of masah over socks. vol.1, p.28)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Answer: (1) Masah is not permissible over the usual cotton and woolen jurab that does not have the conditions of permission. Salah is not correct following him. If he performed masah over such jurab, he should repeat Salah.¹

Answer: (2) Imam Abu Hanifah (r) is of the view that if jurab is covered by leather, masah is permissible over it otherwise no. While Sahibain (r) are the view of that masah is allowed over jurab if it is so thick and dense that can stay over calf itself, it should not sift the water, one can walk in it three miles and it should not tear. So is in Raddul Muhtar.² That's all.

Answer: (3) One who say like this is sinner and neglectful of book of fiqh. Had he known, he would not say that.

Durre Mukhtar says:

(أو جوريه)-----الثخينين بحيث يمشي فرسخاً ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف الخ

(Or over his Jaurab) Thick that means one can walk one Farsakh, it stays over calf itself, inside is not seen, and not sifted ³

By this text we can know the status of the conditions of masah over Jurab. It declared that accustomed cotton and woolen jurab does not carry these conditions.

ثم قال: (والمثقلين) ----- (والمجلدين). الخ، وفي الشامي: ما ذكره المصنف من جوازه على المجلد و المنعل متفق عليه عندنا. وأما الثخينين فهو قولهما. وعنه أنه رجع إليه وعليه الفتوى.

Then he said: (and Muna'lain) (and Mujalladain)... and Shami writes: The permission to perform masah over Mujallad and Muna'l jurab is agreed upon by our ulama. The condition of thickness is the statement of Sahibain (r), and it is reported from

¹ أو جوريه ولو من غزل أو شعر الثخينين بحيث يمشي فرسخاً ويثبت على الساق بنفسه ولا يرى ما تحته ولا يشف الخ

Or over his Jaurab, though it is made from thick yarn or hair as it stays over calf itself and inside is not seen, not sifted. (Durre Mukhtar) as he denoted that the reason of to be unlawful masah over Jaurab is to be made from cloth, because regular walking is not possible (Raddul Muhtar: Book of masah over socks. vol.1, p.248.) Then masah over Jaurab is permissible with the consent of all if it is Muna'l. If it is not Muna'l but it is thin, masah is not allowed with the consent of all. (Al-Bahrur Raiq: Book of masah over socks. vol.1, p.192. Zafeer.)

² وأما الثخينين فهو قولهما الخ

The condition of thickness is the statement of Sahibain (r), and it is reported from Abu Hanifah (r) that he returned towards Sahibain's (r) opinions. Fatwa is according to Sahibain (r).(Raddul Muhtar: Book of masah over socks. under the text of Al-Durrul Mukhtar: والمجلدين: vol.1, p.248,249. Zafeer.)

³ Al-Durrul Mukhtar with Raddul Muhtar: Book of masah over socks. vol.1, p.248. Zafeer

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks
Abu Hanifah (r) that he returned towards Sahibain's (r) opinions. Fatwa is according to Sahibain (r).¹

Answer: (4) The conditions to allowed masah over jurab are what mentioned above. To refer to Qudoori for allowing masah over Jurab is wrong.² That's all. (Fatawa Darul Uloom. Vol.270, 271)

Injunction of masah over nylon socks

Question: Here winter falls a lot in Kashmir. It decreases till 0 °C. Is masah allowed over nylon socks in this case? Taleemul Islam denotes only that masah is permissible over thick woolen and cotton socks in which one can walk three miles, and nylon socks fulfil these conditions.

Answer: A socks that is not made of leather but it is so thick that one can walk in it three miles and does not sift the water, masah is allowed over such socks for muqem for one day and one night and for musafir for three days and three nights.³ That's all, and Allah knows the best.

Written by slave Mahmood (may Allah forgive him, Darul Uloom Deoband, 25, 10 1394 A.H. (Fatawa Mahmoodiya. Vol.5, p.195. And so is in Fatawa Rahimiyah. Vol.4, p.279)

Is masah permissible over nylon or cotton socks

Question: Is masah allowed over nylon socks of cloth?

Answer: Main point to be allowed masah over socks is socks that is called leather socks. It is unreasonable. So the analogy leads to not to be allowed masah but over leather socks. But by the secret idea (Qiyase Khafi) and Istihsan ulama inferred the chance to be

¹ Al-Durrul Mukhtar with Raddul Muhtar: Book of masah over socks. vol.1, p.249. Zafeer

² وإذا لم يكن منعلاً وكان رقيقاً غير جائز اتفاقاً.

If it is not muna'l while it is thin masah is not permissible with the consent of all. . (Al-Bahrur Raiq: Book of masah over socks. vol.1, p.192. Zafeer.)

³ أو جوريه ولو من غزل أو شعر الثخينين بحيث يمشي فرسخاً ويثبت على الساق بنفسه ولا يرى ماتحته ولا يشف الخ

Or over his Jaurab, though it is made from thick yarn or hair as it stays over calf itself and inside is not seen, not sifted. (Durre Mukhtar) Ibn Abideen said: (قوله ولو من غزل أو شعر) (his statement: Or over his Jaurab, though it is made from thick yarn or hair). It is excluded from what is known كريات that means white cotton cloth and the one that is made of thread like cotton, silk and so on.... I say that it is clear that if you it has all conditions, masah will be allowed. They excluded it, because it does not have most of the conditions. (Raddul Muhtar: Book of masah over socks. vol.1, p.269. Sa'eed. And so is in al-Halabi al-Kabir: p.121 Book of masah over socks, Suhail Academy, Lahor. And so is in Fatawa Haqqaniyah. Vol.2, p.615. Injunction of doing masah over nylon Jurab, Darul Uloom Haqqaniyah Akoda, Khatak. And so is in Kifayatul Mufti. Vol.2, p.321. Darul Isha't Karachi.)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks allowed masah over non- leather socks, whether it is nylon or woolen that fulfil the specific qualities and conditions of leather socks that are follow:

It should cover feet along with ankles. The covered part should not be seen and the wet of masah should not reach inside. If one walks in it one or two miles, it should not tear or fall down.¹ Written by Nizamuddin, Darul Uloom Deoband, Saharanpur (Muntakhab Nizamul Fatawa. vol.1, p.42)

Is masah permissible over cotton, silken or woolen socks

(Extracted from daily third day Al-Jmi'at, Delhi, 22nd January 1982 CE)

¹ The purpose of socks is to cover the feet till ankles and protection from cold. It should be thick and one can walk in it easily and it can stay over calf without binding and the water should not enter inside. This kind of socks are usually made of leather. The Prophet's (saws) socks was also made of leather (Tahtawi. Vol.70) The companions also used the same socks. But it is not mandatory that it should be made of leather. So if it is thick and dense or made of fome, masah is permissible over it. This types of socks should fulfil the following conditions:

1. The socks should cover the part that is mandatory to wash in wudu along with ankles, and it should be safe that is not torn or the torn should be less than three little fingers of feet. If it is torn on the place of fingers and it is less than three little fingers, masah is allowed over it. For example, it is torn above the toe and the next finger, masah is permissible over it. (Tahtawi. Vol.70)
2. The socks should stick over the feet.
3. It should be so strong that one can walk in it one Farsakh (two milses) or more as usual. (Raddul Muhtar. Vol.1, p.261. Al-Hidayah. Vol.1, p.50)
4. It should be so thick that the inside should not be seen.
5. It should not absorb the water i.e. if the water is poured over, it should not reach inside.
6. It should stay over feet without binding. (Taharat Ke Ahkam Wa Masail. P.142-144. Aneesur Rahman Qasmi)

(ولا يجوز المسح على الجوربين عند أبي حنيفة إلا أن يكونا مجلدين أو منعلين وقالا يجوز إذا كانا ثخينين لا يشقان "لما روي أن النبي عليه الصلاة والسلام مسح على جوربيه ولأنه يمكنه المشي فيه إذا كان ثخيناً وهو أن يستمسك على الساق من غير أن يربط بشيء فأشبهه الخف (إلى قوله) وعنه أنه رجع إلى قولهما وعليه الفتوى - (هداية - ١/١). باب المسح على الخفين) لا شك أن المسح على الخف على خلاف القياس الخ - (فتح القدير مع العناية - ١٠٩/١، كتاب الطهارة)

Masah is not allowed over Jaurabain but when if it is muna'l or mujallad according to the view of Abu Hanifah (r) while Sahibain (r) said: masah is allowed over Jaurabain if it is thick and it does not sift the water, as it is reported that Prophet (saws) performed masah over his jaurab and walking is also possible in it if it is thick i.e. it can stay over calf without binding. So it will be like socks (till his statement) it is reported by him that he returned towards the opinion of Sahibain (r). Fatwa is according to it. (Hidayah.vol.1, p.16. Book of masah over socks) It is certain that masah over socks is paradoxical. Therefore, it is not correct to attach other thing with it. But when the indication is found which is to be in its meaning, to cover the place which is in the process of regular walking in journey and at residency. Because it is certain that the permission of masah over socks is not due to its specificity but it is its meaning that creates problem in putting off again and again..... (Fathul Qadeer with Al-Inayah: Book of purity. Vol.1, p.109.)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Question: If someone needs to perform wudu and he put on socks already and he cannot put it off due to cool, is it permissible for him to perform masah over it, while socks is cotton, silken or woollen?

Answer: Masah is allowed over leather socks. But if it is thick woollen or cotton and it does not sift water, masah is permissible over it also.¹ Muhammad Kifayatullah (May Allah forgive him) Madrasah Aminiyah Delhi (Kifayatul Mufti. Vol.2, p.27)

Masah over kirmich (canvas) socks is correct

Question: Is masah allowed over kirmich (canvas) socks which is sewn leather over it. E.g. finger, back heel and sole is made of leather? Canvas is a material that is made of Tat San which is so dense that neither absorbs water nor becomes wet like cloth. If only the heel is made of leather, or it is simple kirmich (canvas) socks, is masah allowed in all these cases?

Answer: The quality of canvas socks is the same as described above, masah will be allowed over it though there is no leather over it.

قال في المنية وشرحها: ويجوز المسح على الخفاف المتخذة من اللبود التركية لإمكان قطع المسافة بها حتى قالوا: لو شاهد أبو حنيفة صلابتها لأفتى بالجواز لشدة دلكها وتداخل أجزائها بذلك حتى صارت كالجلد الغليظ وأجمعوا على جواز المسح عليها بطريق الدلالة كما تقدم آه وفيه أيضاً: وحد الجوربين الثخينين أن يستمسك ويثبت على الساق من غير أن يشد به بشيء آه. والمراد استمسكه بصلابته وغلظته دون جدته وضيقه، والحد بعدم جذب الماء كما في الأديم على ما فهم من كلام قاضي خان أقرب وبما تضمنه وجه الدليل وهو ما يمكن فيه متابعة الشهي أصوب آه- (ص ١١٩)

قلت: وهذه الشرائط كلها موجودة في القرص فلا شك في جواز المسح عليه عندهم -

It is said in Al-Muniyah and it Sharah: Masah is allowed over socks made of Turkish thick over folded cloth because walking is possible in it. Had Abu Hanifah (r) seen its firmness, he would have been given fatwa of allowing masah over it due to its density and firmness

(ولا يجوز المسح على الجوربين عند أبي حنيفة إلا أن يكونا مجلدين أو منعلين وقالوا يجوز إذا كانا ثخينين لا يشقان "لما روي أن النبي عليه الصلاة والسلام مسح على جوربيه ولأنه يمكنه المشي فيه إذا كان ثخيناً وهو أن يستمسك على الساق من غير أن يربط بشيء فأشبهه الخف (إلى قوله) وعنه

أنه رجع إلى قولهما وعليه الفتوى - (هداية - ١/١، باب المسح على الخفين، انيس)

Masah is not allowed over Jaurabain but when if it is muna'l or mujallad according to the view of Abu Hanifah (r) while Sahibain (r) said: masah is allowed over Jaurabain if it is thick and it does not sift the water, as it is reported that Prophet (saws) performed masah over his jaurab and walking is also possible in it if it is thick i.e. it can stay over calf without binding. So it will be like socks (till his statement) it is reported by him that he returned towards the opinion of Sahibain (r). Fatwa is according to it. (Hidayah.vol.1, p.16. Book of masah over socks, Anees)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks
that made it like thick leather. All fuqaha are agreed to be allowed masah over it due to indication. It is also written that the definition of thick Jaurabain is it stays over calf without binding with anything. It means that its staying over calf is not due to its firmness and thickness. The meaning of not absorbing water is like leather as known by the statement of Qadhi Khan. The thing which is included in the analogy of evidence, that is regular walking should be possible in it, is quite correct. (p.119)

I said: These all conditions are found in kurmuz. So, certainly, masah will be over it according to all.

But it is better to attach leather sole discreetly, further there is no need to attach leather anywhere. Allah knows the best. 22nd Rajab, 1343 A.H. (Imdadul Ahkam. Vol.1, p.388)

The booklet 'Nailul ma'arib fil mashi alal jawarib'

All praises for Allah and peace and blessings be upon His chosen servants.

Is masah allowed over accustomed jurab of cloth in our country if it is made mujallad or muna'l? if yes, what are the conditions to be allowed? This issue is mostly chanced and asked in Darul Ifta Darul Uloom Deoband day by day. Recently, a question was asked regarding it by ulama of "Hooti Mardan". They reported the different among ulama and opposite statement of Allama Shami in this regard and requested to decide the conclusive judgement. From the first, I was thinking about the inspection of this mas'alah. Thus, I want to put before you what I understood, according to my ability and strength, after studying the books of jurisprudence of ulama mutaqaddimeen and mut'akhhireen. I asks none but Allah accuracy, perfection and preservation from mistakes in all spheres. He is all helping and all trusting.

Question: Here, in "Hooti" city, ulama have confliction in regard of mas'alah of masah over woolen and cotton socks. Some of them say: masah is allowed over woolen and cotton, mujallad and muna'l jurab , whether it is muna'l or mujallad, masah is allowed over it. Later ulama differed about the definition of mujallad. Public is also opposing each groups. You know the situation of borders. Ulama of both groups are denoting the statements of fuqaha supporting their opinions. Raddul Muhtar. Vol.1, p.197 is reporting opposite statements. Allama Shami has his own opinion while Sadrush Shari'ah he is narrating another view from "Hashiyah Akhi Chilpi ala" Fatawa Imdadiyah and Majmuatul Fatawa of Maulana Abul Haiee is also consulted, but it seems difficult to decide the conclusive judgement. The confliction is increasing day by day. Unless it may turn to fighting. Kindly, you are requested to write a conclusion referring authentic books, that thickness is mandatory in muna'l and mujallad jurab or not? What is the definition of tajleed?

Answer:

Kinds of jurab in detail: before introducing mas'alah, it is necessary to know the kinds of jurab along with their definition that fuqaha accept to perform masah over it.

According to clothes, jurab is of two types: Thick and thin. Thick jurab in the sight of fuqaha is the one which is so thick, dense and strong that one can walk in it three miles without shoes and it can stay over calf without elastic or binding. It means that its staying over calf should not be due to its fitness and tightness but it should be due to its firmness and thickness and it should not absorb water quickly and sift water.

However, there are three conditions in thick Jaurabain: 1. They should not tear if one walks three miles in it. 2. They should stay over calf without tying. 3. They should not sift water and not absorb water quickly. So, the Jurab which lost any one of these conditions that will be considered thin.

وذلك لما في فتاوى قاضي خان: والشيخين أن يقوم على الساق من غير شدي ولا يسقط ولا يشف وقال بعضهم: لا ينشف الخ

Thick Jaurabain is the one that stands on calf itself and does not fall, and not sift. Some fuqaha said: لا ينشف which means water should not reach till feet. It is also said that it means it should not sift water to it like leather. (Fatawa Qadhi Khan. Vol.1, p.25, Mustafai) Sharah Al-Muniyah reports from Al-Mughrib: شف الثوب is called when it is so thin that inside is seen. (Then he said:) Both meanings are correct and close to each other, because if jurab is so that water cannot reach feet, it will be like leather in the meaning of not absorbing water to itself but after remaining unlike thin jurab that absorb water quickly and water reaches feet at once. And the meaning of thick jurabain is that it should stay over calf without tying it with anything as all fuqaha explained. It is fair to restrict that its staying should not be because of its tightness, for we have seen tight jurab staying over without tying though it is made of cloth. The meaning of not absorbing water is like leather as known by the statement of Qadhi Khan. The thing which is included in the analogy of evidence, that is regular walking should be possible in it, is quite correct. Najmuddeen Al-Zahidi said: If it is thick that one can walk in it one or more farsakh like jaurab of Marw, there is difference. Quote ended. Al-Khulasah says: if jaurab is made of hair, and it is hard sticking over calf, one can walk in it one or more farsakh according to the mentioned difference, it is the one that should be preferred. (Sharah Munyah, Mujtabai. P.118, 119)

وفي رد المحتار: تَقَدَّمَ أَنَّ الْفَرْسَخَ ثَلَاثَةُ أَمْيَالٍ أَهْوَ فِيهِ بَعْدَ ذَلِكَ: التَّبَادُّرُ مِنْ كَلَامِهِمْ أَنَّ الْمُرَادَ مِنْ صَلَوحِهِ الْخ

Raddul Muhtar says: It is known that farsakh is three miles. Later it says: what is understood by their talks is that its ability to cross the destination means it should have

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks that quality itself without wearing shoes over it. Because sometimes the bottom becomes thin and it works many days under shoes. While if it is worn only and walked one farsakh, it tears to the extent that does not allow masah. (Till his statement) It is supported by the dream in which I saw Prophet (saws) after many days I finished to write this point. I asked him about it. He (saws) replied: If the socks became thin by three fingers, masah will be forbidden. This chanced in the month of Zil Q'ada 1236 A.H. (Shami: Book of masah over socks vol.1, p.243)

The texts above proved all mentioned conditions of thick jaurab. It is also known that the conditions are compulsory in jurab whether it is woolen or cotton. Thus, the jurab that fulfil the conditions is called thick though it is cotton, while the one that does not fulfil the conditions is called thin though it is woolen.

وبه صرح في رد المحتار حيث قال: الظاهر أنه إذا وجدت فيه (أي الكرباس) الشروط يجوز، وأنهم أخرجوه لعدم تأتى الشروط فيه غالباً. الخ

(Shami: Book of masah over socks vol.1, p.248 under the statement of Durre Mukhtar:

ولو من غزل الخ)

After confirmation of the definitions of thin and thick, it should be noticed that some people attach leather over their Jurabs that are varied in types. So, according to this detail Fuqaha divided Jurabs into two types again. 1.Mujallad 2.Muna'l. Mujallad is the one which has leather covered outside and inside till the ankles. Muna'l is the one which has leather beneath only.

وذلك لما في المغرب: والجورب المجلد على أعلاه وأسفله وجورب منعل وهو الذي وضع على أسفله جلد كالنعل للقدم. وفي شرح المنية: قوله المجلدين أي استوعب الجلد ما يستر القدم إلى الكعب أو منعلين أي جعل الجلد على ما يلي الأرض منهما خاصة كالنعل للرجل اهـ.

It is because Mughrib says: Mujallad Jaurab is the one which has leather inside and outside. Muna'l jurab is the one that has leather beneath it like sole for feet. Sharah Al-Muniyah says: His statement المجلدين means the leather should cover the feet till ankle, and أو المنعلين means leather is attached in bottom especially like sole for feet.

In Arab, there are only two types of accustomed jurab when leather is attached over it. Therefore Mutaqaddimeen denoted them in their books. But one more kind of jurab is also accustomed in lands of Persians like India, Bukhara and Samarqand and so on. In which leather is attached over fingers and heel along with sole that turns in the shape

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks of Indian shoes, but the whole feet till ankles is not covered by leather. The definition of mujallad that is written in Sharah Muniyah – the leather should cover whole feet till ankles- indicates that accustomed jurab in India and other countries is excluded from the definition of mujallad and it is more than mujallad. Because being leather over fingers and heel is not the condition of muna'l. Allama Shami stated some kinds in the content of conditions of masah at the beginning of 'the book of masah over socks'. By that we can understand the injunction of accustomed Indian jurab. E.g. jarooq which is like English shoes. Its some upper part is open. Some people cover that open space with cloth which is called lifafah (envelop). He wrote the difference of ulama of Bukhara and Samarqand to be allowed masah over it. Mashaikh of Samarqand allowing it. The detailed discussion about difference and preference will come soon under depict of injunctions.

Then inferred another kind from 'Jarooq covered by cloth' of different opinion. It is known as Qalsheen or Khuffe Hanafi (Hanafi socks) in his country. He described it as accustomed jurab in our country which has leather over the fingers and heel. That's why this Qalsheen or Khuffe Hanafi also consists of different opinion.

To site the text:

وَيُؤْخَذُ مِنْهُ أَيْضًا أَنَّهُ يَجُوزُ الْمَسْحُ عَلَى الْمُسَيِّ فِي زَمَانِنَا بِالْقَلَشِيِّ إِذَا خِيطَ فَوْقَ جَوْرِبٍ رَقِيقٍ سَاتِرٍ وَإِنْ لَمْ يَكُنْ جِلْدُ الْقَلَشِيِّ وَاصِلًا إِلَى الْكَعْبَيْنِ-

It is also understood that masah will be allowed over the one which is named with Qalsheen in our country, if it is sewn over thin jaurab, though its leather does not reach ankles. (Shami. Vol.1, p.242, under his statement: وجوز مشائخ الخ- Anees)

He denoted that the criteria of this difference is that the condition of thickness will be applied over muna'l jaurab or not. Those who support it they do not allow masah over it and those who oppose it, they allow masah over muna'l. So he wrote the Faqih Abu J'afar's (r) statement about 'Jarooq covered by cloth':

الأصح أنه يجوز المسح عند الكل لأنه كالجورب المنعل اهـ

It is right that masah is allowed according to all, because it is like muna'l jaurab. (Shami. Vol.1, p.242)

However, it declared that jurab covered its heel and fingers with leather in our country are muna'l and it is not included in mujallad. That's why Bahrur Raiq defined muna'l that it is the one which does not have leather over whole feet and ankles.

والمنعيلين-----مأجعل على أسفله جلدة: أي إلى قدم دون الكعبين اه (طحطأوي: ج ١ ص ١٣٠)

And muna'lain..... which has leather beneath it till feet not till ankles. (Tahtawi. Vol.1, p.140)

So this accustomed jurab is not its separate kind. Thus there are only two kinds of jurab: Mujallad and Muna'l. If leather covered whole feet, it is mujallad, and if it does not covered whole feet, it is muna'l whether it has leather over heel and fingers or not.

Thus six kinds are inferred from this ditail. Three are of thick jurab: thick Mujallad, thick Muna'l and thick simple (neither Mujallad nor Muna'l), and three are from thin: thin Mujallad, thin Muna'l and thin simple.

(Now here is detail of injunctions)

Injunctions in detail

Masah is allowed over first three kinds according to Hanafiyah. Though the difference of Imam Abu Hanifah (r) and Sahibain (r) is reported in third one, but his returning towards Sahibain (r) and fatwa of all Mashaikh of Hanafiyah according to Sahibain's opinion is also reported. Thus, third kind is also like the one which is agreed upon.

Because Hidayah says:

ولا يجوز المسح على الجوربين عند أبي حنيفة إلا أن يكونا مجلدين أو منعيلين وقالا يجوز إذا كانا ثخينين لا يشفان (إلى أن قال) وعنه أنه رجع إلى قولهما وعليه الفتوى ومثله في فتاوى قاضي خان والخلاصة والبحر والفتح وعامة كتب المذهب.

Masah is not allowed over Jaurabain but when if it is muna'l or mujallad according to the view of Abu Hanifah (r) while Sahibain (r) said: masah is allowed over Jaurabain if it is thick and it does not sift the water (till he said). It is reported by him that he returned towards the opinion of Sahibain (r). Fatwa is according to it. And so is in Fatawa Qadhi Khan, Khulasah, Al-Bahr, Al-Fath and other books of hanafi schools.¹

The remaining three types (thin Mujallad, thin Muna'l and thin simple) has some details. Masah is allowed over thin Mujallad with the consent of all Hanafiyah while it is not allowed over thin simple with the consent of all. Mashaikh have different opinions in thin muna'l. Masah over thin simple (with no leather neither beneath the sole nor over jurab. It is crystal clear in all books of jurisprudence. Fatawa Qadhi Khan writes:

¹ Al-Hidayah: Book of masah over socks, vol.1, p.61, Anees)

إن كانا رقيقين غير منعلين لا يجوز المسح عليهما

If they are thin with no leather beneath them, masah will not be allowed over them. (Fatawa Qadhi Khan. Vol.1, p.25)

It is also understood from the text of Hidayah. There is no need to repeat. The permission of masah over thin mujallad with the consent of all is found in Sharah Muniyah referring to Khulasah. It did not mention any difference. While the statement of Hulwai created some doubts of difference that is solved by Shareh of Muniyah and said:

وقد صرح في الخلاصة بجواز المسح على المجلد من الكرباس آه- وفيه قبل ذلك اسم الثوب من القطن الأبيض. قاله في القاموس ويلحق به كل ما كان من نوع الخيط كالكتان والأبريشم ونحوهما- (شرح منية كبيري- ص ١٢٢)

It is declared in Al-Khulasah that masah is allowed over jurab of cloth with leather over it. It writes before that: كرباس means white cotton cloth. Al-Qamoos writes: All that is made of thread like cotton, silk and so on, will be included in Kirbas (white cotton cloth). (Sharah Muniyah Kabeeri. P.142)

Now one kind is remaining that is thin muna'l in which Fugaha differed and it requires detail. It is the one in which conflict and doubt occurs. It should be remembered that if leather does not cover whole feet till ankles, it will be counted in the category of muna'l jurab, though it has leather over sole and some part of back side, as it is said earlier. And if a jurab does not fulfil the conditions of thick, it will be considered thin though it is much strong and dense. Though, there is no clear injunction about thin muna'l in the books of earlier ulama Ahnaf, but the texts indicate clearly that masah is not allowed over thin muna'l. For it is written in Kafi Hakim (Texts of Mabsoot) and its explanation:

وأما المسح على الجوربين فإن كانا ثخينين منعلين يجوز المسح عليهما. وفي شرح شمس الأئمة: لأن مواظبة المشي سافراً بهما ممكن. وإن كانا رقيقين لا يجوز المسح عليهما. لانهما بمنزلة اللقافة وإن كانا ثخينين غير منعلين لا يجوز المسح عليهما عند أبي حنيفة لأن مواظبة المشي بهما سافراً غير ممكن فكانا بمنزلة الجورب الرقيق وعلى قول أبي يوسف ومحمد رحمهما الله يجوز المسح عليهما- (مبسوط: ج ١ ص ١٠٢)

However, masah over Jaurabain will be allowed only when it is thick and Muna'al.. Sharah Shamslu Aimmah (r) said: Because regular walking in the journey is possible. If they are thin masah is not allowed over it, because it like fascia. If it is thick without sole, masah will not be allowed over it according to Imam Abu Hanifah (r) because regular walking in the journey is not possible. So it became like thin Jaurab and masah will be allowed over it in the opinion of Abu Usuf (r) and Muhammad (r). (vol.1, p.102)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

There is injunction of lawful, after addeing the condition of muna'lain (with the leather beneath) with thickness in the text of Kafi, Hakim and Shamsul Aimmah Sarakhshi. Leather **أو إن كانا رقيقين لا يجوز** it is said about Raqiqain (thin jurab) without the condition of muna'l:

المسح عليهما۔

If they are thin, masah will not be allowed over them.

It clealy means that masah is not permissible over thin muna'l. Imam Tahawi (r) writes in Ma'ani Al-Athar:

لا نرى بأساً بالمسح على الجوربين إذا كانا صفيقين، قد قال ذلك أبو يوسف ومحمد، وأما أبو حنيفة - رحمه الله تعالى - فإنه كان لا يرى ذلك حتى يكونا صفيقين ويكونا مجلدين فيكونان كالخفين. (معاني الآثار: ج ١ ص ٥٨)

We do not see any thing wrong to perform masah over thick Jaurabain, said Imam Abu Usuf (r) and Imam Muhammad (r) but according to Imam Abu Hanifah (r) it should be thick and covered with leather (Mujallad). So it will be like socks. (Ma'ani Al-Athar. Vol.1, p.58)

The text of Tahawi indicates thickness is not necessary, though it is considered that Tahawi (r) stated the injunction of thick jurab and did not write about thin jurab. The texts of Qadhi Khan and Hidayah are the same in this regard. Whether it is considered prohibbithion or silence, the permission of masah is written nowhere. Therefore, Hashiyah Chilpi ala Sadrush Shari'ah writes:

أن التقيد بالتخين مخرج لغير الثخين ولو مجلداً ولم يتعرض له أحد. (از شامي ١ ص ٢٣٩)

The condition of thickness is excluding non-thick though it is covered with leather, and no one subjected it. (Shami. Vol.1, p.249, under the text of Addurul Mukhtar:

Booke of masah over socks, Anees)

Later, this discussion is done among Muta'khireen Mashaikh (Later Mashaikh). They are also agreed that if cotton jurab is made muna'l (with leather beneath) masah will not be allowed. Sharah Muniyah Kabeeri states five kinds of cotton and woolen clothes and fifth kind is made of cotton cloth. He narrated the statement of Najmuddeen Zahidi (r) in this regard:

وأما الخامس فلا يجوز المسح عليه كيفما كان ونحوه من التأتار خانيه عنه۔

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However, masah is not permissible over it howsoever it may be. And so is in Tatar Khaniyah narrated from him.

It is adopted by Khulasatul Fatawa and Shami.

قال في الخلاصة: ولو كان من الكرباس لا يجوز المسح عليه فإن كان من الشعر فالصحيح أنه إن كان صلباً يشي معه فرسخاً أو فراسخ على هذا الخلاف (خلاصة: ص ١٢٨ ج ١)

وفي البحر الرائق عن المعراج: وأما الخف الدوراني الذي يضاده فقهاء زماننا فإن كان مجلداً يستتر جلده الكعب يجوز وإلا فلاه (بحر: ص ١٩٢ و مثله في فتاوى قاضي خان والعالمگیری في أول الباب: ج ١ ص ٣٠)

Al-Khulash says: If it is made of cloth, masah will not be allowed over it. If it is made of hair and it is so hard that one can walk in it one farsakh or more according to the difference. (Al-Khulasah. Vol.1, p.128)

Bahrur Raiq narrated from Al-Meraj: The circulatory socks which are opposed by Fuqaha of our age, if it is covered by leather which hides the ankles, masah will be allowed over it other wise not. (Bahr. P.192. And so is in Fatawa Qadhi Khan and Al-Alamgiriya, in the beginning of the book. Vol.1, p.30)

The above text declared that if accustomed usual cotton jurab in our countries are covered by leather, masah will be allowed over it and if it is made muna'l only, masah will not be allowed over it. The brohibition from masah is mentioned by the word: كرباس which is explained in Sharah Muniyah as follow:

لأن الكرباس بالكسر اسم الثوب من القطن الأبيض، قاله في القاموس وهو معرب بالفتح ولكن يلحق به كل ما كان من نوع الخيط كالكتان والأبريشم ونحوهما بخلاف ما هو من الصوف ونحوه آه- (شرح منية: ص ١٣٢) ومثله في مراقي الفلاح حيث قال: والكرباس كل ما كان من نوع الخيط - الخ

(Kirbas) means white cotton cloth. Al-Qamoos writes: It is arabicized with كرباس Because fath. But all that is made of thread like cotton, silk and so on, will be included in Kirbas (white cotton cloth). (Sharah Muniyah. P.142) And so is in Maraqi Al-Falah as it says: all that is made of thread, will be called Kirbas (white cotton cloth).

It means that masah is not allowed over usual accustomed cotton jurab until it should be covered by leather completely. Now the injunction of woolen jurab is remaining. You already know that what is included in the condition of thick, masah is allowed over it with the consent of Mashaikh and the injunction of the one which is too thin is also clear that masah is not allowed over cotton jurab with the consent of all.

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Now only woolen jurab, that is strog and dense but it is not included in thick jurab, is to be discussed. Is masah allowed over it if it is made muna'l or not? Fuqaha muta'khireen differed in this. Shareh Muniyah denoted five kinds of jurab referring to Najmuddeen Zahidi, and said: masah is not allowed over fifth with the cansent of all and it is allowed over remaining four kinds, if they are made muna'l. Fifth kind is cotton jurab and the remaining four kinds are of woolen or thin leather. They are: cashmere, yarn, hair thin leather and leather.

These kinds are explained in Maraqi Al-Flah as follow:

وَالْبُرْعَزَى كَمَا سَيَأْتِي مَضْبُوطًا الرَّغْبُ الَّذِي تَحْتَ شَعْرِ الْعَنْزِ وَالْعُزْلُ مَا عُزِلَ مِنَ الصُّوفِ وَالْكَرْبَاسُ مَا تُسَجَّ مِنْ مَغْرُولِ الْقُطْنِ، آه ومثله في شرح المنية-

Cashmere, which is coming soon, means fuzzy which is under the hair of goat. Yarn that is spun from wool and Kirbas, which is woven from cotton yarn. And so is in Sharah Al-Muniyah.

There is no need to describe the meaning of thin leather, because it is clear. To site the main text of Sharah Muniyah:

وقد ذكر نجم الدين: أن الجورب خمسة أنواع من البرعزي والغزل والشعر و الجلد الرقيق و الكرباس. قال: وذكر التفصيل في الأربعة ومن الثخين و الرقيق والمنعل و غير المنعل والمبطن و غير المبطن وأما الخامس فلا يجوز المسح عليه كيفما كان - انتهى ونحوه من التاتارخانية عنه: والمراد من التفصيل في الأربعة أن ما كان رقيقاً منها لا يجوز المسح عليه اتفاقاً إلا أن يكون مجلداً أو منعلأ أو مبطنأ وما كان ثخيناً منها فإن لم يكن مجلداً أو منعلأ أو مبطنأ فمختلف فيه وما كان فلا خلاف فيه، فعلم من هذا أن ما يُعْمَلُ مِنَ الْجُورِ إِذَا جُلِدَ أَوْ لُغِلَ أَوْ بُطِنَ يَجُوزُ الْمَسْحُ عَلَيْهِ؛ لِأَنَّهُ أَحَدُ الْأَرْبَعَةِ وَلَيْسَ مِنَ الْكَرْبَاسِ (إلى أن قال) والجوخ من الصوف أو البرعزي فهو داخل فيما يجوز المسح عليه لو كان ثخيناً بحيث يمكن أن يشي معه فرسح من غير تجليد ولا تنعيم، وإن كان رقيقاً فمع التجليد أو التنعيم لو كان كما يزعم بعض الناس لا يجوز المسح عليه ما لم يستوعب الجلد جميع ما يستتر القدم إلى الساق لما كان بينه وبين الكرباس فرق ثم أطل في تحقيق ذلك وبيانه ثم قال في آخر تقريره ثم بعد هذا كله فلو احتاط ولم ينسخ إلا على ما يستوعب تجليده فهاهنا القدم إلى الساق لكان أولى ولكن هذا حكم التقوى وهو لا يمنع الجواز الذي هو حكم التقوى - (شرح منية- ص ١٣١)

Najmuddeen(r) said: Jaurab is of five kinds: Made of cashmere, yarn, hair thin leather and leather. He said: he denoted the detail of four: thick, or thin, soled or non-soled, covered with leather inside or no leather inside. However, masah will not be allowed over fifth at all. Quote ended. And so is narrated in Tatar Khaniyah from him: The perpose to devide in to four kinds is that masah will not be allowed over thin with the consent of all until it is mujallad or muna'l or mubattan (with the leather inside). If it is

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks thick and mujallad or muna'l or mubattan (with the leather inside), there is no doubt to be allowed masah over it according to all. The one which is not so, fuqaha differed in it. Now it is known that if the baize is made mujallad or muna'l or mubattan, masah will be allowed over it, because It is one of four and it is not from kirbas (cotton cloth) (till he said) baize of wool or cashmere is considered from the one masah is allowed over it on condition that it is so thick that one can walk in it one farsakh without making it mujallad and muna'l and if it is thin, it should be mujallad or muna'l. If it is so as some people think that masah is not allowed over it until the leather covers the whole feet, there will be no difference between it and kirbas (cotton cloth). Then he said: After all, it will be better to prevent from performing masah but over the one whose leather covers upto the ankles. But it is based on Taqwa piousness that cannot forbid Fatwa. (Sharah Muniyah. P.121)

Outcome of the text

Some points came out from the above text of Sharah Muniyah: 1. Masah is not allowed over usual cotton jurab at all whether it is simple, muna'l or with leather over fingers, heel and sole. But if it is made mujallad with leather over all, masah can be allowed over it. It was creating doubt upto to be كيفما كان. Since the text of Allama Najmuddeen (r): allowed over mujallad too, that's why Shareh Muniyah removed it saying:

لا يقال: بل الكرّ بأس لا يجوز المسح عليه ولو مجلداً لمّا تقدم من قول الحلوانيّ وأما الخامس فلا يجوز المسح عليه كيفما كان لأننا نقول قوله كيفما كان عائداً إلى قوله المنعل وغير المنعل والمبطن وغير المبطن وأما المجلد فلم نذكره وقد صرح في الخلاصة بجواز المسح على المجلدين من الكرّ بأسه (شرح منية: ص ١٢١)

If anyone objects that masah will not be allowed over jurab of cotton cloth though it is mujallad because of Hulwani's (r) statement: However, masah is not allowed over fifth kind whatsoever may be, we will answer him that his statement: 'whatsoever may be' returns to his words muna'l, non-muna'l and mubattan (with the leather inside), and non-mubattan (with no leather inside). We did not discuss about mujallad. Al-Khulasah declared it that masah is allowed over mujalladain of cotton cloth. (Sharah Muniyah.p 121)

2. There is one more kind of attaching leather with jurab other than muna'l and mujallad that is mubattan. It means leather is made inside jurab. Its injunction is the same of mujallad and muna'l. if leather is made over whole feet, it will be as mujallad otherwise it is muna'l.

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3. Jurab is made of woolen cloth e.g. cashmere, baize, thin leather etc. if it is made muna'l, fuqaha differed to be allowed masah over it. Shareh Muniyah pereferred lawful, but it is against piousness and Taqwa.

Allamah Ibn Abideen Shami (r)

Allamah Shami narrated different statement in this matter. That's why it seems opposing each other. But after considering his all statement, it declares that his opinion is the same as the opinion of Sharah Muniyah. Even he offered the text of Sharah Muniyah as proof.

He named with 'Qallasheen or Hanafi socks' the specific kind of accustomed jurab in our country (with leather over fingers, sole and heel). Later he denoted the difference of the author of Durre Mukhtar and Shaikh Abdul Ghani Nablisi and that they wrote their arguments to each other. It is summarized that the author of Durre Mukhtar is not allowing masah over such muna'l if it is not thick while Shaikh Abdul Ghani Nablisi is allowing. He denoted that their difference is based on the difference of ulama of Samarqand and Bukhara about 'Jarooq covered by cloth'. Ulama of Samarqand allow masah over it while ulama of Bukhara do not allow. Because when its open part is covered by cloth, it becomes like Qallasheen or Hanafi socks, as it passed soon. Then he also denoted that some Later Ulama and Mashaikh accepted Samarqandi ulama's opinion and some of them accepted the opinion of ulama Bukhara and he created his own opinion according to Samarqandi ulama. That is the same to the opinion of Shareh Muniyah, i.e. masah is not permissible over cotton jurab until it is mujallad and it is permissible over woolen if it is muna'l. Finally, he also said like Shareh Muniyah that according to piousness and discreteness masah should not be performed over it. To site the the text of Shami with the main text of Durre Mukhtar:

في أول باب المسح على الخفين من الدر المختار: (شَرُطُ مَسْحِهِ) ثَلَاثَةٌ أُمُورٌ: الْأَوَّلُ (كَوْنُهُ سَاتِرًا) مَحَلِّ قَرْضِ الْغُسْلِ (الْقَدَمِ مَعَ الْكَعْبِ) (إلى قوله) وجوز مشائخ سمرقند ستر الكعبين باللفافة - (و) الثاني (كونه مشغولاً بالرجل) ----- (و) الثالث (كونه مما يمكن متابعة المشي) (المعتاد فيه) فرسخاً فأكثره آهـ

And Durre Mukhtar says: Book of masah on socks, (The conditions of *masah*) are three: "First : (It should cover the part) which is mandatory to wash (Feet along with ankles.) (till he said: Mashaikh of Samarqand allowed to cover ankles with cloth. (and) Second: (It should be feet-wrought)..... (and) Third: (It should be so, that) normal (regular walking is possible) in it to one *farsakh* or more than that.

قال الشامي تحت قوله وجوز مشائخ سمرقند: في البحر عن الخلاصة المنسوخ على الجاروق إن كان يسر القدم ولا يرى منه ولا من الكعب إلا قدر أصبع أو أصبعين يجوز، وإلا يكن كذلك ولكن ستر القدم بجلد، إن كان الجلد متصلاً بالجاروق

بِالْخَرَزِ جَازٌ أَيْضًا، وَإِنْ شُدَّ بِشَيْءٍ فَلَا، وَلَوْ سَتَرَ الْقَدَمَ بِالِلِّفَافَةِ جَوَزَهُ مَشَايِخُ سَمَرْقَنْدَ وَلَمْ يَجُوزْهُ مَشَايِخُ بُخَارَى. اهـ. قَالَ ح: وَالْحَقُّ مَا عَلَيْهِ مَشَايِخُ بُخَارَى؛ لِأَنَّ الْمَذْهَبَ أَنَّهُ لَا يَجُوزُ الْمَسْحُ عَلَى الْخُفِّ الَّذِي لَا يَسْتُرُ الْكَعْبَيْنِ إِلَّا إِذَا خِيطَ بِهِ تَخْيِئٌ كَجَوْخٍ كَمَا ذَكَرَهُ فِي الْإِمْدَادِ. فَمَا ذَكَرَهُ الشَّارِحُ ضَعِيفٌ. اهـ. أَقُولُ: أَيْ؛ لِأَنَّ الْمُتَبَادَرَ مِنَ اللَّفَافَةِ أَنَّهَا مَا يُلْفُ عَلَى الرَّجْلِ غَيْرَ مَخْرُوزٍ بِالْخُفِّ، فَيَكُونُ حُكْمُهَا حُكْمَ الرَّجْلِ، بِخِلَافِ مَا إِذَا كَانَتْ مُتَّصِلَةً بِالْخُفِّ فَتَكُونُ تَبَعًا لَهُ كِبَطَانَتِهِ. وَإِذَا حُمِلَ كَلَامُ السَّمَرْقَنْدِيِّينَ عَلَى مَا إِذَا كَانَتْ مُتَّصِلَةً فَلَا نُسَلِّمُ أَنَّهُ ضَعِيفٌ، لِمَا فِي الْبَحْرِ وَالزَّيْلَعِيِّ وَغَيْرِهِمَا: لَوْ أَنْكَشَفْتَ الظَّهَارَةَ وَفِي دَاخِلِهَا بَطَانَةً مِنْ جُلْدٍ أَوْ خِزْفَةٍ مَخْرُوزَةٍ بِالْخُفِّ لَا يُبْنَعُ. اهـ. وَهَذَا إِذَا بَلَغَ قَدْرَ ثَلَاثِ أَصَابِعَ وَكَانَتْ لَمْ يَقْبَلْ بِهِ لِلْعِلْمِ بِهِ كَذَا فِي الْجَلْبِيَّةِ. وَفِي الْمُجْتَبَى إِذَا بَدَأَ قَدْرَ ثَلَاثِ أَصَابِعَ مِنْ بَطَانَةِ الْخُفِّ دُونَ الرَّجْلِ، قَالَ الْفَقِيهَةُ أَبُو جَعْفَرٍ: الْأَمْرُ أَنَّهُ يَجُوزُ الْمَسْحُ عِنْدَ الْكُلِّ؛ لِأَنَّهُ كَالْجَوْرِبِ الْمُنْعَلِ (ثم قال الشامي) وَيُؤْخَذُ مِنْهُ أَيْضًا أَنَّهُ يَجُوزُ الْمَسْحُ عَلَى الْمُسَيِّ فِي زَمَانِنَا بِالْقَلَشِيِّنَ إِذَا خِيطَ فَوْقَ جَوْرِبٍ رَقِيقٍ سَاتِرٍ وَإِنْ لَمْ يَكُنْ جُلْدُ الْقَلَشِيِّينَ وَاصِلًا إِلَى الْكَعْبَيْنِ كَمَا هُوَ صَرِيحٌ مَا نَقَلْنَاهُ عَنْ شَرْحِ الْمُنْيَةِ. وَيُعْلَمُ أَيْضًا مِمَّا نَقَلْنَاهُ جَوَازُ الْمَسْحِ عَلَى الْخُفِّ الْحَنْفِيِّ إِذَا خِيطَ بِمَا يَسْتُرُ الْكَعْبَيْنِ كَالسَّرَوَالِ الْمُسَيِّ بِالْشَّخْصِيِّ كَمَا قَالَهُ سَيِّدِي عَبْدُ الْغَنِيِّ، وَلَهُ فِيهِ رَسُولَةٌ. وَرَأَيْتُ رَسُولَةً لِلشَّارِحِ رَحِمَهُ اللَّهُ تَعَالَى رَدَّ فِيهَا عَلَى مَنْ قَالَ بِالْجَوَارِ مُسْتَنْدًا فِي ذَلِكَ إِلَى أَنَّهُمْ لَمْ يَذْكُرُوا جَوَازَ الْمَسْحِ عَلَى الْجَوْرِبَيْنِ إِذَا كَانَا رَقِيقَيْنِ مُنْعَلَيْنِ لِاشْتِرَاطِهِمَا إِمَّا كَانَ السَّفَرُ، وَلَا يَتَأَتَّى فِي الرَّقِيقِ. وَالظَّاهِرُ أَنَّهُ أَرَادَ الرَّدَّ عَلَى سَيِّدِي عَبْدِ الْغَنِيِّ فَإِنَّهُ عَاصَرَهُ، فَإِنَّهُ وَلِدَ قَبْلَهُ وَقَاةَ الشَّارِحِ بِمِثَالِيَّةٍ وَثَلَاثِينَ سَنَةً، وَأَنْتَ حَبِيبٌ بِالْفَرْقِ الْوَاضِحِ بَيْنَ الْجَوْرِبِ الرَّقِيقِ الْمُنْعَلِ أَشْفَلُهُ بِالْجُلْدِ وَبَيْنَ الْخُفِّ الْقَصِيرِ عَنِ الْكَعْبَيْنِ الْمُسْتَوْرَيْنِ بِمَا اتَّصَلَ بِهِ مِنَ الْجَوْخِ الرَّقِيقِ؛ لِأَنَّهُ يُبْكَرُ فِيهِ السَّفَرُ وَإِنْ كَانَ قَصِيرًا، بِخِلَافِ الْجَوْرِبِ الْمَذْكُورِ. عَلَى أَنَّ قَوْلَ شَرْحِ الْمُنْيَةِ: وَإِنْ كَانَ رَقِيقًا فَتَمَعَ التَّجْلِيدُ أَوْ التَّنْعِيلُ إِنْ لَمْ يَصْرَحْ فِي الْجَوَارِ عَلَى الرَّقِيقِ الْمُنْعَلِ أَوْ الْمَجْلَدِ إِذَا كَانَ النُّعْلُ أَوْ الْجُلْدُ قَوِيًّا يُبْكَرُ السَّفَرُ بِهِ. وَيُعْلَمُ مِنْهُ الْجَوَارُ فِي مَسْأَلَةِ الْخُفِّ الْحَنْفِيِّ الْمَذْكُورَةِ بِالْأَوَّلَى، وَقَدْ عَلِمْتُ أَنَّ مَذْهَبَ السَّمَرْقَنْدِيِّينَ إِنَّمَا يُسَلِّمُ ضَعْفَهُ لَوْ كَانَتْ اللَّفَافَةُ غَيْرَ مَخْرُوزَةٍ وَإِلَّا فَلَا يُحْمَلُ كَلَامُ السَّمَرْقَنْدِيِّينَ عَلَيْهِ، وَيَكُونُ حِينَئِذٍ فِي الْمَسْأَلَةِ قَوْلَانِ، وَلَمْ نَرِ مِنْ مَشَايِخِ الْمَذْهَبِ تَرْجِيحَ أَحَدِهِمَا عَلَى الْآخَرِ. بَلْ وَجَدْنَا فُرُوعًا ثَوِيَّةً قَوْلَ السَّمَرْقَنْدِيِّينَ كَمَا عَلِمْتُ وَسَنَذْكُرُ مَا يُؤَيِّدُهُ أَيْضًا. ثُمَّ رَأَيْتُ رَسُولَةَ الْخَوَى لِسَيِّدِي عَبْدِ الْغَنِيِّ رَدَّ فِيهَا عَلَى رَسُولَةِ الشَّارِحِ وَسَمَّاَهَا [الرَّدُّ الْوَقْفِيُّ عَلَى جَوَابِ الْحُصَكْفِيِّ فِي مَسْأَلَةِ الْخُفِّ الْحَنْفِيِّ] وَحَقَّقَ فِيهَا مَا قَالَهُ فِي رَسُولَتِهِ الْأُولَى الْمُسَمَّاةِ [بِبُغْيَةِ الْمُكْتَفِي فِي جَوَابِ الْمَسْحِ عَلَى الْخُفِّ الْحَنْفِيِّ] وَبَيَّنَّ فِيهَا أَنَّ مَا اسْتَدَلَّ بِهِ الشَّارِحُ فِي رَسُولَتِهِ لَا يَدُلُّ لَهُ؛ لِأَنَّ التَّنْصِيبَ عَلَى الشَّيْءِ لَا يُغْنِي مَا عَدَاهُ، إِلَى غَيْرِ ذَلِكَ مِمَّا يُبْنَعِي مُرَاجَعَتُهُ؛ وَلَكِنْ لَا يَخْفَى أَنَّ الْوَرَعَ فِي الْإِحْتِيَاظِ، وَإِنَّمَا الْكَلَامُ فِي أَصْلِ الْجَوَارِ وَعَدَمِهِ، وَأَنَّهُ تَعَالَى أَعْلَمُ (شامي: ج ٢ ص ٢٢٢) وفيه بعد ذلك (تحت قول الدر: و المجلدين- النيس)

Shami said under his statement: Mashaikh of Samarqand allowed to cover ankles with cloth: Al-Bahrur Raiq narrated from Al-Khulasah: masah is allowed over shoes on condition that it covers the feet and nothing is seen from ankle but by one or two fingers otherwise not. If the feet are covered with cloth, ulama of Samarqand allow masah over it while ulama of Bukhara do not allow. Ulama of Bukhara are right. I said: Then

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Shami wanted to correspond between both statements. The state of lawful will be consider if cloth is punched and the statement of unlawful will be consider if it is tied without punching. Then he said: Faqih Abu Jafer said: Rather it is permissible to perform masah over all, because it is like muna'l jaurab. (Then Shami said:) it is also understood that masah is allowed over the one which is named Qallasheen in our age if it is sewn over thin jaurab that covers though its leather does not reach to the ankles as it is declared in Sharah Muniyah. It also means that masah is allowed over Hanafi socks if it is sewn that covers the ankles like trousers named with al-shakhshir, as my ustad Abdul Ghani Nablisi said. He has written a booklet about this. I saw that booklet of Shareh (r) he replied the one who allowed referring to the that they (fuqaha) did not denote to be allowed masah over thin muna'l jaurab for they applied the condition of possibility to travel. It is not found in thin. It seems that he wanted to reply my ustad Abdul Ghani Nablisi (till his statement). You already know the difference between muna'l jaurab (with the leather beneath) and short socks that cannot cover ankles which is attached with thin baize, because travelling is possible in it though it is short unlike jaurab mentioned above. Though the statement of Sharah Muniyah -If it is thin, it should be with leather to be allowed masah over it, if the sole or the leather is over it or beneath it- is experts so strong that travelling is possible in it. So it is known that masah over Hanafi socks will be definitely allowed. You know that the opinion of Samarqandieen is totally weak when the upper cloth is not punched otherwise their statement will not be applied over it. Then there will be two different opinions in the masa'lah and we did not see any preference to the other by our Mashaikh. But we found some kinds that support the opinions of Samarqandieen. Let's describe that also supports it. Then I studied another booklet written by my ustad Abdul Ghani answering to Shareh of booklet. He named it "Complete Response For Al-Haskafi's Answer About The Matter Of Hanafi Socks." (till Shami said): but there is no doubt that pioussness is in preventing. Actually, the discussion is about its origin whether it is lawful or not. Allah knows the best. (Shami.

Anees)المجلدينVol.1,p 242) Later it is written(under the text of Durre Mukhtar:

وَفِي حَاشِيَةِ أَخِي جَلِّي عَلَى صَدْرِ الشَّرِيعة أَنَّ التَّقْيِيدَ بِالنَّخَيْنِ مُخْرِجٌ لِعَظِيمِ النَّخَيْنِ وَلَوْ مُجَدَّلًا. وَلَمْ يَتَعَرَّضْ لَهُ أَحَدٌ قَال: وَالَّذِي تَلَخَّصْتُ عِنْدِي أَنَّهُ لَا يَجُوزُ الْمَسْحُ عَلَيْهِ إِذَا جُلِدَ أَسْفَلُهُ فَقَطُّ أَوْ مَعَ مَوَاضِعِ الْأَصَابِعِ بِحَيْثُ يَكُونُ مَحَلُّ الْفَرْصِ الَّذِي هُوَ ظَهْرُ الْقَدَمِ خَالِيًا عَنِ الْجِلْدِ بِالْكَيْتَةِ؛ لِأَنَّ مُنْشَأَ الْإِخْتِلَافِ بَيْنَ الْإِمَامِ وَصَاحِبِيهِ كِتَابُهُمَا بِمُجَرَّدِ الثَّخَانَةِ وَعَدَمِ كِتَابَتِهِ بِهَا. بَلْ لَا بَدَّ عِنْدَهُ مَعَ الثَّخَانَةِ مِنَ النَّعْلِ أَوْ الْجِلْدِ أَهْوَ وَقَدْ أَطَالَ فِي ذَلِكَ أَقُولُ: بَلْ هُوَ مَأْخُودٌ مِنْ كَلَامِ الْمُصَنِّفِ، وَكَذَا مِنْ قَوْلِ الْكَانِزِ وَغَيْرِهِ؛ (إلى قوله) وَقَدْ مَنَّا عَنْ شَرْحِ الْمُتَبَيَّنَةِ أَنَّهُ لَا يُشْتَرَطُ اسْتِيعَابُ الْجِلْدِ جَمِيعَ مَا يَسْتُرُ الْقَدَمَ (شامي:

ج ١ ص ٢٢٩)

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Hashiyah of Akhi Chilpi ala Sadrush Shariyah: The condition of thickness excludes the one that is not thick though it is mujallad, and no one oppose it. He said: "What I summarised is that masah is not allowed over jurab if its only sole is covered with leather or the part of fingers as the place which is mandatory that is the back of feet is quite empty from leather. Because the point of difference between Abu Hanifah (r) and Sahibain is only consider the sufficiency of its thickness and its steadiness over calf. According to Abu Hanifah covering with leather over it or over sole is mandatory. He prolonged the text in this matter. I said: Even it is selected from the statements of author, Al-Kanz and so on (till his statement) We already narrated from Sharah Muniyah: It is not mandatory to cover all parts that feet cover. (Shami. Vol.1, p249)

Badai'e Al-Sanai

The author of Badai'e (r) did not disclose the injunction of thin muna'l at the time of detail. But he writes in the conditions of allowing masah:

وَأَمَّا الَّذِي يَزْجَعُ إِلَى الْمَسْحِ، فَمِنْهَا أَنْ يَكُونَ خُفًّا يَسْتُرُ الْكَعْبَيْنِ؛ لِأَنَّ الشَّرْعَ وَرَدَ بِالمَسْحِ عَلَى الْخُفَّيْنِ. وَمَا يَسْتُرُ الْكَعْبَيْنِ يَنْطَلِقُ عَلَيْهِ اسْمُ الْخُفِّ. وَكَذَا مَا يَسْتُرُ الْكَعْبَيْنِ مِنَ الْجِلْدِ مِمَّا يَسْوَى الْخُفِّ، كَالْمُكْعَبِ الْكَبِيرِ، وَالْبَيْشَمِ؛ لِأَنَّهُ فِي مَعْنَى الْخُفِّ.

The one which returns to wiped that means the socks should cover ankles because injunction is narrated to perform masah over socks. The one which covers the ankles is named with socks. Similarly, the leather which covers ankles like big cube and Mitham are also in the meaning of socks. (Badai'e. vol.1, p.10)

The word of leather in the text of this book- Similarly, the leather which covers ankles- and the context describes that the condition to be allowed masah is that the thing which is covering till ankles should be leather or like it. There is another text in Badai'e supporting it:

وَلَوْ أَنْكَشَفْتَ الظَّهْرَ، وَفِي دَاخِلِهِ بَطَانَةٌ مِنْ جِلْدٍ، وَلَمْ يَظْهَرْ الْقَدَمُ، يَجُوزُ الْمَسْحُ عَلَيْهِ.

If the upper side appeared and it has inside cloth and the feet did not appeared, masah will be allowed over it.

It mean that if socks is double and the upper one is opened while the lower layer is remaining, the condition to be allowed masah over it is that the lower layer should be made of leather or like leather. It is clear that if the leather is removed from thin muna'l, only thin cloth will cover the feet and masah is not allowed over it according to the text of Badai'e.

The author of Khulasatul Fatawa narrated the difference between Mashaikh of Samarqand and Bukhara about jarooq covered with cotton cloth and he adopted the opinion of Mashaikh of Bukhara, that masah is unlawful as it appears from the below text. According to the explanation of Shami It is known that the statement to be allowed masah over Indian muna'l or Hanafi socks or Qallasheen, that Shami adopted, is taken from the opinion which ulama of Samarqand have in jarooq covered with cotton cloth. It declares that when the author of Al-Khulasah does not adopt the opinion of ulama of Samarqand, he does not allow masah over accustomed muna'l or Hanafi socks.

To site his words:

الْمَسْحُ عَلَى الْجَارُوقِ إِنْ كَانَ يَسْتُرُ الْقَدَمَ وَلَا يَرَى مِنْهُ وَلَا مِنَ الْكَعْبِ إِلَّا قَدْرُ أَصْبَعٍ أَوْ أَصْبَعَيْنِ يَجُوزُ، وَإِلَّا يَكُنْ كَذَلِكَ وَلَكِنْ سَتَرَ الْقَدَمَ بِجِلْدٍ، إِنْ كَانَ الْجِلْدُ مُتَّصِلًا بِالْجَارُوقِ بِالْخَزَرِ جَاوِزًا أَيْضًا، وَإِنْ شُدَّ بِشَيْءٍ فَلَا، وَلَوْ سَتَرَ الْقَدَمَ بِاللِّقَافَةِ جَوَازُهُ مَشَائِخُ سَمَرْقَنْدَ وَلَمْ يُجَوِّزْهُ مَشَائِخُ بَخَارَى. اهـ.

Masah over jarooq is allowed if it covers feet and it and the ankles does not appear but by one finger or two. If it is not so, but it is covered with leather and the leather sticks to jarooq by punching, masah will be allowed in this case also. If it is tied with anything, masah will not be allowed. If it is covered with cotton cloth, Mashaikh of Samarqand allow masah while Mashaikh of Bukhara do not. (Khulasah. Vol.1, p.28)

The author of Al-Khulasah has written two conditions to be allowed masah over jarooq. 1. The part which is not covered with jarooq should be covered with leather. 2. That leather should be joint with jarooq and should not be separate. It indicates that he gives fatwa according to the opinion of Mashaikh of Bukhara.

Al-Bahrur Raique

The author of Bahr has same research that the author of Khulasah has i.e. masah is not allowed over jarooq covered with cotton cloth as it is the opinion of ulama of Bukhara that results in unlawful over accustomed indian muna'l and Hnafi socks. Therefore, the author of Bahr narrated the same text of Khulasah and inferred from it referring to M'eraaj:

وَأَمَّا الْخَفُ الدُّورَانِي الَّذِي يَضَادُهُ فَقُضِيَ مَا نَفَيْنَا فَإِنْ كَانَ مَجْلِدًا أَيْ سَتَرَ جِلْدَهُ الْكَعْبَ يَجُوزُ وَإِلَّا فَلَا أَهْ (بحر: ج 1 ص 192)

The circulatory socks which are opposed by Fuqaha of our age, if it is covered by leather which hides the ankles, masah will be allowed over it otherwise not. (Bahr. Vol.1, P.192)

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There is no explanation of circulatory socks in Bahr or its margin but it is understood from the text itself that it is jurab of thin cloth and it does not cover feet completely as accustomed Indian muna'l and Hanafi socks are. However, masah is not allowed over thin muna'l according to the author of M'eraj and Bahr.

Fatawa Alamgiri

Fatawa Alamgiri also did not comment on the text of Khulasatul Fatawa, related to the matter of jarooq, when it narrated which indicates that he adopted it. So the statement of Alamgiri also result in, like Khulasah and Bahr, that masah is not allowed over thin muna'l. (Alamgiri, Egypt publication. Vol. 1, p.30)

Tahtawi

Tahtawi describes in the margin of Durre Mukhtar that the statement of ulama of Samarqand is weak and the statement of ulama of Bukhara is reliable:

”ولفظه تحت قول الدر (وجوز مشائخ سمرقند لستره باللفافة): هذا ضعيف والمعتد ما عليه أهل البخارى من أنه لا يجوز إلا إذا خيط بثخين بحيث لا يشف الماء كجوخ ونحوه“، حلي آه (طحطاوي: ص ١٣٤)

His words under the statement of Durre Mukhtar (, Mashaikh of Samarqand allow masah because the cotton cloth covers feet.) this is weak and trusted is the one what is adopted by Mashaikh of Bukhara, i.e. they do not allow but when it is sewn with thick jurab that does not sift the water like baize. Halabi, quote ended. (Tahtawi.p.137)

Even Tahtawi exposed in the margin of Maraqqi Al-Falah that this injunction is not specified with jarooq only but every socks whose leather does not reach till ankles, there should be thick cloth over remaining parts of feet. This text is written under the text of Maraqqi Al-Falah.

Maraqqi Al-Falah

Maraqqi Al-Falah writes in the context of conditions of masah:

الثاني سترها للكعبين من الجوانب فلا يضر نظر الكعبين من أعلى خف قصير الساق والذي لا يغطي الكعبين إذا خيط به ثخين كجوخ يصح المسح عليه۔ قال الطحطاوي تحت قوله: (والذي لا يغطي الكعبين) وذلك كالزور بول وهو في عرف أهل الشام ما يسمى مركوباً في عرف أهل مصر كما في تحفة الأخیار، آه (الطحطاوي على مراقي الفلاح۔ ص ٤٠)

Second: It should cover around ankles. There will be no problem to see ankles above the socks whose calf is short. The socks that does not cover the ankles, if something thick is sewn with it masah will be correct over it like baize. Tahtawi said under his text (The socks that does not cover the ankles): It is like shoe that is known in Shaam by Markoob

The above statement of the author of Maraqqi Al-Falah and Tahtawi is quite clear that masah is not allowed over accustomed Indian thin muna'l jurab.

Abridgement

It is quite clear from the above texts that Earlier Hanafi ulama are whether do not say anything or they say: it is unlawful. Mutakhhireen hanafi ulama agree that if cotton jurab are made muna'l, it will not be sufficient to be allowed masah over it. Now dense woolen jurab which are not included in the definition of thick are under the discussion of Earlier ulama. If it is made muna'l i.e. its sole and fingers are covered with leather, some ulama allow masah over it while some do not.

It is also declared that most of Later Mashaikh do not allow masah over it too. Permission is narrated only by Shareh Muniyah, Allamah Shami, and Shaikh Abdul Ghani Nablisi, but they also said that it is against piousness. On the other hand the author of Durre Mukhtar has written a booklet of unlawful and Shami also supported it referring various Mashaikh. He narrated that Akhi Chilpi denoted it as unlawful. Moreover, the authors of Badai, Khulasah, Bahr, Alamgiri, Tahtawi and Maraqqi Al-Falah are agreed to be unlawful.

When we cast glance over principles along noticing this difference, it comes out that main injunction is to wash the feet which is proved by Qur'anic text. Ahadeeth Mutawaterah proved that masah is also allowed when one wore socks. To issue this injunction over jurab should be on condition that it is proved that jurab is like socks having all conditions of socks. If there is doubt in any jurab that whether it is like socks or not and conditions of socks are found or not, masah will not be permissible over it according to the rule: **اليقين لا يزول بالشك** (certainty cannot be removed by doubt).

Due to this caution, Imam Malik (r) and Imam Shafa'ee (r) described that masah will be allowed over jurab on the condition that it should be covered with leather completely. It is also Riwayate Hasan of Imam Abu Hanifah that masah is not allowed until the leather covered the whole feet till ankles. But Zahirur Riwayah describes that thick muna'l is sufficient for masah. (So is written in Al-Khaniyah)

Jassas put the base of discussion on this rule in Ahkamul Qur'an.

وَاخْتَلَفَ فِي الْمَسْحِ عَلَى الْجَوْرَيْنِ، فَلَمْ يُجْزِهُ أَبُو حَنِيفَةَ وَالشَّافِعِيُّ إِلَّا أَنْ يَكُونَ مُجَلَّدَيْنِ. وَحَكَى الطَّحَاوِيُّ عَنْ مَالِكٍ أَنَّهُ لَا يَمْسَحُ وَإِنْ كَانَا مُجَلَّدَيْنِ. وَحَكَى بَعْضُ أَصْحَابِ مَالِكٍ عَنْهُ أَنَّهُ لَا يَمْسَحُ إِلَّا أَنْ يَكُونَ مُجَلَّدَيْنِ كَالْخُفَيْنِ. وَقَالَ الثَّوْرِيُّ وَأَبُو يُوسُفَ وَمُحَمَّدٌ وَالحَسَنُ بْنُ صَالِحٍ: "يَمْسَحُ إِذَا كَانَا مُخَيَّيْنِ وَإِنْ لَمْ يَكُونَا مُجَلَّدَيْنِ". وَالْأَصْلُ فِيهِ أَنَّهُ قَدْ ثَبَتَ أَنَّ مُرَادَ الْآيَةِ

الْغَسْلُ عَلَى مَا قَدَّمْنَا، فَلَوْ لَمْ تَرِدْ الْأَثَارُ الْمُبَوَّاتُ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْمَسْحِ عَلَى الْخُفَّيْنِ لَمَا أَجَزْنَا الْمَسْحَ، فَلَمَّا وَرَدَتْ الْأَثَارُ الصَّحَاحُ وَاحْتَجْنَا إِلَى اسْتِعْمَالِهَا مَعَ الْآيَةِ اسْتَعْمَلْنَا مَا مَعَهَا عَلَى مُوَافَقَةِ الْآيَةِ فِي اخْتِيَابِهَا لِلْمَسْحِ وَتَرَكْنَا الْبَاقِيَ عَلَى مُفْتَضَى الْآيَةِ وَمُرَادِهَا؛ وَلَمَّا لَمْ تَرِدْ الْأَثَارُ فِي جَوَارِ الْمَسْحِ عَلَى الْجُورَبَيْنِ فِي وَزْنٍ وَرُودِهَا فِي الْمَسْحِ عَلَى الْخُفَّيْنِ بَقَيْنَا حُكْمَ الْغَسْلِ عَلَى مُرَادِ الْآيَةِ وَلَمْ نُنْقِلْهُ عَنْهُ.

There is difference about masah over jaurabain. Imam Abu Hanifah (r) and Imam Shafai'ee (r) do not allow until it is covered with leather. Tahawi (r) narrated from Malik (r): it is not allowed though it is mujallad and some students of Malik (r) narrated from him that masah is not allowed until it is covered with leather like socks. Thauri (r), Abu Usuf (r), Muhammad (r) and Hasan bin Saleh (r) said: Masah is permissible over jaurabain if it is thick though it is not mujallad. Actually, it is proved that the perpose of the verse is to wash as we said earlier. Had the Mutawatir Athar not been narrated from Prophet (saws) we would never allow to perform masah. When authentic Athar are narrated and we needed to use them with the verse, we did it with the compatibility of the verse in its possibility of masah and left the remaining according to the conditions of verse. When Athar are not narrated about jaurabain as they are about masah over socks, we stayed on the injunction of washing according to the meaning of verse and did not pass it other things.

Conclusion of discussion

However, if dense woolen jurab is made muna'l i.e. the sole or fingers and heel are covered with leather, masah will be allowed over it, but it will be against piousness according to Shami and Shareh Muniyah and other most Mashaikh denote it unlawful.

Though we cannot prefer any aspect from the difference of such great ulama and Mashaikh, but in order to the need of Deen it cannot be ignored. Because it is agreed by whole ummah that if there are different narrations and statements of fuqaha in any masa'lah, it is not allowed to act upon or to give fatwa according to one of them depending on his own potential and understanding. If it is so, it is not submission to Shariah but submission to our own wills.

كما صرح به الشامي في عقود رسم المفتي وقد أطل الكلام فيه حيث قال: وقد نقلوا الإجماع على ذلك ففي الفتاوى الكبرى للمحقق ابن حجر المكي قال في زوائد الروضة: إنه لا يجوز للمفتي والعامل أن يفتي أو يعمل بها شاء من القولين أو الوجهين من غير نظر وهذا خلاف فيه وسبقه إلى حكاية الإجماع فيها ابن الصلاح والباجي من المالكية في المفتي آه - (رسائل ابن عابدین: ج ۱ ص ۱۰)

As Shami explained in Uqood Rasmul Mufti and extended: Fuqaha narrated the consent about it. Al-Fatawa Al-Kubra written by Muhaqqiq (the research scholar) ibn Hajar Al-

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Makki said in Zawaedur Raudhah: it is not allowed to act upon or to give fatwa according to one of them depending on his own will without consulting. There is no different in it. Ibn al-Salah and Al-Baji Maliki have already narrated the consent of ulama about the opinion according to which fatwa is given. (Rasail ibn Abideen. Vol.1, p.10)

If we consider the reason of preference according to the era of fuqaha, those who do not allow they are earlier and higher like the author of Badai and Khulasah and are preferred according to evidences. Because according to the explanation of Jassas the research scholar Ibn Humam put the basis of allowing masah over jurab on that these jurab should be in the meaning of socks certainly. If it has any doubt, it will not be in the meaning of socks. So the main injunction of washing should not be left due to doubtful thing. Therefore, masah should not be allowed over such kind of jurab according to my opinion.

We ask Allah Almighty the right path. Nothing is impossible by His Generosity and Bounty.

وآخر دعوانا أن الحمد لله رب العالمين-

Written by Muhammad Shafi (may Allah forgive him) servant of Darul Ifta Darul Uloom Deoband. 5th Muharram al-Haram, 1361 A.H.

Complement:

First advantage:

There is another kind of jurab stated in the books of feqh other than what is mentioned above i.e. Mubattan (with the leather inside) The text of Sharah Al-Muniyah, No.4. Since it is not much in use, we did not describe its injunction in detail.

The definition of mubattan: It is quite opposite of mujallad that is the leather will be attached inside the socks. It means the leather will be inside and the cloth will be up unlike mujallad. I did not find the detail of its injunction about the thickness and thinness of its cloth in large books. That's why I left it due to no need.

Second advantage:

If leader socks are wore over jurab of cloth whether it is thick or thin, masah will be allowed over it according to fatwa of research scholars though some ulama of Rome did not allow in their fatawa following Fatwa Al-Shazi.

وذلك لما في البحر الرائق وَقَدْ وَقَعَ فِي عَصْرِنَا بَيْنَ فُقَهَاءِ الرُّومِ بِالرُّومِ كَلَامٌ كَثِيرٌ فِي هَذِهِ الْمَسْأَلَةِ فَمِنْهُمْ مَنْ تَمَسَّكَ بِمَا فِي
فَتَاوَى الشَّاذِيِّ وَأَفْتَى بِمَنْعِ الْمَسْحِ عَلَى الْخُفِّ الَّذِي تَحْتَهُ الْكَرْبَاسُ وَرَدَّ عَلَى ابْنِ الْمَكِّ فِي عُرْوَةِ الْبَلَكَا فِي إِذْ الظَّاهِرِ أَنَّ الْمُرَادَ بِهِ

كَافِي النَّسَفِيِّ وَلَمْ يُوجَدَ فِيهِ وَمِنْهُمْ مَنْ أَفْتَى بِالْجَوَازِ ، وَهُوَ الْحَقُّ لِمَا قَدَّمْنَا عَنْ غَايَةِ الْبَيَانِ ؛ انْتَهَى - قُلْتُ : وَأَيُّدُهُ الْعَلَامَةُ الشَّامِي فِي حَاشِيَةِ الْبَحْرِ الرَّائِقِ بِقَوْلِ شَرْحِ الْمُنْيَةِ يَعْلَمُ مِنْهُ جَوَازُ الْمَسْحِ عَلَى خَفِ لِبْسٍ فَوْقَ مَخِيطٍ مِنْ كَرْبَاسٍ أَوْ جَوْخٍ وَنَحْوِهِمَا مَا لَا يَجُوزُ عَلَيْهِ الْمَسْحُ (بحر: ج ١ ص ١٩٠، ١٩١) وهذا أخر ما أراد العبد الضعيف في هذه العجالة والله المستعان في كل حاجة وحالة والله تعالى المسؤول أن يجعل أخراه خيراً من أولاه ولا يجعله ممن استوى يومه.

Because it is written Al-Bahrur Raiq: Many discussions took place in Rome among its fuqaha in regard of this matter. Some of them took what is described in fatawa Al-Shazi and did not allow masah over the socks which has cloth inside. He replied Ibn Malik who referred it to Al-Kafi, then the opinion of Kafi Al-Nasafi is clear. It is not found in this. There are some ulama who allow it. The true is what we narrated from Ghayatul Bayan. The quote ended. I said: Allama Shami strengthened it by the statement of Sharah Muniyah in Al-Bahrur Raiq: It is understood that masah is allowed over socks worn over socks of cloth, baize etc. over which masah is not allowed alone. (Bahr. Vol.1, p.190,191). This is what I have wanted to write in this quick piece of writing. We ask none but Allah in all our needs and situation that may He make his Later better than Earlier and do not make like the one whose life is monotonous. 2nd Safer, 1361 A.H.

Injunctions of Masah

Since the detail is noted in the booklet “Nailul Ma’arib fil Mashi alal Jawarib” that over which kind of jurah masah is permissible and over which is not. I understood better to write some essential injunctions of masah over socks, so that they can quench their thirst by this booklet.

Mas’alah: Masah over socks is permissible. It is sinful to deny it. But washing feet is better. If he is in a gathering where people think that masah over socks is not permissible, it is better to perform masah over socks. (Durre Mukhtar, Shami. Vol.1, p.243)

Mas’alah: If water is so less for wudu that he wash feet, the time of Salah will pass, masah over socks will be mandatory. (Shami)

Mas’alah: The condition to perform masah over socks is that he should be with complete purity before disabling his wudu. The one who wore socks without wudu, masah will not be permissible over it. (Hidayah)

Mas’alah: If the socks is torn by three little fingers and feet appears while walking, masah is not allowed over it. (Shami)

If the split is in different places in one sock in a way that if they collected it became equal to three fingers, masah is not allowed in this case too. If the splits are different in both

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks
socks and its collection of each socks is not equal to three fingers, masah is allowed over it. (Shami, Durre Mukhtar etc.)

Mas'alah: If the split is in length and feet do not appear in walking, it cannot resist masah. Because only appearing feet is not resistant of masah but it is to uncover the feet. (Durre Mukhtar, Shami)

How to perform masah

The mandatory in performing masah is three little fingers of hand. The Sunnah way is to perform masah by the fingers of whole hand in such a way that right hand's fingers should be on right foot and left hand's fingers should be on left foot. Then they should be drawn towards the calf upto the ankles. (Shami referring to Qadhi Khan. Vol.1, p. 246)

Mas'alah: Masah should be over the socks, because masah is not sunnah over the sole.² (Shami)

The duration of masah

Mas'alah: The duration of masah is one day and one night for muqem and three days and three nights for traveller. It means if muqem wore the socks after performing wudu, he will perform masah till one day and one night without putting off the socks though wudu become invalid. He can pray Salah after performing masah masah over socks in wudu. Similarly, traveller can perform masah till three days and three nights. When this duration passed, masah will not be enough but washing feet will be mandatory.

Mas'alah: If the duration passed and wudu is valid, it is optional that one can put off socks and wash feet or he can perform new wudu and performing new wudu is better. (Shami narrated from Al-Multaqa. Vol.1, p.255)

Nullifiers of Masah

The thing which invalidates wudu, it invalidates masah and it is also invalidated by the followings:

² If a person's feet are turned over i.e. the back turned to sole and the sole turned to back, there is some detail for this person that if the backside is correct by three fingers, he will perform masah over it. (Al-Tajnees Makhtootah. P.14) If whole feet is turned over completely, he will perform masah over back though it is turned in sole. (Taharat Ke Ahkam Wa Masail. Vol.148,149.Aneesur Rahman Qasmi)

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- (1) Putting off any sock. If most part of feet came out or it tore more than three fingers, masah will be invalid. Now it is mandatory to put off both socks and wash the feet.
- (2) To pass the duration of masah. Washing feet is mandatory in this case also.³ (Shami)

Mas'alah: If a person is in an ice land and he it is probable that if he put off socks, his feet will be of no use. Now masah is allowed for him, because the socks will be in the place of Jabeerah (splint).⁴ (Al-Durrul Mukhtar confirmed by Shami. vol.1, p.525)

Mas'alah: If a resident started travelling before completing one day and one night, now he can perform masah till the duration of traveller i.e. three days and three nights. If a traveler returned home after one day and one night, now Salah is not allowed until he washes his feet. Masah is not permissible for him. (Durre Mukhtar) Allah knows the best.

Written by Muhammad Shafi (may Allah forgive him) Mufti Darul Uloom Deoband. 2nd Safar, 1361 A.H.

I have studied the discussion about masah over jaurabain. May Allah bless Mufti Saheb in his actions and knowledge. He has answered with full research and study. However, the research of Mufti Saheb is correct in my opinion. Allah knows the best with all aspects.

Shabbeer Ahmad Uthmani Deobandi, 8th Safar, 1361 A.H. (Fatawa Darul Uloom Deoband/ Imdadul Muftieen. Vol.2, p.247-262)

Masah is lawful or not if there is boot over socks

Question: We use cotton jurab. Is masah lawful or not over the boot that covers ankles?

³ Masah is invalidated after passing the duration of masah. If one's wudu is valid he will wash his feet after putting off the socks and repeating complete wudu is not necessary and if his wudu is invalidated, he will perform complete wudu after removing socks. (Taharat Ke Ahkam Wa Masail. Vol.154. Aneesur Rahman Qasmi)

⁴ Masah over injured feet: If a person's feet injured and washing that part is harmful, it is allowed for him to perform masah over that part or bandage if he wrapped it and wash the remaining parts. If this person wore socks in both feet, masah will be allowed over it. If wearing socks in the wounded feet is not possible and he wore sock in one foot, masah will not be allowed over it. (Al-Fatawa Al-Tatar Khaniyah. Vol.1, p.281) (Taharat Ke Ahkam Wa Masail. Vol.150. Anees)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Answer: If there is leather socks over cotton jurab, masah is lawful over it. If there is boot over cotton jurab, masah is lawful on condition that it covers the ankles and its sole is pure.⁵ (Fatawa Darul Uloom Deoband. Vol.1, p.273)

Ruling of masah over socks in the presence of Jurab

Question: If a person wore socks over cotton jurab, is masah lawful over these socks?

Answer: Actually masah is over socks in the question above. Wearing jurab under the socks cannot forbid masah. Thus masah is lawful over socks in the presence of jurab in the light of Shariah.

قال ابن عابدين: (قوله أو جرموقيه) ----- (قوله ولو فوق خف) ----- (قوله أو لغافة) أو سواء كانت ملفوفة على الرجل تحت الخف أو كانت مخيطة ملبوسة تحته كما أفاده في شرح المنية. (رد المحتار على الدر المختار. باب المسح على الخفين- ج ١ ص ٢٦٨، ٢٦٩)

Ibn Abideen (r) said: (his statement or his shoes) (his statement though over the socks) (his statement or cloth) it means whether it is covered over feet under socks or sewn and worn under socks. So Sharah Muniyah reads.

(Raddul Muhatar in the margin of Al-Durrul Mukhtar. Book of masah over socks. Vol.1, p.268,269)⁶

⁵ المسح على الخفين جائز بالسنة الخ إذا لبسهما على طهارة كاملة ثم أحدث

Masah over socks is lawful according to Hadith... if he wore it with complete purity then he invalidated wudu. (Hidayah. Book of masah over socks. Vol.1, p.57. Zafeer)

قال العلامة الحصكفي: (شرط مسحه) ثلاثة أمور: ----- الخ

Allamah Haskafi (r) said: “ (The conditions of masah) are three: “ First : (It should cover the part). (Feet along with ankles.) or its damage is less than torn which is not allowed. So masah will be allowed on shoes if it is tied. (and) Second: (It should be feet-wrought) to prevent from reaching hadath (and) Third: (It should be so, that) normal (regular walking is possible) in it to one farsakh (4 kilometre) or more than that. Ibn Al-Abideen said: “His statement ‘مشدوداً’ because his tying is in the place of sewing which holds by itself after tying like sewn socks with each other, take it. And it is narrated from M’eraj in Al-Bahrur Raiq: “Masah is allowed on shoes which are split on the back of feet and it has buttons that tie it, because now it is like non-split. If some parts of feet are seen, it will be like tatters of socks.

(Al-Durrul Mukhtar with Raddul Muhtar: vol.1, p.182, 183. Book of masah on socks. Anees)

قال إبراهيم الحلبي: يعلم منه جواز المسح على خف لبس فوق خف مخيط من كرباس أو جوخ أو نحوهما الخ⁶

Ibrahim Harabi (r) said: It is understood that masah over socks is lawful if he wore it over sock of cloth or baize etc. over which masah is not lawful. Because when the shoes became the substance of feet and the socks made absent though masah is over it, it is better that the socks become the feet and over which masah is not lawful is made absent like cloth. (Kabeeri, Chapter of masah over socks. 112. So is in Al-Bahrur Raiq. Book of masah over socks. vol.1, p.181)

Masah over leather socks worn over cotton Jurab

Question: Is it allowed or not to wear jurab inside the leather socks over which masah is lawful, and masah over this leather socks is lawful or not?

Answer:

في الدر المختار: (أو جرموقيه) ولو فوق خف أو لفافة. ولا اعتبار بما في فتاوي الشاذي، لانه رجل مجهول لا يقلد فيما خالف النقول، وفي رد المحتار: ثُمَّ الَّذِي فِي هَذِهِ الْفَتَاوَى هُوَ مَا نَقَلَهُ عَنْهَا فِي شَرْحِ الْمَجْمَعِ مِنَ التَّفْصِيلِ، وَهُوَ أَنَّ مَا يُلبَسُ مِنَ الْكِزْبَاسِ الْمُجَرَّدِ تَحْتَ الْخُفِّ يَمْنَعُ الْمَسْحَ عَلَى الْخُفِّ لِكَوْنِهِ قَاصِلًا وَقِطْعَةً كِزْبَاسٍ تُلْفُ عَلَى الرَّجْلِ لَا تَمْنَعُ؛ لِأَنَّهُ غَيْرُ مَقْصُودٍ بِاللُّبْسِ. وَقَدْ أَطَالَ فِي رَدِّهِ فِي شَرْحِ الْمُنْيَةِ وَالْدَّرَرِ وَالْبَحْرِ لِيَسْئَلَ جَمَاعَةً بِهِ مِنْ فُقَهَاءِ الرُّومِ. قَالَ ح: وَقَدْ اعْتَنَى يَعْقُوبُ بِأَشَا بِيْتَحْقِيقِ هَذِهِ الْمَسْأَلَةِ فِي كُرَاسَةٍ مَبْنِيَّةٍ لِلْجَوَازِ لَمَّا سَأَلَهُ السُّلْطَانُ سُكَيْمٌ خَانَ - آه -

Durre Mukhtar reads: (or his shoes) though over the socks or cloth. It will not be considered what Fatawa Al-Shazi Reads, because he is an unknown person. He will be not be followed in which he oppose. Raddul Muhtar reads: Then what is written in this Fatawa is narrated from it in Sharah Al-Majma with detail i.e. the socks of cloth that is worn under the socks forbid masah over socks, because it separates the socks. The pieces of cloth which are wrapped over feet do not forbid, because wearing them is not intentional. Sharah Muniyah, Al-Durrr and Al-Bahr prolonged in response to him, because a group of Rome's Fuqaha hold it. He said: Yaqoob Pasha has cared about the research of this mas'alah in the brochure explaining to allow what Sultan Saleem Khan.⁷

It is understood from the text above that masah is lawful in the questioned above.

Imdad. Vol.1, p.10. 1343. A.H. Fifth complement. p.362 Imdadul Fatawa Jadeed.vol.1, p.81,82)

Masah is lawful if there is Jurab under lather socks

Question: Is masah allowed or not over the socks if woolen or cotton jurab is worn under it? Explain it, you will be rewarded.

Answer: It is lawful.

⁷ Raddul Muhatar in the margin of Al-Durru Mukhtar. Book of masah over socks. Vol.1, p.268,269. Anees

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

قال في البحر بعد ذكر الاختلاف : وَمِنْهُمْ مَنْ أَفْتَى بِالْجَوَازِ ، وَهُوَ الْحَقُّ لِمَا قَدْ مَنَاهُ عَنْ غَايَةِ الْبَيَانِ وَأَيَّدَهُ الْعَلَامَةُ ابْنُ عَابِدِينَ رَحِمَهُ اللَّهُ تَعَالَى فِي مَنَحَةِ الْخَالِقِ بِقَوْلِ شَارِحِ الْمَنِيَةِ يُعْلَمُ مِنْهُ جَوَازُ الْمَسْحِ عَلَى خُفِّ لَيْسَ فَوْقَ مَخِيطٍ مِنْ كِرْبَاسٍ أَوْ جَوْخٍ أَوْ نَحْوِهِمَا مِمَّا لَا يَجُوزُ عَلَيْهِ الْمَسْحُ - (البحر الرائق: ج ١ ص ١٩١)

Al-Bahr reads after denoting the difference: Some of them gave fatwa to be lawful and it is true according which we have narrated from Ghayatul Bayan. Allamah Abideen (r) supported it in Minhatal Khaliq with the statement of Shareh Muniyah. It is understood that masah over socks is lawful if he wore it over sock of cloth or baize etc. over which masah is not lawful. Al-Bahrur Raiq. vol.1, p.191) That's all and Allah knows the best.

24th Ramadhan, 1398 A.H. (Ahsanul Fatawa. Vol.2, p.65)

Masah over such sock is lawful or not on which lather is fitted equal to shoe

Question: Is masah lawful or not if cotton jurab is covered with leather that covered the part which is covered in shoes?

Answer: If leather is attached under cotton jurab as the question reads, masah is lawful according to Hanafiyah. Durre Mukhtar denoted that masah is lawful over muna'l jaurabain. Muna'lain is also a kind of jurab that has leather beneath the part covered in shoes.⁸ That's all. (Fatawa Darul Uloom. Vol.1, p.269,270)

Masah over such Jurab which is worn over another Jurab which stays without fastening, is lawful or not

Question: (1) Jurab which stays without fastening and masah is lawful over it, if another jurab is worn over it whether it is dense or not, is masah lawful over it or not?

Masah is lawful or not, if a few thin Jurab are worn altogether

Question: (2) If two or three jurab that are not much hard and dense are worn over altogether and they stay without fastening even during walking, is masah lawful over last one or not?

⁸ وصح (المسح) على الجرموق والجرباب المجلد والمنعل والثخين الخ

Masah is correct over shoes and muna'l (with the leather beneath), mujallad (covered with leather) and thick jurab. It means masah is lawful over jurab if it is mujallad or muna'l or thick. If there is leather over backside and beneath of jurab it is called mujallad jurab, and if it has leather beneath only it is called muna'l jurab like sole of feet. (Al-Bahrur Raiq. Book of masah over socks. vol.1, p.191)

Answer:

- (1) If the last jurab is neither thick nor worthy to do masah and nor so thin that the wet reached jurab inside if masah is done over it, masah is not lawful over it.⁹
- (2) Masah is not lawful in that case.¹⁰ That's all. (Fatawa Darul Uloom. Vol.1, p.273, 274)

Masah is not lawful, if there is Jurab over plastic socks

Question: If plastic socks is made and cotton jurab is worn over it, is masah lawful or not?

Answer: If plastic is sewn with jurab, masah is lawful and it is called mubattan.

أَنَّ مَا كَانَ رَقِيقًا مِنْهَا (أَيَّ مِنَ الْجِلْدِ الرَّقِيقِ) لَا يَجُوزُ الْمَسْحُ عَلَيْهِ اتِّفَاقًا إِلَّا أَنْ يَكُونَ مُجَلَّدًا أَوْ مُتَعَلًّا أَوْ مُبَطَّنًا. (شرح
المنية- ص ١٣١)

ولا يجوز المسح على الجوربين عند أبي حنيفة إلا أن يكونا مجلدين أو منعلين وقالوا يجوز إذا كانا ثخينين لا يشقان "لما روي أن النبي عليه الصلاة
والسلام مسح على جوربيه ولأنه يمكنه المشي فيه إذا كان ثخيناً وهو أن يستمسك على الساق من غير أن يربط بشيء فأشبهه الخف (هداية- ١/١).
باب المسح على الخفين

Masah is not allowed over Jaurabain but when if it is muna'l or mujallad according to the view of Abu Hanifah (r) while Sahibain (r) said: masah is allowed over Jaurabain if it is thick and it does not sift the water, as it is reported that Prophet (saws) performed masah over his jaurab and walking is also possible in it if it is thick i.e. it can stay over calf without binding. So it will be like socks. (Hidayah.vol.1, p.16. Book of masah over socks)

عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ. قَالَ: تَوَضَّأَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَسَحَ عَلَى الْجُورَبَيْنِ وَالنَّعْلَيْنِ. الْخ

Mughirah bin Shubah (rz) narrated and said: "Prophet (saws) performed wudu and did masah over Jaurabain and Nalain (the socks with leather beneath it)....it is narrated by Abu Musaa Al-Ash'ari (r) on the authority of Prophet (saws) that he made masah over jaurabain (non-leather socks). It is not regular and strong, he said: Ali, Abdullah ibn Masood, Bara ibn 'Azib, Anas ibn Malik, Abu Umamah, Suhail ibn Saad, and Umar ibn Hurayth (Radhi-Allahu anhum) made masah over jaurabin. The practice of making masah over jaurabin is also narrated from Umar and Abbas (Radhi-Allahu anhum). Jamul Fawaid, masah over socks.p.118. The researcher Sulaiman Dari'ee Al-'Asami. Narrated Abu Dawood (r), 153 and Al-Albani authenticated in Sahih Abu Dawood, 142, Anees)

وإذا كان لم يكن منعلاً وكان رقيقاً غير جائز اتفاقاً.¹⁰

If it is not muna'l while it is thin masah is not permissible with the consent of all. . (Al-Bahrur Raiq: Book of masah over socks. vol.1, p.192. Zafeer.)

If one wore normal socks over leather socks and the first does not fulfil the conditions of masah and it is so thin that wet penetrates to the socks inside, masah is not lawful over it.

(Taharat Ke Ahkam Wa Masail. P.146, 147. Anees)

FATAWA ULAMA AL-HIND VOL.2 Rulings of Masah (wiping) over leather socks

Masah is not lawful over jurab of thin leather with the consent of all, but it should be mujallad or muna'l or mubattan. (Sharhul Muniyah.p.121)

Masah is not lawful until it is sewn, because masah is lawful over leather socks. masah over jurab is not called msah over socks unlike mubattab that becomes one after sewing cloth and leather, that's why masah is lawful over it. That's all and Allah knows the best.

24th Ramadhan, 1398 A.H. (Ahsanul Fatawa. Vol.2, p.65, 66)

Ruling about using plastic socks

Question: I am disable from my hands that's why I got make plastic socks. I wore it at the time of Salah for my convenience, but some worshipers said that Salah is not correct. Please guide me by your answer. It will be your favour.

Answer: If this kind of socks is worn in feet in order to prevent from mosquitoes, there is nothing wrong. Salah will be correct.¹ That's all and Allah knows the best.

The servant Habeebullah Al-Qasmi. (Habeebul Fatawa. Vol.3, p.44)

¹ Masah is lawful over plastic socks if it fulfil the conditions of leather socks.
(Taharat Ke Ahkam Wa Masail. P.146. Anees)

FARAI DH-E GHUSUL (THE MANDATORY ACTS OF BATH)

Faraidh-E Ghusul (The Mandatory Acts Of Bath)

Bath is not complete without performing the mandatory acts of bath

Question: Can a Muslim or non-Muslim can be pure without performing the mandatory acts of bath?

Answer: A Muslim becomes pure after taking bath if he is impure. Since non-Muslim is not mandated, his purity is not considered.

Note: A non-Muslim can get physical purity, but it of no use due to impurity of belief.¹

Written by Muhammad Zafar Nadwi, authorized by Nasir Ali Nadwi (Fatwa Nadwatul Ulama. Vol.1 p.245)

¹ Allah loves purity and it is half of faith. A type of it is got by wudu and the second type is got by bath. Bath not only refreshes temper but it gets a divine light that close the believers to their Cherisher and they become loved one of Allah. Allah Almighty said :

إِنَّ اللَّهَ يُحِبُّ التَّوَّابِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ (بقرة: ٢٢٢)

Surely Allah loves those who are most repenting, and loves those who keep themselves pure. (Al-Baqarah: 222)

It is mandatory in wudu to wash the parts that are at the edge of body e. g. face, both hands, both feet and masah overhead. It is mandatory to wash the whole body in bath.

That's why the Messenger of Allah (saws) about weekly bath:

حَقُّ عَلَى كُلِّ مُسْلِمٍ أَنْ يَغْتَسِلَ فِي كُلِّ سَبْعَةِ أَيَّامٍ يَوْمًا يَغْسِلُ فِيهِ رَأْسَهُ وَجَسَدَهُ

"It is obligatory for every Muslim that he should take a bath once in seven days, when he should wash his head and body." (Narrated by al-Bukhari and Muslim)

This hadith describes that weekly bath is prescribed to clean dust and dirt of the body. Its time is Friday before Jum'a prayer. (Hujjatullah al-Balighah. Vol.1 p.183) (Taharat Ke Ahkam Wa Masail: p.235, 236. Anees) Bath will be valid only when it is correct whether it is Fardh, Wajib, Sunnat or Mustahab. There are three mandatory acts for a valid bath: 1. To rinse the mouth entering water in it. 2. To wash nose sniffing water. 3. To pour water all over the body. But Masnoon and Mustahab bath will be valid if one skipped entering water in mouth and nose. (Taharat Ke Ahkam Wa Masail: p.244. Anees)

Gargling is mandatory or rinsing of mouth in bath

Question: Is gargling mandatory or rinsing of mouth in bath? Zaid said: gargling is mandatory and Umar said: rinsing is mandatory.

Answer: Rinsing in such a way that water reached in whole mouth is mandatory in bath² and gargling is Sunnah for non-fasting person.

As it is stated in Durre Mukhtar:

(و غسل الفم) أي استيعابه الخ (و المبالغة فيهما) بالغرغرة و مجاوزة المارن (لغير الصائم) لاحتمال الفساد.

(And to wash the mouth) it means full mouth... (to exaggerate in both) by gargling and reaching water till the nostril (for non-fasting person) due to the probable of nullification.²

Durre Mukhtar writes about the mandatory acts of bath:

(و فرض الغسل) الخ (غسل) كل (فمه) ويكفي الشرب عياً لأن المج ليس بشرط في الأصح (در مختار) عبر عن المضمضة و الا ستنشاق للغسل لإفادة الاستيعاب أو للاختصار كما قدمه في الوضوء، الخ،

(The mandatory acts of bath are) ... (to wash) full (his moth) and it is enough to drink water with full mouth because throwing the water out of the mouth is not provided according to the right opinion. (Durre Mukhtar). He described it with rinsing mouth and sniffing water in nose to get the perfection or to shorten as he stated it earlier in wudu.³ That's all. (Fatawa Darul Uloom. Vol.1 p.151)

Gargling is not mandatory in baht

Question: If one rinsed his mouth and did not gargle in fardh bath in the state of fasting, is bath is valid or not?

Answer: Gargling is not mandatory in bath. Rinsing full mouth is sufficient. If one rinsed full mouth in bath, it will be correct. He should not gargle in the state of fast.

قال ابن عابدين رحمه الله تعالى (قوله غسل كل فمه الخ) عبر عن المضمضة و الا ستنشاق للغسل لإفادة الاستيعاب.

Ibn Abiden (r) said: (His statement, to wash his full mouth...). He described it with rinsing mouth and sniffing water in nose to get the perfection.

² Al-Durrul Mukhtar in the margin of Raddul Muhatar. Sunnah of wudu. Vol.1 p.107, 108

³ Raddul Muhatar the matters about bath. Vol.1 p.140, 141

What should be done gargling or rinsing the mouth in the state of fast to perform the Major Ablution (Ghusl Janabat)

Question: If one required to bathe, does he gargle or not?

Answer: He should not gargle but rinse the mouth perfectly.⁴ That's all. (Fatawa Darul Uloom. Vol.1 p.151)

Gargling performed shortly before bath is enough or not

Question: A person faced nightfall and he has taken food after gargling. Is this first gargling valid or not?

Answer: Gargling before eating food is valid. If he did not gargle again at the time of bath, there is nothing wrong, while it is not mandatory, but it is Sunnah. If he did not gargle, but rinsed with full mouth, it is sufficient.⁵ That's all. (Fatawa Darul Uloom, vol.1 p.152)

(و غسـل الفـم) أي استيعابه الخ (والبـالغـة) -- بالغرغرة ومجاورة المـأرن (لغير الصائم) لاحتمال الفساد⁴

(And to wash the mouth) it means full mouth... (to exaggerate)... by gargling and reaching water till the nostril (for non-fasting person) due to the probable of nullification. (Al-Durrul Mukhtar in the margin of Raddul Muhatar. Sunnah of wudu. Vol.1 p.107, 108, Zafeer)

عن محمد بن سيرين قال: سن رسول الله صلى الله عليه وسلم المضضمة والاستنشاق في الجنابة ثلاثاً.

Narrated Muhammad ibn Sireen: Prophet (saws) described rinsing and sniffing water in nose and blowing it out as Sunnah in janabat (sexual impurity). (Al-Dara Qutni, Book of what is narrated about rinsing water and sniffing water in nose and blowing it out in the bath of sexual impurity.) This hadith means that rinsing water and sniffing water in nose and blowing it out is mandatory for sexually impure person. Anees

Rule of gargling in janabat (sexual impurity)

Question: Is gargling mandatory in bath? Can one gargle or not in taking bath of janabat in the month of Ramadhan? For gargling is undesirable during fasting in Ramadhan. What is the rule if one gargles during bath that is not compulsory?

Gargling is not compulsory in bath but rinsing is necessary. Hidayah reads: وفرض الغسل المضضمة والاستنشاق. (the mandatory acts in bath are rinsing the mouth and sniffing water in nose and blowing it out.) (vol. 1 p.29) But cautiously we should gargle also but not in the state of fasting.

Answer: Gargling is Sunnah in bath of sexual impurity for the person who is not fasting. Mujahid.

والبالغة فيها سنة أيضاً. كذا في الكافي وشرح الطحاوي. إلا أن يكون صائماً. كذا في التاتارخانية. وهي في المضضمة بالغرغرة. كذا في الكافي. (الفتاوى الهندية: ج 1 ص ٨)

To exaggerate in both is also Sunnah. So is in al-Kafi and Sharah al-Tahawi, but it is not Sunnah for fasting person. So is in Tatar Khaniyah, and it is rinsing with gargling. So is in al-Kafi. (Al-Fatawa Al-Hindiyah. Vol.1 p.8) That's all and Allah knows best. Muhammad Basheer, 12/07/1397 A.H. (Fatawa Imarate Shariah. Vol.2 p.102)

الجنب إذا شرب الماء لم يجه لم يضره ويجزيه عن المضضمة إذا أصاب جميع فيه⁵

If sexually impure person drank water and did not desorb it, there is not thing wrong and if it reached his full mouth, it will be sufficient for rinsing. (Alamgiri Kishori, The mandatory acts of wudu. Vol.1 p.12, Zafeer)

What is the ruling if bath's gargling or rinsing the mouth is done before

Question: There are three mandatory acts in bath of sexual impurity: rinsing mouth, sniffing water in nose and blowing it out and pouring water all over the body. If one performed the first two mandatory acts of bath in wudu, will this be enough or he should repeat that?

Answer: Gurgling and rinsing mouth in wudu that is performed before bath is enough for what that is required in bath. There is no need to repeat it.¹ That's all. (Fatawa Darul Uloom, vol.1 p.154)

How many times it is necessary to wash inside of nose and rinse the mouth

Question: How many times it is necessary to wash inside of nose and rinse the mouth in bath?

Answer: It is necessary only one time to wash inside of nose and rinse the mouth and three times is Sunnah.²

What are the boundaries of inside and outside mouth?

Question: The uvula (soft tissue that hangs from the soft plate) is inside part or outside in bath and what is the outside boundary of mouth that is mandatory to wash?

Answer: It is mandatory to wash inside the mouth to the extent that is Sunnah in wudu i.e. rinsing the mouth and gargling is Sunnah not Fardh.³ What is mandatory to wash is that is called rinsing the mouth. It means rinsing to the extent, where water reaches by lowering head without gargling, is mandatory. However, rinsing and sniffing is fardh in bath that is Sunnah in wudu.⁴ That's all. (Fatawa Darul Uloom, vol.1 p.151. 152)

¹ الجنب إذا شرب الماء لم يمسح به لم يضره ويجزيه عن المضضة إذا أصاب جميع فيه.

If sexually impure person drank water and did not desorb it, there is not thing wrong and if it reached his full mouth, it will be sufficient for rinsing. (Alamgiri Kishori, The mandatory acts of wudu. Vol.1 p.12, Zafeer)

² (وفر ض الغسل) الخ (غسل) كل (فيه) ويكفي الشرب عباً لأن المص ليس بشرط في الأصح.

(The mandatory acts of bath are) ... (to wash) full (his moth) and it is enough to drink water with full mouth because throwing the water out of the mouth is not provided according to the right opinion. (Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.140) (وسننه) كسكنه الوضوء سوى الترتيب

الخ (Its Sunnah acts are like that of wudu except order... (Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.144. Zafeer)

³ Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.144

⁴ (وفر ض الغسل) الخ (غسل) كل (فيه) الخ (وأنفه) حتى ماتحت الدرن (و) باقي (بدنه)

(The mandatory acts of bath are) ... (to wash) full (his moth)... (and his nose) even under the dirt (and) full (body.) (Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.140, Zafeer)

If mouthful water is drunk, the obligation of rinsing of mouth is completed

Question: If sexually impure person drunk water without rinsing mouth, is it sufficient for rinsing, and if he took bath in this case, is his bath is correct or not?

Answer: It is somewhat disliked (makruh tanzihan) to drink water before rinsing mouth for jnubi (sexually impure person). If he drunk with full mouth, it will be instead of rinsing mouth.¹ Therefore, there is no need to rinse the mouth, but rinsing is better.

قال في العلانية: وَيَكْفِي الشُّرْبُ عَبًّا ؛ لِأَنَّ الْمَجَّ لَيْسَ بِشَرْطٍ فِي الْأَصَحِّ. قال في الشامية: (قَوْلُهُ: وَيَكْفِي الشُّرْبُ عَبًّا) أَيُّ لَا مَصًّا فَتَحَّ وَهُوَ بِالْعَيْنِ الْمُهْمَلَةِ ، وَالْمُرَادُ بِهِ هُنَا الشُّرْبُ بِجَمِيعِ الْقَمِّ ، وَهَذَا هُوَ الْمُرَادُ بِمَا فِي الْخُلَاصَةِ ، إِنَّ شَرْبَ عَلَى غَيْرِ وَجْهِ السُّنَّةِ يَخْرُجُ عَنِ الْجَنَابَةِ وَالْأَفْلَا ، وَبِمَا قِيلَ إِنَّ كَانَ جَاهِلًا جَازَ وَإِنْ كَانَ عَالِمًا فَلَا : أَيُّ لَأَنَّ الْجَاهِلَ يَعْثُ وَالْعَالِمُ يَشْرَبُ مَصًّا كَمَا هُوَ السُّنَّةُ. (قَوْلُهُ: لِأَنَّ الْمَجَّ) أَيُّ طَرَحَ الْمَاءَ مِنَ الْقَمِّ لَيْسَ بِشَرْطٍ لِلْمَضْمَضَةِ ، خِلَافًا لِمَا ذَكَرَهُ فِي الْخُلَاصَةِ ، نَعَمْ هُوَ الْأَخْوَطُ مِنْ حَيْثُ الْخُرُوجُ عَنِ الْخِلَافِ ، وَتَلْعُهُ إِثَاءَ مَكْرُوهٍ كَمَا فِي الْحِلْيَةِ. (در المختار، أبحاث الغسل: ج ١، ص ١٢١)

Al-Alaiyah reads: And it is enough to drink water with full mouth because desorption is not provided according to the right opinion. Shamiyah reads: (his statement 'and it is enough to drink water with full mouth') i.e. not absorbing. Here, it means to drink with full mouth and the same is meant in Al-Khulasah. If he drunk in a way that is not Sunnah, his bath will be completed otherwise not. It is because there is a condition that is if he is an ignorant person and if he is an alim his bath will not be completed. Because ignorant person drinks full mouth and alim drinks absorbing according to Sunnah. (His statement 'because absorbing') i.e. throwing the water out of the mouth is not the condition of rinsing. It is differ from what is written in Al-Khulasah. But that is precaution to come out from difference. But it is disliked to swallow that water, as it is in Al-Hilyah. (Durre Mukhtar, the matters about bath. Vol.1 p.141) That's all and Allah knows best. 22nd Zil Hijjah, 1396 A.H. (Ahsanul Fatawa. Vol.2 p.31)

The definition of rinsing is to wash full mouth and the definition of sniffing is that the water reached nostril. So is in Al-Khulasah (Alamgiri Kishori, Book of wudu. Second Chapter, Vol.1 p.5, Zafeer)

If bath is mandatory, it is necessary to wash full body along with taking water inside mouth. If anyone did not do this, his bath will be correct and he will not be pure. (Raddul Muhtar.vol.1 p.152. Al-Fatawa Al-Tatar Khaniyah.vol.150, 151) (Taharat Ke Ahkam Wa Masail: p.246. Anees)

'وقال علي بن أبي طالب رضي الله عنه عن النبي صلى الله عليه وسلم: "من ترك شعرة من جسدي في الجنابة لم يغسلها فعل بها كذا وكذا من النار'

It was narrated from 'Ali bin Abu Talib that:The Prophet said: "Whoever leaves an area the size of a hair on his body and does not cleanse it from sexual impurity, such and such will be done to him in the Fire." 'Ali said: "Because of that I am hostile towards my hair," and he used to shave his head. (Mukhtasar Al-Tahawi. Vol.1 p.410, Anees)

¹ If a sexually impure person took bath and forgot to rinse the mouth, but he drank water in a way that water reached his full mouth, his bath will be completed whether he drank water before or after. (Raddul Muhtar.vol.1 p.153. Al-Fatawa Al-Tatar Khaniyah.vol.150) (Taharat Ke Ahkam Wa Masail. Anees)

If one forgets to rinse the mouth in bath, should do it when remembers

Question: A sexually impure person took bath and forgot to rinse the mouth. He recalled it after bath. Explain in the light of Qur'an and hadith that his bath is complete or not?

Answer: Whenever he recalled it, he should rinse the mouth.¹ There is no further need to repeat bath.

ولو تركها أي المضمضة ناسياً فصلّى ثم تذكر يتمضمض و يعيد ما صلى-

If one left rinsing mouth in bath and prayed Salah then he recalled, he will rinse the mouth and repeat what he had prayed. (Muniyatul Musalli. P.48) That's all and Allah knows best.

Muhammad Anwar (may Allah forgive him) Mufti Khairul Madaris, Multan, 11/11/1407 A.H. Answer is right. The servant Abdussattar (may Allah forgive him) president of Ifta. (Khairul Fatawa. Vol.2 p.80)

Forgot rinsing the mouth in bath

Question: If one forgot to rinse mouth in bath and recalled later, will he repeat bath or rinse the mouth only?

Answer: Whenever he recalled it, he should rinse the mouth.¹ There is no further need to repeat bath.

ولو تركها (أي المضمضة) ناسياً فصلّى ثم تذكر يتمضمض و يعيد ما صلى-

If one left rinsing mouth in bath and prayed Salah then he recalled, he will rinse the mouth and repeat what he had prayed. (Muniyatul Musalli. P.14) That's all and Allah knows best.

30th Muharram Al-Haram, 1389 A.H. (Ahsanul Fatawa. Vol.2 p.33)

Ruling about screw of teeth in bath

Question: (1) Some people attaches silver or golden screw in their teeth. If water did not reached there in bath, will their bath valid or not?

¹ A sexually impure person took bath and forgot to rinse the mouth, whenever he recalled it, he should rinse the mouth. His bath will be correct. (Raddul Muhtar.vol.1 p.153. Al-Fatawa Al-Tatar Khaniyah.vol.150) (Taharat Ke Ahkam Wa Masail. Anees)

Ruling about silver wire in teeth while bathing

Question: (2) It is written in some Fatawa books that it is lawful to fastened teeth with silver wire because of its moving. If water did not reach under that wire, will bath be correct or not?

Is it necessary to pull out artificial teeth while bathing or not

Question: (3) Is it necessary to pull out artificial teeth while bathing for those who have, or their bath will be correct without removing it?

Answer: (1) If water reaches inside, bath will be correct otherwise it will not be correct according to the research of Shareh Muniyah. So the screw should not be attached unnecessarily.¹

Answer: (2) If one fastened the teeth with wire because of its moving, bath is correct, because it is required.²

Answer: (3) There is no need to pull it out and bath will be correct. If he pull it out before bath, it will be better.³ (Fatawa Darul Uloom, vol.1 p.154, 155)

¹(و) لا يمنع (ما على ظفر الصباغ و) لا (طعام بين أسنانه) الخ

It creates no harm if there is something on the nails of dyer or the food between teeth or in hollowed teeth. Fatwa is the same. It is said that it will harm if it is hardened. It is authentic. Shami reads: It is explained in Sharah Muniyah, it is because water will not reach without any need and cause. (Al-durrul Mukhtar with Raddul Muhatar the matters about bath. Vol.1 p.143, Zafeer)

²والصرايم والصباغ ما في ظفرها يمنع تمام الاغتسال وقيل كل ذلك يجزيهم للخرج والضرورة الخ

What is stuck in the nails of dyer harms to complete bath and it is also said that this is permissible due to inconvenience and need. Because the inconvenience and need are exempted from rules of Shariah. So is in Al-Zahiriyah. (Alamgiri. Book, 2 about bath. Vol.1 p.13. Zafeer)

³ If someone placed artificial teeth as it is custom nowadays, it should be removed at the time of rinsing mouth. (Raddul Muhatar. Vol.1 p.55) (Taharat Ke Ahkam Wa Masail. Anees)

قال العلامة الحصكفي: (ويجب) ---- (غسل) كل ما يمكن من البدن بلا حرج مرة كأذن الخ

Allamah Al-Haskafi said: (it is mandatory) (to wash all that is possible in body once without inconvenience e.g. ears, navel, moustache, eyebrow), under (the beard) and hair of head though they are matted, because it is recommended to exaggerate in getting purity, (and external vagina), because it is like mouth not its internal because it is the meaning of inside. She should not enter her finger in her vagina as fatwa is given. (it is not necessary to wash what causes inconvenience e.g. eyes, though he applied impure kohl and the hole that conflated and not inside the foreskin, is recommended according to the authentic opinion, said Al-Kamal. He denoted its reason the inconvenience. So the objection is no longer. Al-Masuoodi reads: If it is possible to upraise the foreskin without problem, it will be necessary otherwise no. (Al-durrul Mukhtar on the margin of Raddul Muhatar the matters about bath. Vol.1 p.152, 153, Anees)

Is there any harm in performing the Major Ablution (Ghusl Janabat), if fallen tooth was placed with the help of wire?

Question: If one's teeth fell down and he placed it with the help of wire or string. Is there any harm in taking bath in the case mentioned above?

Answer: There is no harm in bath if one fastened the teeth with wire or string. It is enough to rinse the mouth and to enter the water in the root of teeth is not compulsory. The thing causes inconvenience is forgotten.¹ That's all. (Fatawa Darul Uloom. Vol.1 p.156)

Ruling about artificial teeth in bath

Question: Some people's teeth move and other's fell and then they cover it by golden caps. Is it necessary to separate these teeth while bathing or not? They are so strong that doctors feel difficult to pull it out. Can it be supposed like dirt and dough? It is easier to separate dough than golden cap. So it will be to assign what is unbearable.

Answer: This kind of cap is needed and it causes inconvenience. And it is ignored by Shariah. Therefore, bath is correct with that wires.

Its examples are known and written in ulama's books, even they explained that it is permissible to place golden teeth and to fasten it with wire. Had it created any harm, they would have not give its fatwa.² That's all and Allah knows best.

26th Ramadhan Al-Mubarak, 1388 A.H. (Ahsanul Fatawa. Vol.1 p.32, 33)

Wudu and Ghusul after inserting artificial teeth

Question: If someone fixed quaternion teeth and placed one tooth, is his wudu correct or it is necessary to fix quaternion and placing tooth is not permissible?

Answer: To fix quaternion and placing teeth is as a treatment and there is nothing wrong in it. it became like the parts of the body after fixing. That's why it is sufficient to reach it the water. The quaternion only can be separated. Thus it is not consider as permanent part of the body. Due to quaternion water cannot reach the gums and it remained dry and rinsing mouth is compulsory in the bath of sexual impurity. So if he takes bath without separating it, bath will not be correct and it will be mandatory to remove

والصبرام والصباغ ما في ظفرهما يمنع تمام الاغتسال وقيل كل ذلك يجزيهم للحرج والضرورة الخ¹

What is stuck in the nails of dyer harms to complete bath and it is also said that this is permissible due to inconvenience and need. Because the inconvenience and need are exempted from rules of Shariah. So is in Al-Zahiriyyah. (Alamgiri. Book, 2 about bath. Vol.1 p.12. Zafeer)

² Raddul Muhtar, Book of lawful and unlawful, vol.5 p.319. Anees

quaternion and rinse the mouth. Similarly, if he perform wudu with artificial teeth, wudu will be correct, because rinsing is not mandatory in wudu but Sunnah of wudu will be incomplete. (Kitabul Fatawa. Vol.2 p.49)

Ruling about pulling out artificial teeth in bath

Question: One gets make new teeth after losing his teeth that can be removed easily. Is it necessary to separate that teeth in while bathing or not? It is noticed that if it is removed it opens that creates many problems later, i.e. it is not fit in mouth. Can he bathe in the case he has that teeth in his mouth due to excuse mentioned? Please explain it in detail, you will be rewarded.

Answer: it better to remove it before bath, but if he bathed without removing, it is also correct. So is in Fatawa Darul Uloom, vol.1 p.143. ¹ That's all and Allah knows best.

Muhammad Anwar (May Allah forgive him) Mufti Khairul Madaris, Multan,. Answer is right. The servant Abdussattar (May Allah forgive him) president of Ifta. (Khairul Fatawa. Vol.2 p.83)

Screw of teeth does not nullify bath

Question: If the screw of teeth are abraded from above and the apex of the screw cannot be pulled out. Is bath is correct in this case or not?

Answer: The part of screw that is inside the teeth and it cannot be removed, will not foreclose bath and bath will be correct compulsively.² That's all. (Fatawa Darul Uloom. Vol.1 p.157)

Is filling silver in molar forecloses bath or not

Question: Sometimes doctors hollow teeth and fill silver in molar due to blight in it. Is there anything wrong in bath in this state?

¹ (لا) يجب (غسل ما فيه حرج كعين) وإن اكتحل بكحل نجس الخ

(it is not necessary to wash what causes inconvenience e.g. eyes, though he applied impure kohl and the hole that conflated and not inside the foreskin, is recommended according to the authentic opinion, said Al-Kamal. He denoted its reason the inconvenience. So the objection is no longer. Al-Masuoodi reads: If it is possible to upraise the foreskin without problem, it will be necessary otherwise no. (Al-durrul Mukhtar on the margin of Raddul Muhatar the matters about bath. Vol.1 p.152, 153, Anees)

² الصرام والصباغ ما في ظفرهما يمنع تمام الاغتسال وقيل كل ذلك يجزيهم للحرج والضرورة الخ

What is stuck in the nails of dyer harms to complete bath and it is also said that this is permissible due to inconvenience and need. Because the inconvenience and need are exempted from rules of Shariah. So is in Al-Zahiriyyah. (Alamgiri. Book, 2 about bath. Vol.1 p.12. Zafeer)

Answer: There is nothing wrong and bath will be correct.¹ That's all and Allah knows best.

Written by the servant Mahmood (May Allah forgive him), Darul Uloom Deoband, 08/01/1389 A.H. (Fatawa Mahmoodiyah. Vol.5 p.80, 81)

Inserting golden teeth and the ruling of bath

Question: Nowadays people get make golden teeth in a way that they place cover over next teeth of both side. Neither water can reach inside it nor it can be separated. Is this permissible to place this kind of teeth and bath will be correct or not?

Answer: This is permissible to place this kind of teeth in need. But it is disliked for beatification, bath will be valid in both case, because it took the place of parts of the body when it is placed.² That's all and Allah knows best.

والأصل وجوب الغسل إلا أنه سقط بجرج¹

The main injunction is that bathing is necessary, but it stopped due to inconvenience. (Raddul Muhtar. The matter about bath. Vol.1 p.153, Idaratul Qur'an, Karachi. And so is in Al-Halabi Al-Kabeer, Book of bath p.49, Suhail Academy Lahore. And so is in Hashiyah Al-Tahtawi on Maraqi Al-Falah p.62, completion of the injunctions of wudu, Qadeemi)

If someone placed some golden or silver teeth and it is difficult to separate it in wudu, it is permissible to rinse without removing. (Raddul Muhatar. Vol.1 p.155) (Taharat Ke Ahkam Wa Masail. Anees)

Ruling about placing golden or silver screw in teeth

Question: What is the rule about placing golden or silver screw in teeth?

Answer: It is permissible in need otherwise it is not. (ولا يشتد سنه المتحرك (بذهب بل بفضة) و جوزهما محمد الخ

(He will not fasten his moving teeth (with gold but with silver) and Muhammad (r) permitted both. (his statement 'and Muhammad (r) permitted both.' Means he allowed to fasten with gold and silver. It is said that Abu Usuf (r) is with Muhammad (r) and it is also said that he is with Imam Abu Hanifah (r). (Raddul Muhatar. Vol.5 p.318, Anees) That's all. By his own hand p.38. (Baqiyat, Fatawa Rashidiyah p.38)

To fasten golden or silver wire in teeth

Question: Is it permissible to place golden or silver teeth for the one whose teeth have been fallen or not?

Is it lawful to fasten teeth with golden or silver wire for the one whose teeth are moving or not?

Answer: Both are permissible. Fatawa Alamgiri reads:

لو تحرك سن رجل و خاف سقوطها فشد ها بالذهب أو بالفضة لم يكن به بأس عند أبي حنيفة ّ وأبي يوسف ّ.

(Vol.4 p.102)

If one's teeth are moving and he fears from its falling, he fastened it with golden or silver wire, there is nothing wrong according to the opinion of Abu Hanifah (r) and Abu Usuf (r). (Fatawa Ihyaul Uloom. Vol.1 p.269)

² (ولا يشتد سنه المتحرك (بذهب بل بفضة) و جوزهما محمد الخ

(He will not fasten his moving teeth (with gold but with silver) and Muhammad (r) permitted both. (his statement 'and Muhammad (r) permitted both.' Means he allowed to fasten with gold and silver. It is said that Abu Usuf (r) is with Muhammad (r) and it is also said that he is with Imam Abu Hanifah (r). (Raddul Muhatar. Vol.5 p.318, Anees)

Cover over teeth and the ruling of bath

Question: If doctor pulled out one of the front teeth by any mean and I want to place artificial tooth. This tooth is of two kinds: One of them can be put on and put off if wanted. E.g. one can gargle while bathing after removing. Second is that golden or of any metal cover is placed both next side to that tooth that support the artificial tooth. A cemented or fiber tooth is stuck to it and these all cannot be removed in need. Is bath is valid in this case while doctor recommend to place the second kind of tooth for it is better?

Answer: If it is impossible to remove, bath will be correct in this case.¹ If cover is made of other than gold, it is better. That's all and Allah knows best.

Written by the servant Mahmood (May Allah forgive him), Darul Uloom Deoband, (Fatawa Mahmoodiyah. Vol.5 p.81, 82)

Wudu and Ghusl in the state of putting cover of anything over teeth

Question: Zaid and Abid has fallen in a warm matter. Zaid said: It is strictly forbidden for a man to place cover of gold, silver, steel etc. over teeth. His Salah and bath of sexual impurity is not valid. Salah will not be correct following him. Abid said: If artificial teeth is placed by fiber cover over teeth, there is nothing wrong whatever it is made of. Wudu and bath both are lawful in this condition?

ولا يمنع الطهارة ونعيم أى خرف ذباب وبر غوث لم يصل الماء تحته النخ 1

Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. (Addurrul Mukhtar). Ibn Abideen (r) said: (his statement (Fatwa is given the same.) Al-Muniyah explained narrating from Al-Zakhirah about the matter of henna, mud and dirt. He allowed it on the condition of need. (Raddul Muhtar. The matter about bath. Sa'eed, Vol.1 p.154. And so is in Al-Halabi Al-Kabeer, Book of bath p.49, Suhail Academy Lahore. And so is in Hashiyah Al-Tahtawi on Maraqi Al-Falah p.63, completion of the injunctions of wudu, Qadeemi)

Answer: If it is difficult to stay the teeth without cover, silver cover is permissible and if its removing in bath causes inconvenience, bath will be valid with it as well as Salah.¹ Ulama differed in golden cover. We should prevent cautiously.²

Written by the servant Mahmood (May Allah forgive him), Darul Uloom Deoband, 25/07/1396 A.H. (Fatawa Mahmoodiyah. Vol.5 p.82, 83)

Golden or silver cover over teeth and the ruling of wudu and Ghusl

Question: When there is hole in teeth, fillings of food enter in it that causes pain. In order to prevent from it doctors meditated a cure that the hole is filled with gold or silver or lead or cement etc. so that fillings of food may not enter. It is to ask that when this hole is filled the water will not reach inside it, is this cause any problem in bathing? Kindly explain you will be rewarded.

Answer: When the holes of teeth is filled with gold or silver or lead or cement etc. it becomes the like other parts of the body and it is sufficient to wash it, not its inside. It is permissible to fasten broken teeth with golden or silver wire and it is also narrated that it is lawful to make golden or silver nose though it is clear that water will not reach inside it.

”بستن دندان شکسته به تار نقره جائز است نه به تار زر. و نزد صاحبین به تار زر هم جائز است“ (مألاً بد منه)

It is permissible to fasten broken teeth with silver, and according to Sahibain (r) with golden wire is also permissible. (Mala Budda Minhu)

(وَلَا يَشُدُّ سِنَّهُ) الْمُتَحَرِّكَ (يَذْهَبُ بَلْ بِفِضَّةٍ) وَجَوَزَ هُما مُحَدِّدٌ (در مختار ج ۵ ص ۳۱۸، ۳۱۷) - (قَوْلُهُ وَجَوَزَ هُما مُحَدِّدٌ) أَيْ جَوَزَ الذَّهَبَ وَالْفِضَّةَ أَيْ جَوَزَ الشَّدَّ بِهِمَا وَأَمَّا أَبُو يُوسُفَ فَقِيلَ مَعَهُ وَقِيلَ مَعَ الْإِمَامِ - (شامي ج ۵ ص ۳۱۸) (وَيَتَّخِذُ أَنْفًا مِنْهُ) لِأَنَّ الْفِضَّةَ تُنْتِنُهُ (در مختار ج ۵، ص ۳۱۸) (قَوْلُهُ لِأَنَّ الْفِضَّةَ تُنْتِنُهُ) الْأَوَّلَى تُنْتِنُ بِهَا ضَمِيرٌ (إِلَى قَوْلِهِ) وَأَصْلُ ذَلِكَ مَا رَوَى الطَّحَاوِيُّ

¹ ولا يمنع الطهارة ونيم أي خروء ذباب و بر غوث لم يصل الماء تحته الخ

Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. (Addurrul Mukhtar). Ibn Abideen (r) said: (his statement (Fatwa is given the same.) Al-Muniyah explained narrating from Al-Zakhirah about the matter of henna, mud and dirt. He allowed it on the condition of need. (Raddul Muhtar. The matter about bath. Sa'eed, Vol.1 p.154. And so is in Al-Halabi Al-Kabeer, Book of bath p.49, Suhail Academy Lahore. And so is in Hashiyah Al-Tahtawi on Maraqui Al-Falah p.63, completion of the injunctions of wudu, Qadeemi)

² قال العلامة الحصكفي: (وَلَا يَشُدُّ سِنَّهُ) الْمُتَحَرِّكَ (يَذْهَبُ بَلْ بِفِضَّةٍ)

Allamah Haskafi said: (He will not fasten his moving teeth with gold but with silver. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.6 p.361,362, Book of lawful and unlawful. Chapter of wearing, Sa'eed) It means it is allowed to fasten moving teeth with silver not with gold. (Al-Bahrur Raiq. Vol.8 p.350, Book of dislike, Rashidiyah)

بِإِسْنَادِهِ إِلَى { عَرَفَجَةَ بْنِ أَسْعَدَ أَنَّهُ أُصِيبَ أَنْفُهُ يَوْمَ الْكَلَابِ فِي الْجَاهِلِيَّةِ فَأَتَّخَذَ أَنْفًا مِنْ وَرَقٍ فَأَتَتْنِ عَلَيْهِ . فَأَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَتَّخِذَ أَنْفًا مِنْ ذَهَبٍ . فَفَعَلَ أَيُّ وَفِي التَّتَنَازُحَانِيَّةِ وَعَلَى هَذَا الْإِخْتِلَافِ إِذَا جُدِعَ أَنْفُهُ أَوْ أُذُنُهُ أَوْ سَقَطَ سِنُّهُ . فَأَرَادَ أَنْ يَتَّخِذَ سِنًّا آخَرَ فَعِنْدَ الْأَمَامِ يَتَّخِذُ وَذَلِكَ مِنَ الْفِطْرَةِ فَقَطْ . وَعِنْدَ مُحَمَّدٍ مِنَ الذَّهَبِ أَيْضًا اهـ- (شامي ج ٥ ص ٣١٨)

(He will not fasten his moving teeth with gold but with silver, but Muhammad (r) allowed both. (Durre Mukhtar.vol.5 p.317, 318) (His statement: 'but Muhammad (r) allowed both.') means that he allowed to fasten teeth with gold and silver. It is said that Abu Usuf (r) is with Muhammad (r) and it is also said that he is with Imam Abu Hanifah (r). (Shami. Vol.5 p.318) (He can make nose of gold) Because silver produces stink in it (Durre Mukhtar.vol.5 p. 318) (His statement: 'Because silver produces stink in it.'): It is better that تَنْتَن should be without pronoun. (till is statement) the fact of what Al-Tahawi (r) narrated referring to Urfujah bin Sa'ad (rz) that His nose was cut off at the battle of Al-Kulab during the Jahiliyyah, so he wore a nose made of silver, but it began to rot, so the Prophet (saws) told him to wear a nose made of gold. So he did..... Tatar Khaniyah reads: According to the same difference, if someone's nose or ear is cut off or his tooth fell down and he wanted to place other tooth, according to the opinion of Imam Abu Hanifah (r) he will place silver tooth. That's all, and according to Muhammad (r) he can place golden tooth also. (Shami. Vol.5 p.318) That's all and Allah knows best. (Fatawa Rahimiyah. Vol.3 p.9, 10)

Is it mandatory or not to gush water in hollow teeth while bathing

Question: One of my teeth is eaten by warm and it made a hole upright in the middle from up. When I eat something it enters in the hole and it requires tool to take it out. Then if something is eaten or drunk it produces pain and cold water harms it. is it necessary to take out that stuffed thing in the hole in wudu or bath or the bath of sexual impurity will be valid without it? Is it compulsory to enter water in that hole or not?

Answer:

قال في مراقي الفلاح في يارب فرائض الغسل: وغسل الفم والأنف آه قال الطحطاوي: أي بدون مبالغة فيهما فإنها سنة فيه على المعتمد ولو كان سنة مجوفاً فبقي فيه طعام أو بين أسنانه أو كان في أنفه درن رطب أجزاءه آه

It is written in Maraqui Al-Falah under the chapter of mandatory acts of bath: he will wash mouth and nose. Al-Tahawi said: it means without exaggeration in both, because exaggerating in them is Sunnah as it is authorized. If one's tooth is hollowed and the food stuck between teeth or there is dirt in his ear, it will be sufficient to wet it. (p.59)

It is not mandatory to enter water in hole of teeth in bath but it is better to do it.

Ruling about bath if molar is filled with spice

Question: A person's molar is hollowed and doctor recommended to fill it with spice. It is clear that water cannot reach under it in bath while rinsing mouth is mandatory in bath. What to do if the hollow is increasing?

Answer: If it is necessary, rinsing will be enough without entering water under spice.¹ That's all and Allah knows best.

Written by the servant Mahmood (May Allah forgive him), Darul Uloom Deoband, (Fatawa Mahmoodiyah. Vol.5 p.83)

Filling the hollowness of teeth with spice, does not nullifies bath

Question: Doctor filled the hollow of teeth. Some molavi said: Bath is valid in this case while some other said: not. So, who is on the right path in this regard?

The questioner: Abdul Baqi AfghAneestan. 24th Sh'aban, 1403 A.H.

Answer: Bath is correct undoubtedly, because there is much difficulties to clean that hollow in every bath and it is forgettable in Shariah.

Its example is can be search in Al-Hindiyah. Vol.5 p.336.

“من شد السن بالذهب و الفضة” the person who fastened teeth with gold or silver.²

وما في غسل شرح التنوير: “وثقب انضم” - قلت: فهذا أشد حرجاً منه -

¹ ولا يمنع الطهارة ونيم أي خروء ذباب وبر غوث لم يصل الماء تحته الخ

Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. (Addurrul Mukhtar). Ibn Abideen (r) said: (his statement (Fatwa is given the same.) Al-Muniyah explained narrating from Al-Zakhirah about the matter of henna, mud and dirt. He allowed it on the condition of need. (Raddul Muhtar. The matter about bath. Sa'eed, Vol.1 p.154. And so is in Al-Halabi Al-Kabeer, Book of bath p.49, Suhail Academy Lahore. And so is in Hashiyah Al-Tahtawi on Maraqi Al-Falah p.63, completion of the injunctions of wudu, Qadeemi)

² وفي الهندية: قَالَ مُحَمَّدٌ رَحِمَهُ اللَّهُ تَعَالَى فِي الْجَامِعِ الصَّغِيرِ وَلَا يَشُدُّ الْأَسْنَانَ بِالذَّهَبِ وَيَشُدُّهَا بِالْفِضَّةِ يُرِيدُ بِهِ إِذَا تَحَرَّكَتِ الْأَسْنَانُ الْخ

Al-Hindiyah reads: Muhammad (r) said in Al-Jame Al-Sagheer: He will not fasten the teeth with gold but he can fasten it with silver he means that when it moves and he fears to fall and want to fasten, he will fasten it with silver not with gold, said Imam Abu Hanifah (r). Muhammad (r) said: He can fasten it with gold also..... Al-Hakim wrote in Al-Muntaqa: If a person's teeth move and he fears to fall, he fastened it with silver or gold, there is nothing wrong according to Abu Hanifah (r) and Abu Usuf (r) (Fatawa Hindiyah. Vol.5 p.336, Book no.10 about using gold and silver)

You should understand what Sharah Tanweer reads in bath: The hole that is filled. I said: It is more difficult than that.³

(Fatawa Deoband Pakistan, known with Fatawa Faridiyah. Vol.2 p.71, 72)

Ruling about bath While Dali (lump) is in teeth

Question: If the particle of lump stuck in teeth, will bath of sexual impurity correct or not? Is wudu will be undesirable in this case?

Answer: If water reaches without taking out that particle, bath of sexual impurity will be correct and wudu is not undesirable?⁴ That's all and Allah knows best.

Written by the servant Mahmood (May Allah forgive him), Darul Uloom Deoband, (Fatawa Mahmoodiyah. Vol.5 p.83, 84)

Bath is correct or not if there remains particle inside the mouth while performing wudu and Ghusul

Question: If there is particle of betel or piece of nut in the mouth of someone and he did not take it out while bathing, is wudu and bath is correct or not?

Answer: Salah will be valid.⁵ (This wudu and bath is correct. Zafeer) That's all. (Fatawa Darul Uloom. Vol.1 p.157)

قال العلامة الحصكفي: (لا) يجب (غسل ما فيه حرج كعين) وإن اكتحل بكحل نجس الخ³

Allamah Al-Haskafi said: (it is not necessary to wash what causes inconvenience e.g. eyes, though he applied impure kohl and the hole that conflated and not inside the foreskin.) (Addurrul Mukhtar on the margin of Raddul Muhtar. Vol.1 p.107. The matter about bath)

بخلاف نحو عجين (و) لا يمنع (مأكل ظفر صباغ و) لا طعام بين أسنانه) أو في سنه المجوف، به يفتى، وقيل إن صلباً منع، وهو الأصح. الدر المختار⁴
(قوله بخلاف نحو عجين) كعلك وشمع وقشر سمك وخبز ممضوغ متلبس، جوهره الخ نعم ذكر الخلاف في شرح المبنية في العجين واستظهر المنع لأن فيه لزوجة وصلاية تنع نفوذ الماء، الخ.

Raddul Muhatar the matters about bath. Vol.1 p.154, Sa'eed. And so is in Al-Halabi Al-Kabeer, Book of bath p.49, Suhail Academy Lahore. And so is in Al-Fatawa Al-Alamgiriya. Vol.1 p.13, Book.2 about bath. Rashidiyah)

Teeth and tongue etc. are included in the interior mouth. If there is crack between teeth and fillings entered in it, it should be taken out while bathing, but bath is correct without it. (Raddul Muhatar. Vol.1 p.154) (The Taharat Ke Ahkam Wa Masail, Anees)

ولو كان سنه مجوفاً بقي فيه أو بين أسنانه طعام أو درن رطب في أنفه ثم غسله على الأصح كذا في الزاهدي، والاحتياط أن يخرج الطعام عن تجويفه⁵
ويجوز الماء عليه، هكذا في فتح القدير.

If one's tooth is hollowed and the food stuck between teeth or there is dirt in his nose that he will wet then will wash it according to right statement. So is in Al-Zahidi. But it is better to take out that fillings from hollow and wash it. So is in Fatahul Qadeer. (Alamgiri Misri, Book, 2, about bath.vol.1 p.13)

Question: If betel nut is stuck in molar, is bath of sexual impurity correct without taking out that?

Answer: Bath is correct and if it is possible to take it out, it should be done.⁶ That's all. (Fatawa Darul Uloom. Vol.1 p.154)

Polishing over teeth

Question: Is polishing over teeth lawful that women usually do? If yes, is it necessary to clean with toothpick while bathing and making wudu?

Answer: Polishing is lawful and it is not necessary to clean with toothpick while making Wudhu, because rinsing is not obligatory in wudu. There is some detail about bath. Majm'a al-Anhur Sharah Multaqa al-Abhur reads:

ولو بقي العجين في الظفر فاغتسل لا يكفي في الدرن والطين يكفي لأن الماء ينفذ وكذا الصبغ و الحناء، انتهى-

It shows that removing a thing which prevents to reach water the body is necessary otherwise not. The same is written in the Khazanatur Riwayah and Zakhirah states:

قال الفقيه أبو الليث: قد قيل في القروي يكون في ظفرة شيء أنه لا يجوز وضوءه وغسله وفي المدي لا يجوز لأن القروي يكون في أظفارة طين ولا يمنع وصول الماء فأما المدي يكون في أظفارة دسومة وأنها مانعة وصول الماء، انتهى.

And in Tanweer Al-Absar, Durre-Mukhtar, Raddul-Muhtar:

(ولا يمنع) الطهارة (ونيم) أي خرق ذباب وبر غوث لم يصل الماء تحته، وفي الشامي: لأن الاحتراز عنه غير ممكن، حلية، (وحناء) ولو جرمه، به يفتي، وفي الشامي: صرح به في المنية عن الذخيرة في مسئلة الحناء والطين والدن معللاً بالضرورة، قال في شرحها: ولأن الماء ينفذ لتخلله وعدم لزوجه وصلابته، المعتبر في جميع ذلك نفوذ الماء ووصوله إلى البدن، آه (ودرن ووسخ) عطف تفسير، وكذا دهن ودسومة (وتراب) وطين ولو (في ظفر مطلقاً) أي قروياً أو مدنياً في الأصح بخلاف نحو عجيين. وفي الشامي: أي كعلك وشمع وقشر سبك وخبز مبضوخ متلبد، جوهرة، لكن في النهر: ولو في أظفارة طين أو عجيين فالتفتي على أنه مغتفر قروياً كان أو مدنياً انتهى، نعم ذكر الخلاف في شرح المنية في العجيين واستظهر المنع لأن فيه

⁶ ولو كان سنه مجوفاً بقي فيه أو بين أسنانه طعام أو درن رطب في أنفه ثم غسله على الأصح كذا في الزاهدي، والاحتياط أن يخرج الطعام عن تجويفه

ويجوز الماء عليه، هكذا في فتح القدير-

If one's tooth is hollowed and the food stuck between teeth or there is dirt in his nose that he will wet then will wash it according to right statement. So is in Al-Zahidi. But it is better to take out that fillings from hollow and wash it. So is in Fatahul Qadeer. (Alamgiri Misri, Book, 2, about bath.vol.1 p.13)

لزوجة وصلاية تمنع نفوذ الماء. (ولا يمنع) ماعلى ظفر صباغ و) لا طعام بين أسنانه) أو في سنه المجوف, به يفتى, وقيل إن صلباً منع, وهو الأصح. وفي الشامي: صرح به في شرح المنية وقال لا تمتنع نفوذ الماء مع عدم الضرورة والخرج, انتهى.⁷

And Maraqiul Falah Sharah Noorul Idhah describes:

ولا بد من زوال ما يمنع دخول الماء للجسد كشمع وعجين, انتهى.

It indicates that if one polishes as much that it gets stuck in the middle of teeth and the effect of water cannot reach the body, then bath will not be valid unless decorative paint is removed.

(Fatawa Maulana Abdul Hai Urdu: p.182-183)

The order of polishing for man and woman

Question: Is it permissible or not to polish for man woman?

Answer: Polishing is unlawful for man and allowed for woman, but the part of polish should not stick on the teeth. If it sticks, one will be pure by performing bath.⁸

Badast-e-Khas question: 99

(Baqiyat Fatawa Rashidiah: p.381)

Is the stuck polish preventive of Purity or not

Question: Is using the polish valid or not for women? Its part sticks in the teeth and prevents the water to reach the bottom of the teeth, so is it preventive from purifying or not. If one applies intentionally such polish in the teeth that does not seclude without removing tooth, so is there no Shari'ah detest or not?

⁷ Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.155, 154. Subject: Bathing.

⁸ (ولا يمنع) ماعلى ظفر صباغ و) لا طعام بين أسنانه) أو في سنه المجوف, به يفتى, وقيل إن صلباً منع, وهو الأصح, صرح به في شرح المنية وقال لا تمتنع نفوذ الماء مع عدم الضرورة والخرج, انتهى.

Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.153. Subject: Bathing.

Answer: If polish sticks, it is not the preventive of Wudhu but preventive of bath.⁹ And if a gap is intentionally filled with chemical, so it has the order of organs of body and it is not the preventive of bath.¹⁰

And Allah knows the best!

Rashid Ahmad Gangohi (May Allah forgive him)

(Fatawa Rashidiah complete: p.239-240)

What is the order of bath after sticking toothpowder in the teeth

Question: What do Ulama say about that a toothpowder was prepared by 2 tola alum, 2tola catechu and 6 mashah blue thuthah and which is very useful for teeth but it gets black like polish. Whether this blackish like polish would be preventive of bath?

Answer: Which does not prevent the water to reach, is not preventive of Taharat. Likewise, which prevents but is needed, is not preventive.

في الدر المختار: (ولا يمنع) الطهارة (ونيم)..... (وحناء) ولو جرمه، به يفتي.

في رد المحتار: قوله به يفتي: صرح به في المنية عن الذخيرة في مسئلة الحناء والطين والدرن معللاً بالضرورة، وفي الدر المختار: (و) لا طعام بين أسنانه) أو في سنه المجوف، به يفتي. وقيل: إن صلباً منع، وهو الأصح. في رد المحتار: صرح به في شرح المنية وقال لا امتناع نفوذ الماء مع عدم الضرورة والخرج، آه.

(Raddul Muhtar. Vol.1 p.104. Subject: Bathing.)

Thus, if this blackish does not prevent the water to reach as it is mostly suspect. Then it is clear that it is not the preventive of bath and if it likely prevents then it is also necessary. Thus, it is pardoned.

And Allah knows the best!

(Imadatul Fatawa Jadeed. Vol.1, p.46)

⁹ (ولا يمنع) (مأعلى ظفر صباغ) (ولا طعام بين أسنانه) أو في سنه المجوف، به يفتي، وقيل إن صلباً منع، وهو الأصح، صرح به في شرح المنية وقال لا امتناع نفوذ الماء مع عدم الضرورة والخرج، انتهى.

(Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.153. Subject: Bathing.)

¹⁰ في غسل شرح التنوير: "ثقب انضم"، قلت: فهذا أشد حرجاً منه (قال الحصكفي: (لا يجب) غسل ما فيه حرج كعين) وإن اكتحل بكحل نجس (و) (و) ثقب انضم (و) (لا داخل قلقة).

(Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.107. Subject: Bathing.)

What should be done in the post-coition bath, if the chemical sticks in the teeth

Question: Influenza causes the ache in the teeth, and teeth got gapped. And if one applies such medicine that sticks in the teeth and it sticks in such manner that it became the part of gum and there is no gape between teeth. Is using such medicine allowed or not? Does it affect in seminal bath?

Answer: If removing that medicine is difficult, delivering water inside that is not necessary and that will not prevent bath.

(Raddul Muhtar. Vol.1 p.104) (Imdadul Fatawa Jadeed. Vol.1, p.47)

تؤيد جزئيات كثيرة مذكور في الدر المختار، بحث الغسل (ولا طعام بين أسنانه أو في سنه المجوف، به يفتي، وقيل: إن صلباً منع وهو الأصح) (الدر المختار) صرح به في شرح المنية وقال: لا تمتنع نفوذ الماء مع عدم الضرورة والحرج.

What should be done in the post-coition bath if the colour of catechu and polish sticks

Question: Who are in the habit of using betel likewise the women who use to polish, the part of lime and polish sticks in the teeth which cannot be removed easily. Now the question is that is it necessary or not to remove them at the time of post-coition bath (as the water cannot reach its bottom unless it is removed and removing it is not possible without rubbing with the sharp thing) or will the bath be valid or not without removing it?

It is written on the last page of chapter of bath in Bahishti Zewar: vol.1 published by Sadhurah:

(Masa'lah: If the part of polish has stuck, it should be removed, then one has to gargle otherwise bath will not be complete.) is this Masa'lah correct or not? If yes, so will the issue of lime be guessed or not?

Answer: This Masalah is correct but there is one condition that removing it easily is possible otherwise if it is difficult to remove then it is valid without removing.

في الدر المختار: (ولا يمسح) الطهارة (ونيم) أي خرف ذباب وبرغوث لم يصل الماء تحته (وحناء) ولوجرمه به يفتي، في رد المحتار: صرح به في المنية عن الذخيرة في مسئلة الحناء والطين والدرن معللاً بالضرورة (إلى قوله) فالأظهر التعليل بالضرورة.

(Al Durrul Mukhtar. Vol.1 p.156)

So, the same detail is in the lime that if the lime can be removed easily, then it is obligatory to remove other otherwise it is pardoned.

Is washing the nose necessary in the bath

Question: A person entered the state of Janabat, he passed the urine first, then washed the impurity, then he washed his both hands, then he washed the mouth, then he poured over the whole body later he performed Fazr, Zuhar, Asr, Magrib and Isha Salah. Will his Salah be valid? Is gargling the mouth and washing the nose obligatory or Sunnat in every bath except post-coition bath?

Answer: Washing the nose is obligatory in the post-coition bath. Bath will not be complete with it.¹¹ And Salah will not be valid without bath. Washing the nose is not obligatory in the bath except post-coition bath.

And Allah knows the best!

Written by: Mahmood (May Allah forgive him)

Darul Uloom Deoband

13, Safar 95 AH

(Fatawa Mahmoodiah: vol.5, p.79)

The order of washing the nose while taking bath

Question: What way should be adopted to wash the nose while taking a bath? Is entering the finger after rinsing sufficient or is pulling the water till the last part of nose necessary, whereas it may cause in the case of reaching the brain while pulling.

(وفرض الغسل).....(غسل)كل (فيه) يكفي الشرب عباً لأن الميع ليس بشرط في الأصح (وأنفه) حتى ماتحت الدرن-¹¹

(Al Durrul Mukhtar. Vol.1 p.151,152. Subject: Bathing. Khulasah Al-Fatawa. Vol.1 p14. Lesson: Bathing. Amjad Academy. Lahore. Hashiyah Tahtawi on Maraqi Al-Falah. P.102. The obligatory acts of salah. Qadeemi)

أبو حنيفة عن عثمان بن راشد عن عائشة بنت عجرد قالت قال ابن عباس رضي الله عنه: إذا اغتسل الجنب ونسى المضضة والإستنشاق فليعد الوضوء بالمضضة والإستنشاق.

(Musnad Hafiz Talha bin Muhammad. Musnad Al-Imam Hasan bin Ziyad. Jame Al-Masaneed. Vol.1 p. 267, 268 referring to Ela Al-Sunan. Vol.1 p. 206, 207. Obligation of rinsing the mouth and nose in obligatory bath. Maktabah Yahya. Saharanpur. U.P.)

Answer: Washing the nose is necessary during taking a bath and the limit of nose is the soft bone of the nose. In this case, adopt the way which is easy for you keeping it in the mind.¹²

"قَالَ الْحَصَكْفِيُّ: (وَفَرَضُ الْغُسْلِ).....(غَسَلَ) كُلَّ (فِيهِ) يَكْفِي الشَّرْبَ عِبَاءً لِأَنَّ الْمَجَّ لَيْسَ بِشَرْطٍ فِي الْأَصَحِّ (وَأَنْفِهِ) حَتَّى مَا تَحْتَ الدَّرَنَ".

(Al Durrul Mukhtar on Raddul Muhtar. Vol.1 p.151. Subject: Bathing.)¹³

(Fatawa Haqqaniyah. Vol.2 p. 521, 522)

The ruling of rinsing out the water in the bath

Question: It is written in the book of Ahmad Reza Khan "Fatawa Afrika" p.31 that the second obligatory is washing the nose right up to the soft bone, but it requires rinsing out the water which they never do at all. (non-Muslim) rather nowadays lakhs of ignorant Muslims are unmindful of it. That is why their bath is not complete and their baths are invalid. He has given reference of "Muheet". How is it to pull water by smelling its? It is danger in the state of fast and difficult too. Is it right or not to enter wet finger till nasal?

Answer: The bath will be complete by rinsing out the water and entering the wet finger from which the water drips.¹⁴

And Allah knows the best!

Abdul Sattar (May Allah forgive him)

27/10/1395 AH

(Khairul Fatawa: vol.2, p.79)

¹² If the bath is obligatory then making the water reach the soft bone of nose is obligatory, if there is dry mucus in the nose, then making the water reach its bottom is not necessary. (Raddul Muhtar: vol.1, p.152) If one's nose is cut or one has no nose, and he has fitted it by plastic surgery and it is the part of nose then washing it and making the water reach its bottom is necessary. If the nose has hole and one has worn any jewel, it is has to move and make the water reach under it. (Raddul Muhtar: vol.1, p.155) Taharat ke Ahkamo Masail. Anees)

¹³ قَالَ طَاهِرُ بْنُ عَبْدِ الرَّشِيدِ: وَإِنَّمَا يَجُوزُ إِذَا تَنَضَّضَ وَاسْتَنْسَقَ بِنَاءً عَلَى أَنَّ الْمَضْمُضَةَ وَالِاسْتِنْشَاقَ فَرَضٌ فِي الْغُسْلِ عِنْدَنَا.

(Khulasah Al-Fatawa. Lesson:2 about bathing. Vol.1 p.14. Hashiyah Tahtawi on Maraqi Al-Falah. P.81. Lesson: The obligatory acts of salah. Qadeemi)

¹⁴ (وَفَرَضُ الْغُسْلِ).....(غَسَلَ) كُلَّ (فِيهِ).....(وَأَنْفِهِ) حَتَّى مَا تَحْتَ الدَّرَنَ".

(Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.151. Subject: Bathing.)

The limit of washing the nose in the bath

Question: One of three obligatory of bath is washing the nose.

My one friend asks that rinsing the nose right up to the soft bone requires taking water in the hollow of the hand and pulling the water towards brain, is it correct or the Wudhu ne is right, because it cause difficulty while pulling the water in the nose?

Answer: It is not necessary to make water reach inside the bone rather rinsing the water up to where the bone is, which can be done easily by taking some care.¹⁵

And Allah knows the best!

29, Rabiul Thani 99AH

(Ahsanul Fatawa: vol.2, p.38)

The order of making the water reach the hole of ear and nose

Question: As for I studied the religious books and what I understood, is that if a woman who wears the nose ring or nose stud in the hole of nose and earring in the earlobe and does not make the water reach the both holes, her bath will be void. Moreover, especially making the water reach the hole of nose is difficult, because it is too narrow and stuck from both sides, even it cannot be moved, for there is no possibility. Some days before we were taking on the obligatory and conditions of bath, so one friend who live at Tabuk, said that Islam is not so tough and complex what people made. It arouse doubt in mind. Please answer the question in the light of Book and Sunnat that who is on the right of us. And which jewel will be suitable according to Islam, so that the bath does not remain void?

Answer: If one wears the jewel which is narrow, it should be moved so that water reaches inside. And if she does not wear and water reaches just by pouring the water over, then the bath will be in the order. Otherwise, make the water reach but there is no need to use the straw etc. for that.¹⁶ It is ignorance to say it hardship, sometimes the dirt accumulates and it take the shape of severe pimple. So, it is also required medically to keep them clean.

¹⁵ (وفرض الغسل).....(غسل)كل (فيه).....(وأنفه) حتى ماتحت الدرن".¹⁵

(Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.151. Subject: Bathing.)

¹⁶ if there is hole in the nose or ear, so it is necessary to wash it, but it got closed, then digging it by straw and washing it are not necessary. (Raddul Muhtar: vol.1, p.153. al Fatawa Tatarkhaniah: vol.1, p.150) (Taharat ke Ahkamo Masail: p.245)

If one has worn ring in finger or earring in ear or nose, so pour water on them and move them, so that water reaches their bottom. (Raddul Muhtar: vol.1,p.155) (Taharat ke Ahkamo Masail: p.242. Anees)

وجب تحريك القرط والخاتم الضيقين ولو لم يكن قرط فدخل الماء الثقب عند مروره أجزاءه وإلا أدخله ولا يتكلف في إدخال شيء سوى الماء من خشب ونحوه، كذا في البحر الرائق.

(Hindiyah. Vol.1 p.14)

And Allah knows the best!

Muhammad Anwar (May Allah forgive him)

Mufti Khairul Madaris, Multan

24/4/1408AH

(Khairul Fatawa: vol.2, p.50-51)

The injunction of making the water reach the hole of ear while taking a bath

Question: The ear of young man was pierced in the childhood, he used to enter the wet straw in the hole while taking bath. But now he left it with the intention of closing the hole gradually. Albeit, he pours the water with care, he asks whether it is sufficient or not?

Answer:

في الدر المختار: (ولو لم يكن يثقب أذنه قرط فدخل الماء فيه) أي الثقب (عند مروره) على أذنه (أجزاءه كسرة وأذن دخلها الماء وإلا يدخله) ولو بأصبعه ولا يتكلف بخشب ونحوه والمعتبر غلبة ظنه بالوصول، في رد المحتار: (قوله ولا يتكلف): أي بعد الإمرار، كما قدمناه عن شرح المنية، آه.¹⁷

This tradition shows that pouring the water over it is sufficient, and it will be safe if it is rubbed while pouring the water. Don't fall in the doubt.

21, Jumadil Ula 1353AH

Al-Noor

8, Jumadil Ukhra 1354AH

(Imdadul Fatawa new: vol.1, p.57)

The order of the place where it is difficult to make the water reach while taking the bath

17 (Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.155. Subject: Bathing. Beirut)

Question: Sometimes the skin remains around the glans penis which causes hardship in making the water reach the glans penis while taking bath. Rather the water does not reach without much effort. What should be done in such situation?

Answer: Bath becomes valid by pouring the water over upper organ where making the water reach is difficult. There is no need to adopt such way which causes harm.¹⁸

"قال الحصكفي: (ولو كان خاتمه ضيقاً نزعه أو حركه) وجوباً (كقرط , ولو لم يكن بثقب أذنه قرط فدخل الماء فيه) أى الثقب (عند مروره) على أذنه (أجزأه كسرة وأذن دخلهما الماء وإلا)

يدخل (أدخله) ولو بأصبعه ولا يتكلف بخشب ونحوه والمعتبر غلبة ظنه بالوصول-

(Al Durrul Mukhtar with Raddul Muhtar. Vol.1 p.155. Subject: Bathing.)¹⁹

(Fatawa Haqqaniyah. Vol.2 p. 530)

The injunction of bath in the case of not reaching water the hole around the pre-skin of penis

Question: Sometimes, the hole remains around the pre-skin of penis at the time of circumcision, where making the water reach is difficult. The water does not reach after effort, so what is the order of bath and Wudhu? Please describe and gain reward.

Questioner: Fazal Ahad, But Khaila Mullakanda

27, Shaban 1402 AH

Answer: It is allowed to pour the water over upper part of the hole where it is difficult to make the water reach, as the hole of ear.²⁰

Allah gives Taufiq

18 who is not circumcised, he has to make the water reach the bottom of upper hide. Albeit, a person is uncircumcised and the part is opened or it causes to pain to open it, then washing the internal part is obligatory upon him. (Raddul Muhtar: vol.1, p.153) (Taharat ke Ahkamo Masail: p.245, Anees)

قال إبراهيم الحلبي: امرأة اغتسلت هل تتكلف في إيصال الماء إلى ثقب القرط أم لا, قال: أى محدد, تتكلف فيه أى في إيصال الماء إلى ثقب القرط 19 كما تتكلف في تحريك الخاتم إن كان ضيقاً والمعتبر فيه غلبة الظن بالوصول (وبعد أسطر) ولا تتكلف لغير الإمرار من إدخال عود ونحوه فإن الحرج مدفوع-

(Kabeeri. Obligatory acts of bath. P. 48. Al-Hindiyah. Lesson:1 about the obligatory acts of bath. Vol.1 p.14)

قال العلامة ابن عابدين: (قوله وثقب انضم) قال في شرح المنية: وإن انضم الثقب بعد نزع القرط وصار بحال إن أمر عليه الماء يدخله وإن 20

غفل لا, فلا بد من إدخال عود ونحوه فإن الحرج مدفوع.

(Raddul Muhtar on Al-Durrul Mukhtar. Vol.1 p. 113. Subject: Bathing)

Washing the whole body in the bath is necessary, the bath will not be valid without it

Question: It is custom in Kashmir that women wash only the bottom of navel not the upper part. What is the order?

Answer: Pouring the water over the whole body is necessary in the obligatory bath. The bath will be void without it.²¹

(Fatawa Darul Uloom: vol.1, p.152)

Washing the whole body is compulsory in the post-coition bath.²²

Question: Will one get purified by pouring the water over the waist after ritual impurity, or pouring over the whole body is necessary?

Answer: It is compulsory to wash the whole body for purifying after ritual impurity. Only pouring the water over the waist will not suffice.²³

And Allah knows the best!

Muhammad Nematullah Qasmi

21. وفرض الغسل المضمضة والاستنشاق وغسل سائر البدن.

(Al-Hindiyah. Lesson: Bathing. Vol.1 p. 36. Zafeer)

عن علي قال: إن رسول الله صلى الله عليه وسلم قال: من ترك موضع شعرة من جنابة لم يغسلها فعل بها كذا وكذا من النار.

(Abu Dawood. Hadith No. 249)

22 The bath will be valid when the water reaches the whole external parts of body on condition that there is no problem, if there is no any problem and any external part of the body is left dry and water does not reach there, then bath will not be valid. The external part of the body comprises navel, the hairs of head, moustache hair and skin for men, eyebrow hairs and skin and beard hair and its skin.

يفترض غسل بشرة اللحية وشعرها ولو كانت كثيفة كثة.

(Al-Tahtawi. Vol.1 p.56)

The is detail regarding the hair that if a man's beard hairs are long and plaited so they should be opened and washed but he does not open and water reaches its root, the bath will be valid, although the safe is to wash them. (Al-Fatawa At-Tatarkhaniyah: vol.1 p.150) (Taharat ke Ahkam Wa Masail. p.244, Anees)

23 Purifying means that the whole body must be washed in such way that no any area equal to a hair's breadth is left dry. Mujahid. Hadith speaks off:

عن علي قال: إن رسول الله صلى الله عليه وسلم قال: "من ترك موضع شعرة من جنابة لم يغسلها فعل بها كذا وكذا من النار."

(Abu Dawood. Chapter: Seminal bath. P.46. No.249)

It reflects that if any area equal to a hair's breadth is left dry, the bath will be void. That's why rinsing the mouth and sniffing water up the nose is necessary. Anees

الفصل الأول في فرائضه وهي ثلاثة: المضمضة والاستنشاق وغسل جميع البدن الخ.

(Al-Fatawa Al-Hindiyah. Vol.1 p.13)

(Fatawa Imarat-e-Shariah: vol.2, p.102)

Will taking a bath from shoulder suffice in the post-coition bath

Question: Is it necessary or not for women to wash from head till the bottom of the foot? Or will washing from the shoulder suffice?

Answer: Pouring the water over the whole body is necessary, and gargling and rinsing the nose are obligatory acts of bath.²⁴

Written by Maswood Hasan Husaini Nadvi

Authenticated by Nasir Ali Nadvi

(Fatawa Nadwatul Ulma: vol.1, p.263)

Wiping over the head while taking bath is not enough

Question: Is it obligatory to wash all the body while taking bath for women? Some women think that wiping over the body after pouring water is enough. Is bath valid in this condition?

Answer: Men and women are equal in the injunction of bath. As washing all the body is obligatory for a man, it is also obligatory for woman. Wiping only were they hairs of head is not enough. It is necessary to wash the hair. If she washed all the body and wiped over the head without washing it, bath will not be complete.²⁵

”قال الحصكفي: (و فرض الغسل) ... (غسل) كل (فيه) ... (وأنتفه) حتى مات تحت الدرن (و) باقى (بدنه). لكن في المغرب وغيره: البدن من المنكب إلى الألية. وحينئذ فالرأس والعنق واليد والرجل خارجة لفة داخلية تبعاً شرعاً.

فرض الغسل المضبضة والاستنشاق وغسل سائر البدن.....لنا قوله تعالى: "وان كنتم جنباً فاطهروا" وهو أمر بتطهير جميع البدن 24
إلا ما يتعذر إيصال الماء إليه خارج عن النص.

(Al-Hidayah with Fatah Al-Qadeer. Vol.1 p.60,61)

عن أم سلمة رضي الله عنها قالت: قلت يا رسول الله! إني امرأة أشد ضفر رأسي أفأنقضه لغسل الجنابة؟ قال: لا. إنما يكفيك أن تحثي على رأسك ثلاث حثيات 25
ثم تفيضين عليك الماء فتطهرين.

(Muslim. No. 330/744. Abu Dawood. No. 251)

In another hadith establishes:

ثم تصب على رأسها فتدلكه دلماً شديداً حتى تبلغ شؤن رأسها.

(Muslim. No. 332/750) It means washing the roots of hairs is necessary for complete bath. Anees

If pouring water on the head harms, is it correct to wipe over head in bath or not

Question: If a woman suffers from severe pain when she pours water on head for bathing, can she wipe over head or not? It should also be cleared that she has no money for treatment.

Answer: Washing head is obligatory in bath. If cold water harms, she should use warm water. Washing all hair is not necessary, only wetting the roots of hairs is enough. If a Muslim skillful doctor forbade to pour water on the head or she came to know by experience that it will harm or cause severe pain, it is not necessary to pour water over the head. Now she can wipe over.

”ولو ضرر باغسل رأسها تركته، وقيل: تمسحه الخ“

(Durrul Mukhtar)² Allah knows the best.

Written by Mahmood (May Allah forgive him) 18/11/1385 A.H. (Fatawa Mahmoodiyah. vol.5 p. 79, 80)

The injunction of delivering water in eyes while taking bath

Question: Is it necessary to deliver water inside eyes by taking bath or it is enough to wash the face closed eyes?

Answer: Delivering water inside eyes is not necessary.³ Allah knows the best.

1 Al-Hindiyah reads:

الفصل الأول في فرائضه: وهي ثلاثة: المضمضة والاستنشاق وغسل جميع البدن على ما في المتن.

(Al-Hindiyah. Chapter:2 about bathing. Vol.1 p. 13. Al-Bahrur Raique. Book of purity. Vol.1 p. 45)

2 (Al-Durrul Mukhtar. Vol.1 p. 153. Subject: Batting. Saeed)

ولو ضررها غسل رأسها تركته الخ.

(Hashiyah Al-Tahtawi on Maraqi Al-Falah. P. 103. Obligatory acts of bath. Qadeemi. Al-Fatawa Al-Alamgiriyyah. Vol.1 p.5. The obligatory acts of wudu. Rasheediyah)

3 It is necessary to deliver water in the corners of eyes and eyelash from the side of ears and nose. (Tahtawi. P. 35) (Taharat Ke Ahkam Wa Masail. P. 245. Anees

(لا) يجب (غسل ما فيه حرج كعين) وإن اكتحل بكحل نجس (الدر المختار) (قوله كعين) لأن في غسلها من الحرج ما لا يخفى. لأنها شحم لا تقبل الماء. وقد كف بصر من تكلف له من الصحابة الخ

(Raddul Muhtar. Vol.1 p. 152. Subject: Bathing. Saeed. Al-Fiqh Al-Islami Wa Adillatuhu. Vol.1 p. 523. The obligatory acts of bathing. Saeed. Al-Fatawa Al-Alamgiriyyah. Vol.1 p. 31. Chapter:2 about bathing. Al-Durrul Mukhtar. Vol.1 p. 97. The pillars of wudu are four.)

Delivering water inside eyes is better.

The injunction of inserting finger inside the navel while bathing

Question: Is inserting finger inside the navel necessary in seminal bath or not?

Answer: Delivering water inside the navel is necessary. So, it is better to insert the finger inside the novel, so that the water can be delivered certainly.

”ويجب إيصال الماء إلى داخل السرة وينبغي أن يدخل أصبعه فيها للمبالغة كذا في محيط السرخسي، آهـ .

(Alamgiri. Vol.1 p.7) Allah knows the best.

Written by Muhammad Anwar (May Allah forgive him) Mufti Khairul Madaris Multan (Khairul Fatawa. Vol.1 p. 66)

Washing the exterior vagina is obligatory in bath

Question: Is washing the interior vagina also obligatory in seminal bath or only purifying as usual is enough?

Answer: There are two parts of vagina: 1. Exterior part. It is long in shape. 2. Inside the long shape there is a round the hole. The first one is called exterior vagina and the second is called interior vagina. Washing the exterior vagina is obligatory in seminal bath i.e. delivering water till the round the hole is necessary, otherwise bath will not be valid.

However, delivering water inside the interior vagina is not necessary.

قال في التنوير: (ويجب غسل سرة وشارب وحاجب ولحية وفرج خارج) وفي الشرح: لأنه كالفرج لا داخل لأنه باطنـ.

(Tanweer Al-Absar with Al-Durrul Mukhtar on Raddul Muhtar. Subject: Bathing. Vol.1 p. 14)¹ Allah knows the best.

6th Shawwal, 1398 A.H. (Ahsan Al-Fatawa. Vol.2 p. 37)

عن ابن عمر رضي الله عنهما قال: كان إذا اغتسل من الجنابة نضح الماء في عينيه وأدخل أصبعه في سرتةـ.

(Sunan Al-Baihaqi. Chapter: Sprinkling water inside eyes and inserting finger inside the navel. Vol.1 p. 273. No. 837)

1ـ عن عائشة رضي الله عنها قالت: كان رسول الله صلى الله عليه وسلم إذا اغتسل من الجنابة --- ثم اتفقاً في غسل فرجه، وقال مسدد: يفرغ على شماله، و¹

ربما كنت عن الفرج

(Abu Dawood. Chapter: Seminal bath. P. 45. No. 242)

2ـ أخبرنا ابن عباس رضي الله عنهما عن خالته ميمونة رضي الله عنها --- ثم صب على فرجه فغسل فرجه بشماله . ثم ضرب بيده الأرض فغسلها

Washing the interior vagina is not necessary in bath

Question: Is washing the interior vagina by finger three times necessary or sunnah in bath or not? Without washing like above-mentioned, is bath valid or not? Some people say that if the interior vagina was not washed by finger three times, she cannot be pure. Is this statement correct or not?

Answer: It is neither obligatory nor sunnah and thinking it obligatory is totally wrong.¹

Al-Durrul Mukhtar reads:

ولا تدخل أصبعها في قبلها. به يفتى²

Allah knows the best. 16th Shaban, 1321 A.H. Imdad. Vo.1 p.3. (Imdadul Fatawa Jadeed. Vol.1 p. 44)

Delivering water in the root of hairs is necessary for woman

Question: When can a woman take bath only from the neck? I have listened that she can take bath from neck if she fears that the make of will be worsen.

Answer: The matter is not so. It is necessary to pour water over the head and wash all the body. It is allowed for woman only that delivering water inside the root of the hair is enough without opening the braids and locks of hairs. It means she will press the hairs by hand after pouring water over head so that the water can reach in the roots of hairs.³

¹ Washing the exterior vagina is necessary in bath for women not the interior. (Raddul Muhtar. Vol.1 p. 153. Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 150) (Taharat Ke Ahkam Wa Masail: p. 245. Anees)

² قال في التنوير: (ويجب غسل سرّة وشارب وحاجب ولحية وفرج خارج) وفي الشرح: لأنه كالقمر لا داخل لأنه باطن، ولا تدخل أصبعها في قبلها. به يفتى.

(Tanweer Al-Absar with Al-Durrul Mukhtar on Raddul Muhtar. Subject: Bathing. Vol.1 p. 141)

³ وليس على المرأة أن تنقض خفائرها في الغسل إذا بلغ الماء أصول الشعر.

(Hidayah. Lesson: Bathing. Vol.1 p. 37. Zafeer)

It is allowed for women to take bath without opening the braids, but it is necessary to deliver water inside the roots of hairs in this condition. However, it is better to unlock the hairs and wash completely. (Raddul Muhtar. Vol.1 p. 155)

If a woman has applied vermilion on the forehead or gum on the hairs, he should remove that, because water cannot reach inside the gum and he should also wash the vermilion. (Taharat Ke Ahkam Wa Masail: p. 241, 243. Anees)

عن أمر سلبية ﷺ قالت: قلت يا رسول الله! إني امرأة أشد صفراً راسي أفأنقضه لغسل الجنابة؟ قال: لا. إنما يكفيك أن تحثي على رأسك ثلاث حثيات ثم تفيضين عليك الماء فتطهرين.

(Muslim. No. 330 salah is 744. Abu Dawood. No. 251)
After four hadith from this hadith, Aishah (rz) narrated:

Only wetting the roots of woman's hairs is enough in bath

Question: Bath became obligatory while he hairs were unlocked. Then she locked them. Will delivering water to the root of the hairs not be sufficient and she has to unlock hair to take bath? If she is taking bath for menstruation, is wetting the root of hairs and soaking them enough for bath. Is there any difference between bathing for seminal impurity and for menstruation?

Answer: Al-Hidayah reads:

وليس على المرأة أن تنقض ضفائرها في الغسل إذا بلغ الماء أصول الشعر¹

We can get two points from the text. (1) If hairs are braided while taking bath, unlocking them is not necessary with the are locked at the time of getting impure or before that. (2) This is the injunction of bath unconditionally whether it is a bath for seminal impurity or for menstruation.² Allah knows the best.

(Imadatul Fatawa Jadeed. Vol.1 p. 44)

Unlocking the hairs for woman at the time of bath

Question: If the hairs of a woman are locked, what should she do?

Answer: If the roots of hairs can get wet without unlocking, it is enough.³

ثم تصب على رأسها فتدلكه دلكاً شديداً حتى تبلغ شوون رأسها.

(Muslim. No. 332 salah is 750.)

It is understood by the above hadith that bath will not be valid until the water is delivered in the roots of hairs.

1 Hidayah. Lesson: Bathing. Vol.1 p. 37. Anees

2 Muslim. No. 330/744. Abu Dawood. No. 251. Muslim. No. 332/750. Anees

3 According to the rule, delivering water to the roots of hairs should be necessary in seminal bath, menstrual bath etc. That's why, it is necessary for a man has locked hairs to unlock them and to deliver water to the root, but the Prophet (saws) granted special exception for women due to face difficulty time and again that if the water reached the roots of all hairs, unlocking the braid is not necessary as it is mentioned in hadith.

عن أم سلمة رضي الله عنها قالت: قلت يا رسول الله! إني امرأة أشد ضفر رأسي أفأنقضه لغسل الجنابة؟ قال: لا. إنما يكفيك أن تحثي على رأسك ثلاث حثيات ثم تفيضين عليك الماء فتطهرين.

(Muslim. No. 330/744. Abu Dawood. No. 251)

After four hadith from it, Aishah (rz) narrated:

ثم تصب على رأسها فتدلكه دلكاً شديداً حتى تبلغ شوون رأسها.

(Muslim. No. 332/750)

Is unlocking the braid necessary for woman in seminal bath or not

Question: The man is obligated to wash all the body and to wet the hairs of head to the roots after having intercourse. What should the woman do if her hairs are long and braided?

Answer: If the hairs of woman are braided, it is not necessary to unlock them and to wet them completely in bath, rather delivering water to the roots of hairs is enough. It can be done by pouring water on the head and pressing the hairs so that the water can reach to the roots. If the hairs are unlocked, it is necessary to wash all hairs.¹

(Fatawa Darul Uloom Deoband. Vol.1 p. 156, 157)²

Ruling about woman's hair in bath

Question: If something remained dry in the head of woman while performing obligatory bath, will bath valid?

Answer: If hair is unlocked, it is obligatory to wet it and she should enter water in the root. If it is locked, it is not necessary to unlock it but it is mandatory to wet the root. If water cannot reach without unlocking, she must wash all hair by unlocking.

قال في شرح التنوير: (وَكَفَى . بَلْ أَصْلُ ضَفِيرَتِهَا) أَيُّ شَعْرِ الْمَرْأَةِ الْمَضْفُورِ لِلْحَرَجِ . أَمَّا الْمَنْقُوضُ فَيُفْرَضُ غَسْلُ كُلِّهِ اتِّفَاقًا وَلَوْ لَمْ يَبْتَلْ أَصْلُهَا يَجِبُ نَقْضُهَا مُطْلَقًا هُوَ الصَّحِيحُ.

Sharah Tanweer Reads: It is sufficient to wet root of her pigtail, i.e. lock hair of woman, because of inconvenience. But if it is unlock, it is obligatory to wash all with the consent of all and it will be necessary to unlock if water does not reach the root and it is right.

This hadith proves that delivering water to the roots of hairs is necessary for complete bath. If she unlocked braid and the water did not reach to the roots of hairs, bath will not be valid. Anees

(وكفى. بَلْ أَصْلُ ضَفِيرَتِهَا) أَيُّ شَعْرِ الْمَرْأَةِ الْمَضْفُورِ لِلْحَرَجِ. أَمَّا الْمَنْقُوضُ فَيُفْرَضُ غَسْلُ كُلِّهِ اتِّفَاقًا وَلَوْ لَمْ يَبْتَلْ أَصْلُهَا يَجِبُ نَقْضُهَا مُطْلَقًا هُوَ الصَّحِيحُ. 1
ولوضرها غسل رأسها تركته. (درمختار) قوله اتِّفَاقًا كَذَا فِي شَرْحِ الْمَنِيَّةِ. وَفِيهِ نَظَرٌ لَأَنَّ فِي الْمَسْئَلَةِ ثَلَاثَةَ أَقْوَالٍ كَمَا فِي الْبَحْرِ وَالْحَلِيَّةِ. الْأَوَّلُ الْاِكْتِفَاءُ بِالْوُضُوءِ إِلَى الْأَصُولِ وَلَوْ مَنْقُوضًا. وَظَاهِرُ الذَّخِيرَةِ أَنَّهُ ظَاهِرُ الْمَذْهَبِ. وَيَدُلُّ عَلَيْهِ ظَاهِرُ الْأَحَادِيثِ الْوَارِدَةِ فِي هَذَا الْبَابِ. الثَّانِي التَّفْصِيلُ الْمَذْكُورُ وَمَشَى عَلَيْهِ جَبَاعَةٌ مِنْهُمْ صَاحِبُ الْمَحِيطِ وَالْبَدَائِعِ وَالْكَافِي- الثَّلَاثُ وَجُوبُ بَلِّ الذَّوَائِبِ مَعَ الْعَصْرِ وَصَحَّحَ. وَتَبَامَ تَحْقِيقُ هَذِهِ الْأَقْوَالِ فِي الْحَلِيَّةِ وَحَالَ فِيهَا آخِرًا إِلَى تَرْجِيحِ الْقَوْلِ الثَّانِي. وَهُوَ ظَاهِرُ الْمَتْنِ -

(Raddul Muhtar. Subject: Bathing. Vol.1 p. 132. Zafeer)

2 Unlocking the braid is not necessary for woman in seminal bath

Question: Is unlocking the braid necessary for woman in seminal bath?

Ruling about artificial hairs in wudu and Ghusl

Question: Nowadays women use artificial hair to show their hair long and dense. What is the injunction about it in wudu and bath?

Answer: Though this act is forbidden in Shariah and the Allah's Messenger (saws) stated that this kind of act carries the curse, but if it is done then entering water in the root of hair will necessary for women.² So, it is not mandatory to take off this hair on condition that masah of one fourth of head should be done over original hair. Wudu will not be valid if masah is done over artificial hair.

لَمَّا قَالَ الْعَلَامَةُ بَرَهَانَ الْمَرْغِينَانِيَّ: لَيْسَ عَلَى الْمَرْأَةِ أَنْ تَنْقُضَ ضِفَائِهَا فِي الْغَسْلِ إِذَا بَلَغَ الْمَاءُ أَصُولَ الشَّعْرِ -

Because Al-Allamah Burhan Al-Marghinani (r) said: It is not obligatory on a woman to unlock her pigtails while bathing if water reached the roots of hair. (Al-Hidayah. Vol.1 p.14. Chapter of bathing)³ (Fatawa Haqqaniyah. Vol.2 p.536)

Bath will be correct or not if fancy colour is dyed on hair

Question: Here, young boys and girls have a fashion to colour their hair. Will their bath of sexual impurity be correct or not? Is it right to speculate it on pigment?

Answer: If its color thin like henna, bath will be correct.⁴ But this fashion should be avoided. That's all and Allah knows best. (Fatawa Rahimiyah. Vol.7 p.146)

عَنْ عَائِشَةَ، أَنَّ أَسْمَاءَ، سَأَلَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ غُسْلِ الْمَجْبِيشِ ----- ثُمَّ تَصَبُّ عَلَى رَأْسِهَا فَتَذُلُّهُ حَتَّى تَبْلُغَ شُعُونَ رَأْسِهَا.¹
Asma (daughter of Shakal) asked the Messenger of Allah (ﷺ) about washing after menstruation.....then (pour water) on her head and rub it till it reaches the roots of the hair (of her) head and then pour water on her. (Muslim: Book of the woman who is performing ghusl following menses to apply a piece of cloth scented with musk to the site of the bleeding. P.147, No.332/750)
This hadith testifies that it is necessary to enter water in the root of hair to complete ghusl. If she did not open her locks and water did not reach the root, ghusl will not be valid. Anees.

² If a woman has artificial chignon or she fastened pigtail, she should remove it while bathing, because neither it is in need nor this kind of hair is part of the body. It may cause problem to enter water to the roots. After all, if someone has and she washed the head that water reached the roots fully, it is permissible. (Taharat Ke Ahkam Wa Masail: p.143. Anees)

³ قَالَ الْعَلَامَةُ حَسَنُ بْنُ عِمَارٍ الشُّرَنْبِلَالِيَّ: لَا يَفْتَرِضُ نَقْضَ الْمَضْفُورِ مِنْ شَعْرِ الْمَرْأَةِ إِنْ سَرَى الْمَاءُ فِي أَصُولِهِ اتِّفَاقًا.
Al-Allamah Hasan bin Ammar al-Shurunbulali (r) said: It is not mandatory to unlock the knotted hair of woman, if water reached its root with the consent of all. (Maraqi Al-Falah on the margin of Al-Tahtawi. P.82. Chapter: The mandatory acts of ghusl) And so is in Kabeeri. P.47. The mandatory acts of ghusl)

⁴ وَلَا يَمْنَعُ الطَّهَارَةَ وَنِيْمَ أَىْ خَرَّ ذَبَابٌ وَ بِرْ غُوْثٌ لِمَ يَصِلُ الْمَاءُ تَحْتَهُ الْخ

Making hair grey by medicine and ruling about bath

Question: Nowadays a allopathic medication that women use and it turns the hair in brown. This medicine is made with the mixture of win alcohol and so on. They apply it over the hair of head and let it till 2-3 hours then they wash it with soap or shampoo etc. that make the hair brown and the effect of medicine is no longer at all. Can women use this medicine and will their wudu and ghusl be correct or not?

Answer: Hadith not only allows to apply pigment over white hair but recommends also. But the colour of pigment should not be black. because it is prohibitively disliked. However, I did not study about changing the natural black colour with other colour. Nowadays that is a kind of fashion which is unnecessarily equal to change the creation of Allah and it is unlawful. After all if a woman coloured her hair like this and the colour changed only, there is no layer on it, wudu and bath will be valid otherwise not¹. That's all and Allah knows best. (Mahmoodul Fatawa. Vol.1 p.385, 386)

Taking bath after applying henna

Question: Can women apply henna in hands and feet being impure? Is bath valid if one applied it and then took bath?

Answer: It is not only lawful to apply henna for women but it is better. There is no condition of purity and impurity in this case. For henna does not stop water to reach the body, that causes any problem. Therefore, she can applied henna being impure and then can take bath. Bath will be correct. Similarly, if there is dirt on body, in spite this wudu and bath is valid only by pouring water over it.

والعجين يمنع تمام الاغتسال والوسخ و الدرن لا يمنع.

The dough foreclose the completion of bath, but dirt and dust does not.² That's all. (Kitabul Fatawa. Vol.2 p.65)

Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. (Addurrul Mukhtar). Ibn Abideen (r) said: (his statement (Fatwa is given the same.) Al-Munyah explained narrating from Al-Zakhirah about the matter of henna, mud and dirt. He allowed it on the condition of need. (Raddul Muhtar. The matter about bath.Vol.1 p.154. Anees)

ولا يمنع الطهارة ونيم أي خرد ذباب وبر غوث لم يصل الماء تحته الخ¹

Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. (Addurrul Mukhtar). Ibn Abideen (r) said: (his statement (Fatwa is given the same.) Al-Munyah explained narrating from Al-Zakhirah about the matter of henna, mud and dirt. He allowed it on the condition of need. (Raddul Muhtar. The matter about bath.Vol.1 p.154. Anees)

² Al-Fatawa Al-Hindiyah. Vol.1 p.13. Raddul Muhtar. Vol.1 p.154, The matter about bath. Anees

Question: If someone applied eusol on wound or acne and it stuck on the body and dried that cannot be removed easily. He took bath of sexual impurity and then performed Salah. Later that eusol came out easily. Is it necessary to wash that part and repeat Salah or not?

Answer:

في الدر المختار: (وَ) الْمَسْحُ (يَبْطِلُهُ سَقُوطُهَا عَنْ بُرٍّ) وَإِلَّا لَا (فَإِنْ) سَقَطَتْ (فِي الصَّلَاةِ اسْتَأْنَفَهَا ، وَكَذَا) الْحُكْمُ (لَوْ) سَقَطَ الدَّوَاءُ أَوْ (بَرِيءٌ مَوْضِعُهَا وَلَمْ تَسْقُطْ) مُجْتَنًى ، وَيَنْبَغِي تَقْيِيدُهُ بِمَا إِذَا لَمْ يَضُرَّ إِزَالَتُهَا ، فَإِنْ ضَرَّهُ فَلَا. (بحر: ج ١ ص ٣٩) وفي رد المحتار: فإن ضره أى إزالتهما لشدة لصوقها به و نحوه ، بحر.

Durre Mukhtar reads: When the bandage fell down after cure masah will be nullified otherwise not. If it fell during Salah, he will restart Salah. And so the ruling when the medicine fell down or the wound cured and the bandage did not fell. Mujtaba. It is fair to confine it with the state when its removing causes no harm. If it harms it will not nullify. (Bahr. Vol.1 p.39) and Raddul Muhatar reads: If its removing harms due to its stickiness etc. Bahr.¹

It means that it is not necessary to repeat Salah in the question above. But he should wet that part again because it was forgiven due to the problem of removing the eusol at that time. That's all.

4th Rabi'ul Awwal, 1333 A.H. The third complement: 23. (Imdadul Fatawa Jadeed. Vol.1 p.56)

Engraving name on hand by machine does not abandon bath and ablution

Question: I engraved name on my hand in my childhood. Now people say that you should erase this name and that your wudu and bath is not valid while that cannot be erased without operation. What is the rule about this?

The questioner: North Wazeeristan Agency Miran Shah. 28/04/1988

1 (Al-durrul Mukhtar with Raddul Muhtar. Book of masah over socks. vol.1 p.281. Beirut, Anees.

Answer: This writing is part of body like skin and cured wound which neither forecloses wudu nor bath.¹ You should not fear from warm talk and wrong masa'el of pulpiter.² Allah is all Guide. (Fatawa Deoband Pakistan, known with Fatawa Faridiyah. Vol.2 p.66)

Writing name on hand by spices does not abandon bath and ablution

Question: A person writes names on his hand by needle and putting colourful spices. Water cannot reach under that name. Is bath of that person correct?

The Questioner: Hafiz Shamsul Haq Qamar Khizar. 27th Ramadhan, 1405 A.H.

Answer: This writing does not foreclose bath like skin. As Raddul Muhtar reads in Book of impurity, vol.1 p.230, the matter about the rule of tattoo:

يُسْتَفَادُ مِمَّا مَرَّ حُكْمُ الْوُشْمِ فِي نَحْوِ الْيَدِ ، وَهُوَ أَنَّهُ كَالَاخْتِصَابِ أَوْ السَّبْغِ بِالْمَتَنَجِّسِ ، لِأَنَّهُ إِذَا غُرِثَ الْيَدُ أَوْ الشَّفَقُ مَقْلًا بِإِبْرَةٍ ثُمَّ حُشِيَ مَحَلُّهَا بِكُحْلِ أَوْ زَيْلَةٍ لِيُخْفَرَ تَنَجَّسُ الْكُحْلِ بِالْدَّمِ ، فَإِذَا جَمَعَ الدَّمُ وَالتَّمَرُ الْحَرْمُ بَقِيَ مَحَلُّهُ أَخْضَرَ ، فَإِذَا غُسِلَ طَهُرَ ، لِأَنَّهُ أَكْثَرُ يَشْتَقِي زَوَالَهُ ؛ لِأَنَّهُ لَا يَزُولُ إِلَّا بِسَلْخِ الْجِلْدِ أَوْ جَرْحِهِ ، فَإِذَا كَانَتْ لَا يُكَلَّفُ يَارَ الْإِدَةِ الْآثَرُ الَّذِي يَزُولُ بِمَاءٍ حَارٍّ أَوْ صَابُونٍ فَقَدِمُ التَّخْلِيفُ هُنَا أَوْ لَيْ - وَفِي الْفَتَاوَى الْخَفِيرَةِ مِنْ كِتَابِ الصَّلَاةِ سَلَّ فِي رَجُلٍ عَلَى يَدَيْهِ وَشُمَّ هَلْ تَصِحُّ صَلَاتُهُ وَإِمَامَتُهُ مَعَهُ أَمْ لَا ؟ أَجَابَ نَعَمْ تَصِحُّ صَلَاتُهُ وَإِمَامَتُهُ بِكَأَنَّ شُبُهَةً وَأَنَّهُ أَغْلَرُ - وَهُوَ الْمَوْفِقُ -

It is understood from what is mentioned about the injunction of tattooing in hand etc. It is like colouring or pigmentation with impure things, because when she stings the needle in hand or over lips and stuffs kuhl or blue colour to make it bluish, it becomes

1 There is a usual custom to draw tattoo in India and Pakistan, the same rule goes for it. Anees.

قال ابن عابدين: يستفاد مما مر حكم الوشم في نحو اليد . وهو أنه كالاختصاب أو الصبغ بالمستنجن. الخ

Ibn Abideen said: It is understood from what is mentioned about the injunction of tattooing in hand etc. It is like colouring or pigmentation with impure things, because when she stings the needle in hand or over lips and stuffs kuhl or blue colour to make it bluish, it becomes impure by mixing with blood. When the blood froze and the wound cured, that part remained blue. Now, if he took bath he became pure, because it is difficult to remove that colour. It cannot be erased but by operation. So, when it is not mandated to remove the spots that can be removed with warm water or soaps, it is better not to mandate here. It is explained in Al-Qinyah: If he drew tattoo in his hand, its operation is not mandatory. (Raddul Muhtar. Vol.1 p.230. The matter about the ruling of tattoo. Book of impurities)

قال الإمام ولي الله الدهلوي: وأما المذكور فلا بد --- أن يكون ميسراً لا معسراً وأما الألفات التي تعتري العواظ في زماننا فيها عدم تمييزهم الخ

Imam Waliullah al-Dehlawi (r) said: However the man it is necessary..... it should be easy not hard. The difficulties that falls over the preachers in our age is because of not differentiating maudhu (self-originated) and non-maudhu (narrated and authentic). But they speak mostly about deviations, the praying for prophet (saws) and calling them which is counted maudhu (self-originated) by Muhadditheen and their exaggeration in something that is related to encouraging and discouraging. (Al-Qaulul Jameel. P.171, 172, Book of reminding and preaching)

impure by mixing with blood. When the blood froze and the wound cured, that part remained blue. Now, if he took bath he became pure, because it is difficult to remove that colour. It cannot be erased but by operation. So, when it is not mandated to remove the spots that can be removed with warm water or soaps, it is better not to mandate here. Fatawa Al-Khairiyah reads in the book of Salah: It was asked about a man who has tattoo on his hand, is his Salah and leading Salah valid with that tattoo or not? It was replied that his Salah and leading Salah is valid with no doubt. Allah knows best he is all Guide.

(Fatawa Deoband Pakistan, known with Fatawa Faridiyah. Vol.2 p.67, 68)

Ruling about bath if there is any tattoo on body

Question: Nowadays, if someone draws stinging a picture or word, is his bath valid with that or not?

Answer: The Messenger of Allah (ﷺ) cursed the one who makes tattoo and the one who is tattooed.

عن عبدالله رضي الله تعالى عنه قال: لعن رسول الله صلى الله عليه وسلم الواصلة والمستوصلة والواشمة والمستوشمة

Narrated Abdullah (rz): The Prophet (ﷺ) has cursed the lady who lengthens her hair artificially and the one who gets her hair lengthened, and also the lady who tattoos (herself or others) and the one who gets herself tattooed. (Abu Dawood. Vol.2 p.574)

Though this act is forbidden but it does not foreclose bath.¹ That's all and Allah knows best.

Muhammad Abdullah (may Allah forgive him) Assistant Mufti Khairul Madaris, Multan, 23/02/1407 A.H. Answer is right. Muhammad Anwar (may Allah forgive him) (Khairul Fatawa. Vol.2 p.78)

يستفاد منها مكره الوشم في نحو اليد . وهو أنه كالاختضاب أو الصبغ بالمتنجس. الخ 1

Ibn Abideen said: It is understood from what is mentioned about the injunction of tattooing in hand etc. It is like colouring or pigmentation with impure things, because when she stings the needle in hand or over lips and stuffs kuhl or blue colour to make it bluish, it becomes impure by mixing with blood. When the blood froze and the wound cured, that part remained blue. Now, if he took bath he became pure, because it is difficult to remove that colour. It cannot be erased but by operation. So, when it is not mandated to remove the spots that can be removed with warm water or soaps, it is better not to mandate here. (Raddul Muhtar. Vol.1 p.230. The matter about the ruling of tattoo. Book of impurities)

What is the ruling if redness stuck on nail

Question: Women apply thick redness on nails for beautification. Will wudu and bath correct without removing it?

Answer: The redness which women use for beautification stick in a way that stops water to reach the nails. So, neither wudu is valid nor bath in this case until they remove that redness.¹ That's all and Allah knows best.

Written by the servant Mahmood (May Allah forgive him), Darul Uloom Deoband, (Fatawa Mahmoodiyah. Vol.5 p.80)

Erase nail polish before giving bath to such death body

Question: Will the bath of died woman who had polished her nail be correct?

Answer: Her bath will not be correct. Therefore, the bath will be made after cleaning nail polish.² (Aapkey Masail aur Unka Hal. Vol.3 p.150, 151)

Rulings about bath and ablution in the state of artificial body parts, plaster and bandage over wound

Question: (1) What are the rulings about bath and ablution in the state of artificial teeth and other artificial body parts?

Question: (2) Similarly, a person made plaster over his body or placed bandage over wound. How did he took bath and perform ablution?

(و يجب) أي يفرض (غسل) كل ما يمكن من البدن بلا حرج مرقة الخ 1

It is obligatory to wash all the body once with all possibility without any difficulty.... It creates no harm if there is something on the nails of dyer or the food between teeth or in hollowed teeth. Fatwa is the same. It is said that it will harm if it is hardened. It is authentic. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Vol.1 p.152, 154. The matter of bath, Sa'eed. And so is in Fatawa Al-Alamgiriya. Vol.1 p.13, Book.2 about bath. Chapter,1 about the mandatory acts of bath, Rashidiyah. And so is in the Hashiyah Al-Tahtawi. 102. Chapter, about the mandatory acts of bath. Qadeemi)

It is obligatory to wash all body for a valid bath. Therefore, if a woman polished her nail, she should scrape that nail polish while bathing and wash her nails, because the nail is one of that parts of body which is mandatory to wash while bathing. Likely, if something dried or wet stuck on the nail e.g. dust, cement, coal tar or dough that stop water to enter, it will not be sufficient. But scraping then washing will be necessary. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.155. Al-fatawa Al-Hindiyah. Vol.1 p.2) (Taharat Ke Ahkam Wa Masail: p.243. Anees)

نعم ذكر الخلاف في شرح المبنية في العجين واستظهر المنع لأن فيه لزوجة وصلاية تمنع نفوذ الماء - 2

Yes, the difference about dough is written in Sharah Muniyah and it explained that it is forbidden because it is tacky and hard that steppes reaching water. (Raddul Muhatar the matters about bath. Book of Purity. Vol.1 p.154)

Answer: (1) It is necessary to pull out all artificial parts of the body while having bath of sexual impurity if there is no harm and difficulty otherwise bath will be valid without pulling it out.¹ The same rule goes for that artificial parts which are placed over part of wudu. Now all injunctions of these categories can be inferred from this rule. Here is its clear example by Allamah Shami (r): Fuqaha (r) allowed to place this kind of artificial teeth and to fasten the with golden or silver wires. (Fatawa Shami. Book of lawful and unlawful, vol.5 p.319)²

Answer: (2) The injunction of plastered part or bandage of wound will infer from the rule of Shariah mentioned above. If he feels harm probably in pulling out the plaster or bandage, he will perform wudu and bath without putting them off otherwise he will put off. (Fatahul Qadeer. vol.1 p.140. Book of masah over socks)³ That's all and Allah knows best.

The slave Nizamuddeen (May Allah forgive him) Darul Uloom Deoband (Muntakhabat Nizamul Fatawa. Vol.1 p.44)

Removing applied oil over head is not mandatory while performing the Major Ablution (Ghusl Janabat)

Question: Is it mandatory to remove applied oil over head while taking bath of sexual impurity and to wash the pillow and bed?

Answer: It is not mandatory to remove the applied oil of head while bathing from sexual impurity, but to do it is better.

والصبرام والصباغ ما في ظفرهما يمنع تمام الاغتسال وقيل كل ذلك يجوز لهم للحرج والضرورة الخ¹

What is stuck in the nails of dyer harms to complete bath and it is also said that this is permissible due to inconvenience and need. Because the inconvenience and need are exempted from rules of Shariah. So is in Al-Zahiriyah. (Alamgiri. Book, 2 about bath. Vol.1 p.13. Zafeer)

ونظائرهما مشهورة وفي كتب القوم مسطورة. بل نصوا على جواز اتخاذ الأسنان من الذهب الخ²

Its examples are known and written in ulama's books, even they explained that it is permissible to place golden teeth and to fasten it with wire. Had it created any harm, they would have not give its fatwa. (Raddul Muhtar. Book of lawful and unlawful, vol.5 p.319)

قال العلامة الحصكفي: (لا) يجب (غسل ما فيه حرج كعين) وإن اكتحل بكحل نجس الخ³

Allamah Al-Haskafi said: (it is not necessary to wash what causes inconvenience e.g. eyes, though he applied impure kohl and the hole that conflated and not inside the foreskin.) (Addurrul Mukhtar on the margin of Raddul Muhtar. Vol.1 p.107. The matter about bath. Anees)

في الدر المختار: (وَلَا يَنْتَهِي الظَّهَارُ (وَيْسَهُ) أَيُّ حُرَّةٍ دُبَابٍ وَبُرْغُوثٍ لَمْ يَصِلْ الْمَاءُ تَحْتَهُ (وَجَنَاءٌ) وَلَوْ جُرَّهَ بِهِ يُمْتَقَى (وَدَرَزٌ وَوَسْخٌ) وَكَذَا دُهْنٌ وَدُسُومَةٌ وَفِي رد المحتار: أَيُّ كَرَيْتٍ وَشَيْخٍ، بِخِلَافِ نَحْوِ شَحْمٍ وَسَمْنٍ جَامِدٍ، شَامِي-

Durre Mukhtar reads: Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. (and dust and dirt) ... likely oil and fatness, and Raddul Muhtar reads: It means lilke oil and sesame oil unlike fat and margarine. Shami. Vol.1 p.104 (Rddul Muhtar. Vol.1 p.145, Publication Sa'eed. Hindiya, first chapter about mandatory acts of bath. Vol.1 p.14. Publication Majidiyah. Koita. If he applied oil and poured water, it did not reach it will be enough....

It is necessary to remove (wash) faeces from head

Question: If the bird shitted on oiled head of someone, is it enough to wash the hair only or is it necessary to remove oil?

Answer: bird feces should be removed. The injunction about oil is mentioned above. He should remove the slickness as much as possible and what causes difficulties is forgiven. Allah knows best.

Muhammad Taqi Uthmani (May Allah forgive him) 13/06/1397 A.H. (Fatwa No.588. 28B) (Fatawa Uthmani. Vol.1 p.362)

Ruling about Major Ablution (Ghusl Janabat) after rubbing oil over body

Question: Hadhrat Ali Radhi Allahu Anhu said: There is Janabah (trace of sexual impurity) under every hair. According to this hadith it is mandatory to wash all hair and to enter water in the roots while bathing for a sexual impure person. But if he rubbed oil over body, is it necessary to remove it with gram flour or not?

Answer: إِنَّ تَحْتَ كُلِّ شَعْرَةٍ جَنَابَةٌ¹ is not the saying of Ali (rz) but it is said by Allah's Messenger (saws) Abu Dawood, Tirmizi and Ibn Majah narrated from Abu Hurairagh (rz) that the Prophet (saws) said:

إِنَّ تَحْتَ كُلِّ شَعْرَةٍ جَنَابَةٌ، فَأَغْسِلُوا الشَّعْرَ، وَأَنْقُرُوا الْبَشَرَ.

There is Janabah (trace of sexual impurity) under every hair, so wash your hair and cleanse the skin.²

1 Musnade Ahmad. Vol.1 p.94. No.727/794/1121, Abu Dawood, Book of Purity. No.249, Ibne Majah. Book of 'There is Janabah (trace of sexual impurity) under every hair.' No.597. Anees

2 Tirmizi, Book of Purity. Hadith No.106. Abu Dawood, Book of Purity. No.249, Ibne Majah. Book of 'There is Janabah (trace of sexual impurity) under every hair.' No.597. Anees

It is true that Ali (rz) made a habit to shave the head after listening this hadith as he said:

فَمِنْ ثَمَرِ عَادَتَيْ رَأْسِي فَمِنْ ثَمَرِ عَادَتَيْ رَأْسِي.

On that account I treated my head (hair) as an enemy, On that account I treated my head (hair) as an enemy, On that account I treated my head (hair) as an enemy, meaning I cut my hair. (Abu Dawood) ¹

It is compulsory for men to pour water to all hair wherever they are and to enter it to the roots, otherwise bath of sexual impurity will not be valid.

Rasailul Arkan reads:

ويفترض على الرجل نقض الضفيرة إن كانت له ضفيرة وإيصال الماء إلى البشرة تحت الشعر بل الشعر أيضاً بحيث لا يبقى شعر لم يمر عليه الماء وهذا عام في كل شعر الرأس كأن أوشعر اللحية أو غيرهما ويجزى غسله بدون ذلك.

It is mandatory to unlock his pigtail if he has, and to enter water to skin under hair including hair. There should not be a hair the water is not poured over. It is general for all kind of hair like hair of head, hair of beard etc. It will not be sufficient if he washed without adopting the mentioned.²

If oil is applied over body or hair, it is not necessary to remove it and it will be enough to pour water over oiled body or hair.

Durre Mukhtar reads:

(لايمنع) الطهارة.....دهن و دسومة. انتهى ملخصاً.

Oil and fat does not foreclose the purity. End quote summarized.³

Sharah Wiqayah reads:

المعتبر في هذا الحرج إذا أدهن فأمر الماء فلم يصل يجزى. انتهى.

The criteria is inconvenience in this regard. If he applied oil and poured water over it but it did not reach, it will be enough. End quote.⁴

1 Abu Dawood, Book of Purity. Anees

عن علي مرفوعاً: مَنْ تَرَكَ مَوْضِعَ شَعْرَةٍ مِنْ جَنَابَةٍ لَمْ يَغْسِلْهَا فَعَلَّ بِهِ كَذَا وَكَذَا مِنَ النَّارِ

Ali(rz) narrated in a Marfu' (traceable) Hadith that: If anyone who is sexual defiled leaves a spot equal to the breadth of a hair without washing, such and such an amount of Hell-fire will have to be suffered for it. (Al-Talkheesul Habeer. Vol.1 p.142. Anees)

2 Rasailul Arkan, chapter about bath.21. Publication Al-Alawi Lucknow, Anees

3 Al-Durrul Mukhtar with Raddul Muhtar. The matter about bath. Vol.1 p. 154, 155. Anees

4 Sharah Wiqayah, Book of Purity. Chapter of impurity. Anees

Ashbah reads:

المشقة تجلب التيسير - انتهى.

The difficulty carries easiness. End quote.¹

Abul Makarim said:

فسر المشقة تجلب بالاحتياج إلى شيء آخر كالصابون - انتهى.

It is explained that difficulty carries to need another thing like soap. End quote.² (Fatawa Maulana Abdul Ha'ee Urdu. P.182)

Bath will be correct or not after rubbing oil on body

Question: If a junubi (sexually impure) person takes bath after applying oil all over body and exaggerate in bathing, is he will be pure?

Answer: Though oil effect left over the body, he will be pure from sexual impurity in the case mentioned above.³ That's all and Allah knows the best.

Muhammad Uthman Ghani. 05/07/1352 A.H. (Fatawa Imarate Shariah. Vo.2 p.69)

Ruling about rubbing, scrubbing and drying for purification of body

Question: Is drying and scrubbing necessary to purify the body?

Answer: It is necessary to remove the real najasat (impurity) to purify the body. If that impurity can be removed without rubbing and scrubbing, no need to do it and drying is also not required for purification of body. ⁴ That's all.

1 Al-Ashbah wan Nazair. Al-Qaidah: 'The difficulty carries easiness. End quote.' 76. Darul Heel. Beirut, Anees
2 Sharah Al-Niqayah of Abul Makarim Abdul Ali bin Muhammad bin Husain al-Barjandi. Anees. The msa'lah is also the same in Mahmoodul Fatawa Urdu. Vo.1 p.378. Anees

3 If hand or feet cracked and the medicine like candle or oil is filled, it is sufficient to pour water over it similarly, if one applied oil over hand, feet, or body. (Taharat Ke Ahkam Wa Masail. P.243)

4 وكذا يظهر محل النجاسة أما عينها فلا تقبل الطهارة (مرئية) --- (بقلعها) أي بزال عينها وأثرها ولو بمرة الخ

(Similarly, the place of impurity becomes pure.) However, its origin does not accept purity. (visible) ... (by uprooting it) it means by removing its origin and its effect though once or more than three according to authentic opinion. (Al-Durrul Mukhtar on Raddul Muhtar. Book of Impurity. Just before the ruling about colouring. Vol.1 p.303. Zafeer)

(و فرض الغسل) الخ (غسل) كل (فيه) الخ (و أنفه) حتى مات تحت الدرن (و) باقي (يدنه)

(The mandatory acts of bath are) ... (to wash) full (his moth)... (and (his nose) even under the dirt (and) full (body.) not its rubbing. (it is mandatory) (to wash all that is possible in body once without inconvenience e.g. ears. (Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.151. Anees)

(وَلَا يَمْنَعُ) الظَّهَارَةُ (وَنَيْمٌ)----- (وَجَنَاءٌ) وَلَوْ جُزِمَ بِهِ يُفْتَقَى فِي الشَّامِيِّ: أَخَى قَالَ فِي شَرْحِهَا: وَلَأنَّ الْمَاءَ يَنْفِذُهُ لِتَخْلُلُهُ وَعَدَمُ لَزُوجَتِهِ وَصَلَابَتِهِ. وَالْمَعْتَبَرُ فِي الْجَمِيعِ ذَلِكَ نَفُوذَ الْمَاءِ وَوَصُولُهُ إِلَى الْبَدَنِ. أَهـ. (وَدَرَنٌ وَوَسَخٌ)----- وَكَذَا دُهْنٌ وَدُسُومَةُ الْخـ.

Waneem (Shit of fly and cockroach under which water does reach) (henna) though it became hard (does not foreclose) purity. Fatwa is given the same. Shami reads: He said in its Sharah: Because water enters in due to space and no stickiness and hardness. The criteria in all these is reaching water and entering it to the body. (And dirt and dust) And likely, oil and fat (and soil) wet soil, though it is (in nail). Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.154, 155. The matter about bath. Anees

SUNNAH WAYS OF TAKING BATH

Sunnah Ways Of Taking Bath

What is the water volume in ablution and bath?

Question: What is the water volume in ablution and bath?

Answer: It is narrated in hadith that Prophet (saws) used to bathe with one S'a (a kind of measure) of water and he used to perform ablution with one to one and one forth Mudd (another kind or measure) of water. It means it is minimum quantity of sufficiency. Shami narrated from Hulyah: There is no Shara'ee limitation. The quantity which can be enough for wudu and bath, is correct, but there should not be extravagancy. ¹ That's all. (Fatawa Darul Uloom. Vol.1 p.159, 160)

(ثُمَّ يُفِيضُ الْمَاءَ) عَلَى كُلِّ بَدَنِهِ ثَلَاثًا مُسْتَوِعًا مِنَ الْمَاءِ الْمَعْهُودِ فِي الشَّرْعِ لِلْوُضوءِ وَالْغُسْلِ وَهُوَ ثَمَانِيَّةُ أَرْحَالٍ. وَقِيلَ: الْمَقْصُودُ عَدَمُ الْإِسْرَافِ. الْخ¹

(Then he pour water all over his body three times thoroughly with the quantity of the water which is understood in Shariah for wudu and bath. It is eight Ritl (a kind of measurement). It is said that the purpose is not to be extravagant. Al-Jawahir reads: There is no meaning of extravagancy in flowing water, because he cannot use it extra. (Durre Mukhtar). (His statement 'It is said that the purpose is not to be extravagant.') the right is to direct sentence not indirect, because it is written in Al-Hilyah which narrated the consent of Mulims from many ulama that the quantity which can be sufficient for wudu and bath is not limited. Zahirur Riwayah reads: The minimum quantity that can be enough for bath is S'a (a kind of measure) and for wudu is Mudd (another kind of measure) as it is narrated in hadith which is agreed upon. "Allah's Messenger (ﷺ) used only one Mudd of water for ablution and one Sa' to five Mudd of water for his bath." (Mishkat. Book about bath. P.148, Anees) It is not fix quantity, but it describes minimum quantity of Sunnah. Al-Bahr reads: If someone made ablution or took bath thoroughly with less than that, it will be enough and if that quantity is not sufficient for him, he will use more than that, because many hands many mind. So is in Al-Badai. (Raddul Muhtar. The matter about what is written in regard of S'a, Mudd and Ritl. Vol.1 p.147)

S'a is of two kinds. 1.Hijazi 2.Koofi Baghdadi. Hijazi = 5 1/3 Ritl. Koofi = 4 Mudd/ 8 Ritl. Mudd=1 1/3 Ritl. Ritl Baghdadi=1/2 Seer, 1/2 of one forth=130 Dirham. Dirham= 5 Ana and a little more. Anees

Advantages of bathing

Allah (swt) made water energizer. He made it basic element and essential for lives of human, animals and all livings things, especially for human that He made his body better and superior than of all creatures. He laid its health and freshness in the water. Bath not only remove dirt and dust and it shine and beautify but it makes the body energetic and active. Rising dust and dirt, fuels, gas, foul-smelling airs all day and night not only causes interior diseases but it also produces many exterior and skin diseases after sticking over the skin. Bathing protects from all kind of diseases. After having glance over the medical advantages of bath, the importance of Islamic teachings becomes crystal clear that Shariah describes bath as Sunnah in an occasion and sometimes recommended. There are 50 occasions when bathing is recommended.

Method of taking bath

Question: Maulana Saheb! I want to ask you that what the method of bathing in our religion is. It is such a matter that every Muslim woman should know But alas! There are very few people who know its importance and correct method. Therefore, I want you to enlighten on this matter. You should explain during answer that making ablution is necessary before bathing? Is it necessary to cover the part below the navel? What is the Du'a while bathing? Is it necessary to read all five Kalimah or only Durood (prayer over Prophet (saws)) is enough and what is the correct method of bathing in Islam?

Answer: The method of taking bath is:

The person taking a bath should first of all wash both hands, and then wash the private parts.¹ Thereafter, any impurity found on the rest of the body should be washed. Then make wudu and rub all the body after pouring some water. Then pour water all over the body three times.

The obligatory acts in bath are only three: 1.To rinse the mouth. 2.To enter the water in nose. 3.To pour water all over the body.² If a single hair left dry, bath will not be valid and he will remain impure as he was. It is also compulsory to enter water in ear and nose holes.³ If the ring or band is tight, it is compulsory to move and enter water under it

Bathing is a Prayer

The teachings of Islam makes it clear that bath is whether obligatory, necessary, Sunnah or recommended. In all states bath gives purity. It is a prayer, moreover, the purity found by bath and wudu is half faith as Prophet (saws) said: "الطهور شطر الإيمان" "Purification is half of faith."

(Taharat Ke Ahkam Wa Masail: p.248, 249. Anees)

¹ It means he should wash private part of urine. Anees

² وسننه أن يبدأ بالمغتسل فيغسل يديه فرجه ويزيل النجاسة إن كانت على بدنه ثم يتوضأ وضوءه للصلاة إلا رجليه الخ

The method of bathing according to the Sunnah is that the person taking a bath should first of all wash both hands, and then wash the private parts. Thereafter, any impurity found on the rest of the body should be washed. Then make wudu like the wudu done for prayer, but the feet should not be washed. Then he should pour water on the head and over all body three times. (Hidayah. Vol.1 p.30) Bathing for menstruation and vaginal discharge after delivery is that the woman taking bath should first of all wash impurity. Thereafter, she should make wudu like the wudu done for prayer. Then he should pour water on the head and over all body as much as the water reached her hair and skin. Rinsing mouth and washing nose and blowing it is obligatory in bath. Abu Bakr Ahmad said: It is narrated from Prophet (saws) that he would perform Wudu' as for prayer, then he would pour water on his head and all of his body three times except feet. Then he would move and wash his feet. (Sharah Mukhtasar Al-Tahawi. Vol.1 p.408. Publication Beirut)

³ وفرض الغسل المضبوطة والاستنشاق وغسل سائر البدن----- ولنا قوله تعالى: "وإن كنتم جُنُبًا فاطهروا" الخ

The mandatory acts of bath are rinsing mouth, washing nose and blowing out the water and covering all body with water.... Our evidence is the words of the Almighty Allah: "And if you are in a state of janabah, (ceremonial impurity) then purify yourselves." He commanded to purify and it is to purify all body. (Al-Hidayah. Vol.1 p.19, Book of Purity, Publication Sharikah Ilmiyah. Multan)

otherwise bath will not be valid.¹ Some sisters use nail polish and such things that restrict the water to reach the body. It is obligatory to remove it and wash it while bathing.

Sometimes, the dough is left under the nails, it should be removed also.² However, it is compulsory to pour water over all body and to remove the things that restrict water to reach body else bath will not be valid. If the hair of women are locked, it is not necessary to unlock and wet it but entering water in its root is enough.³ But when it is unlocked (as it is usual nowadays), it will be necessary to cover all hair with water.⁴

Now here are answers to your questions:

- It is Sunnah to perform ablution before bath.⁵ if he did not do, bath will be valid.
- To cover with cloth is not necessary but recommended.⁶

(وفرض الغسل) الخ (غسل) ----- (فيه) الخ (وأأنفه) الخ (و) ---- (بدنه) لا ذلك، ويجب ---- غسل كل ما يمكن الخ

(The mandatory acts of bath are) ... (to wash) (his moth)(and)(his body) not rubbing. It is necessary to wash all body once that is possible to do without difficulty like ear. (Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.151) 'Ali bin Abu Talib (rz) narrated from the Prophet (saws): "Whoever leaves an area the size of a hair on his body and does not cleanse it from sexual impurity, such and such will be done to him in the Fire." (Mukhtasar Al-Tahawi. Vol.1 p.410) These Ahadith mandate to wash all body. Even if an area of body is left dry, he will not be pure from ceremonial impurity, though it is a little and equal to a needle's head. Because it is necessary to cover all body with water. (Halabi Kabeer. P.50)

¹ (ولو) كان (خاتمة ضيقاً نزعها أو حرکه) وجوباً۔

If the ring is tight, it is compulsory to put it off or move. (Al-Durre Mukhtar on the margin of Raddul Muhtar, the matters about bath. Vol.1 p.151)

² نعم ذكر الاختلاف في شرح المنية في العجين واستظهر المنع لأن فيه لزوجة وصلابة تمنع نفوذ الماء۔

The difference about dough is written in Sharah Muniyah and it explained that it is forbidden because it is tacky and hard that stops reaching water. (Raddul Muhatar the matters about bath. Vol.1 p.154)

³ (وَكَفَى . بَلْ أَضِلُّ ضَفِيرَتَهَا) أَي شَعْرُ الْمَرْأَةِ الْمَضْفُورِ لِلْحَرَجِ۔ الخ

It is sufficient to wet root of her braid, i.e. lock hair of woman, because of inconvenience. (Al-Durrul Mukhtar in the margin of Raddul Muhatar, the matters about bath. Vol.1 p.153)

⁴ أما المنقوض فيغرض غسل كله اتفاقاً۔

If the braid is unlocked, it is mandatory to wash it completely with the consent of all. (Al-Durrul Mukhtar in the margin of Raddul Muhatar, the matters about bath. Vol.1 p.153)

⁵ يسن في الاغتسال اثنا عشر شيئاً (إلى أن قال) ثم يتوضأ كوضوئه للصلاة۔

Twelve things are Sunnah in bathing (till he said) thereafter, he will make wudu like the wudu done for prayer. (Hashiyah Al-Tahtawi on Marqi Al-Falah. Vol.1 p.51. Chapter: Twelve things are Sunnah in bathing.)

⁶ ويستحب أن يغتسل أي والحال أنه مستور العورة۔

It is recommended to take bath covering his private parts (from the navel to the knees). (Marqi Al-Falah. Vol.1 p.57. Meer Muhammad Publication Karachi.

- It is not necessary to read Du'a, Kalimah or Durood. If the body is not covered, it is not allowed to read Du'a, Kalimah or Durood. It is ordered to be quiet when he is unclothed. Reading Kalimah in this state is women's originated.¹ (Aapkey Masail aur Unka Hal. Vol.3 p.103, 104)

Sunnah method of taking bath

Question: It is to ask that what is the complete method to take bath of ritual impurity, and what to read while bathing?

Answer: The person taking a bath should wash the private parts. Thereafter, any impurity found on the rest of the body should be washed. Then make wudu. If water does not flow and accumulates at the feet, he should delay to wash feet till last else complete wudu. After performing wudu, pour water first on the head then over the right, then over the left shoulders and then over the entire body.

The Fardh mandatory acts of bath are three:

- (a) To rinse the mouth.
- (b) To wash the nose up to the soft bone.
- (c) To pour water over the entire body.

He should recite بسم الله الرحمن الرحيم before putting off his cloth for bath.²

¹ ويدخل الخلاء برجله اليسرى ويستعيز بالله من الشيطان الرجيم قبل دخوله وقبل كشف عورته.¹

He will step left foot entering the toilet and seek refuge Allah from Satan evil rejected one before entering and before disclosing his private parts (from the navel to the knees). (Marqi Al-Falah with Al-Tahtawi Vol.1 p.51. Chapter: By which thing purification is lawful. Halabi Al-Kabeer reads: وكذا لا يقرأ إذا كانت عورته مكشوفة. He should not read anything when his private parts are naked. (P.61. The matter about the authentic statement of two)

² The best method of taking bath is that when one intends to take bath, should go bathroom. If there is no bathroom, hide with something and be in the corner. Prophet (saws) is reported to have said: When one wants to take bath he should go behind the wall or camel or his brother will hide with something. (Al-Musannaf.vol.1 p.286). (2) He should make intention. It means thinking in heart. The intention of bathing should be to purification and cleanliness. (3)Thereafter, he will recite بسم الله الرحمن الرحيم. (4) Then he will wash both hands up to the wrists. (5) Then he will pour water with right hand and wash any impurity found on the rest of the body with left hand and then wash the private parts also. (6) Then he will perform ablution according to Sunnah and cleanse the mouth and nose putting water in them perfectly. If he like to wash his feet while making wudu he can do, else he will wash it later. (7) After performing ablution he will pour water over his head and then over entire body. (8) He will rub and cleanse the body completely using soap and clean ear, navel, armpit etc. (9) He will pour water over entire body three times though it is enough once in Fadh Ghus, and second time is confirmed Sunnah. (10) After bath, he will wash his feet, change the clothes

Muhammad Abdullah (May Allah forgive him) Assistant Mufti Jamia Khairul Madaris, Multan, 06/04/1406 A.H. Answer is right. Abdus Sattar, (May Allah forgive him) president of Darul Ifta.

(وَسُنُّهُ) كَسْتَنِ الْوُضُوءَ----- (الْبَدَاءَةُ بِغَسْلِ يَدَيْهِ وَفَرْجِهِ) وَإِنْ لَمْ يَكُنْ بِهِ خَبَثٌ (وَحَبَثٌ بَدَنِهِ إِنْ كَانَ) ---- (ثُمَّ يَتَوَضَّأُ) ---- (ثُمَّ يُغِيضُ الْمَاءَ) عَلَى كُلِّ بَدَنِهِ ثَلَاثًا ----- (بَادِئًا بِمَنْكِبِهِ الْأَيْمَنِ ثُمَّ الْأَيْسَرِ ثُمَّ رَأْسِهِ) عَلَى (بَقِيَّةِ بَدَنِهِ مَعَ ذَلِكَ) نَدْبًا. وَقِيلَ يُتَنَّى بِالرَّأْسِ. وَقِيلَ يَبْدَأُ بِالرَّأْسِ وَهُوَ الْأَصَحُّ. وَظَاهِرُ الرِّوَايَةِ وَالْأَحَادِيثِ.

The Sunnah acts of bathing like of wudu..... first of all towash hands and private part of urine even there is not impurity and the impurity of all rest of the body if it is. Thereafter, he will perform ablution then pour water over entire body three times.... He will begin from right shoulder then left, then head and then over entire body, rubbing as it is recommended. It is said that secondly he will wash head and it is also said that he begin from head and it is more authentic and according to Zahirur Riwayah and Ahadith. (Al-Tanweer with Al-Durr on the margin of Al-Shamiyah. Vol.1 p.115)

Muhammad Anwar (May Allah forgive him) The compiler of Khairul Fatawa (Khairul Fatawa. Vol.2 p.84, 85)

What is the method of taking bath?

Question: Please inform the Islamic method of taking bath. I will be very grateful.

Answer: The method of taking bath for ceremonial impurity is:

The person taking a bath should first of all wash both hands. Thereafter, any impurity found on the rest of the body should be washed. Then make wudu and pour water all over the body three times, begin from right shoulder then left, then overhead.

Shareh said: Firstly, pour water over head three times then over rest of the body three times. However, he should pour water three times over entire body so that bath can be done according to Sunnah.¹ (Fatawa Darul Uloom. Vol.1 p.158)

and wipe the body with towel, if he wishes. (Injunction and Matters of Purity. P.239, 240. Compiled by Aneesur Rahman Qasmi)

¹ وسنة الغسل أن يقدم الوضوء عليه كوضوء الصلوة الخ

Sunnah of bath is: The person taking a bath should perform wudu like the wudu done for prayer before bath... He should wash real impurity from the body like semen and so on if it is there.... Thereafter, he should pour water over his head and entire body three times as it is narrated in Sahihain (Bukhari and Muslim). On the authority of Ibn Abbas (r) that he said: Maimunah (r) said: "I placed water for the bath of Allah's Messenger (ﷺ) and put a screen. He poured water over his hands, and washed them. Then he entered his right hand in the pot and poured water over his private parts. He rubbed his hand over the earth hardy and

washed it. He rinsed his mouth and washed his nose by putting water in it and blowing it out. He washed his face, forearms. Then he poured water over his head three handfuls and washed his entire body and then withdrew from that place and washed his feet. I presented him a piece of cloth (towel) but he did not take it. He went shaking the water off his hand." Then the method of pouring water, Shamsul Aimmah al-Hulwani said: He will pour water over his right shoulder three times then over left shoulder..... It is said that he will begin from head, then right and then left. It is clearly understood from the text, Al-Hidayah, Hadith etc. (Ghuniyahtu Mustamli. The discussion of bath. P.45, 48, 49. Zafeer)

قَالَ قَالَتْ عَائِشَةُ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا اغْتَسَلَ بَدَأَ بِيَمِينِهِ فَصَبَّ عَلَيْهَا مِنَ الْمَاءِ --- الحديث

On the authority of A'isha (r2) that when the Messenger of Allah (ﷺ) took a bath, he started from the right hand and poured water over it and washed it, and then poured water on the impurity with the right band and washed it away with the help of the left hand. And after having removed it, he poured water on his head. (Muslim. Book of The amount of water with which it is recommended to perform ghusl in the case of janabah... p.144, No.321/729)

This hadith reads that Prophet (saws) washed the part also where impurity was.

عَنِ ابْنِ عَبَّاسٍ. قَالَ حَدَّثَنِي خَالَتِي. مَيْمُونَةُ قَالَتْ أَدْنَيْتُ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ غُسْلَهُ مِنَ الْجَنَابَةِ --- الحديث

Ibn 'Abbas reported it on the authority of Maimuna, his mother's sister that she said:

I placed water near the Messenger of Allah (ﷺ) to take a bath because of sexual intercourse. He washed the palms of his hands twice or thrice and then put his hand in the basin and poured water over his private parts and washed them with his left hand. He then struck his hand against the earth and rubbed it with force and then performed ablution for the prayer and then poured three handfuls of water on his head and then washed his whole body after which he moved aside from that place and washed his feet, and then I brought a towel (so that he may wipe his body). But he returned it. (Muslim. Book of description of ghusl in the case of janabah (sexual impurity). P.142, No.317/722. Bukhari. Book of Bathing only once. P.39. No.257. Abu Dawood. Book of bathing in the case of janabah (sexual impurity). P.45. No.245. Tirmizi. Book of what is narrated about bathing in the case of janabah (sexual impurity). P.28. No.103) This hadith proves Sunnah of bathing in order.

عَنْ حُمْرَانَ. مَوْلَى عُثْمَانَ بْنِ عَفَّانَ أَنَّهُ رَأَى عُثْمَانَ دَعَا بِرِضْوَةٍ. فَأَفْرَغَ عَلَى يَدَيْهِ مِنْهَا مَاءً --- الحديث

Narrated Humran: (the freed slave of `Uthman bin `Affan) I saw `Uthman bin `Affan asking (for a tumbler of water) to perform ablution (and when it was brought) he poured water from it over his hands and washed them thrice and then put his right hand in the water container and rinsed his mouth and washed his nose by putting water in it and then blowing it out. Then he washed his face thrice and (then) forearms up to the elbows thrice, then passed his wet hands over his head and then washed each foot thrice. After that `Uthman said, "I saw the Prophet (ﷺ) performing ablution like this of mine, and he said, 'If anyone performs ablution like that of mine and offers a two-rak'at at prayer during which he does not think of anything else (not related to the present prayer) then his past sins will be forgiven.(Bukhari. Book of washing in wudu three three times. P.32. No.159. Abu Dawood. Book of description of Prophet's (saws) wudu. P.26. No.108) This hadith is about wudu but washing three times is Sunnah in bath also speculating over this hadith.

عَنْ عَائِشَةَ. قَالَتْ كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا اغْتَسَلَ مِنَ الْجَنَابَةِ --- الحديث

Narrated `Aisha: Whenever the Prophet (ﷺ) took the bath of Janaba (sexual relation or wet dream) he asked for the Hilab or some other scent. He used to take it in his hand, rub it first over the right side of his head and then over the left and then rub the middle of his head with both hands.(Abu Dawood. Book of bathing in the case of janabah (sexual impurity). P.45. No.240)

This hadith means that he should pour water over head and it also means that pour right side first then left.

عَنْ عَائِشَةَ. أَنَّ أَسْمَاءَ. سَأَلَتِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ غُسْلِ الْبَجِيعِ --- الحديث

Details about performing wudu before bath

Question: You denoted answering to the question of a Qari in regard of bath and wudu: Wudu is done while bathing. Therefore, further wudu is not necessary for Salah. Moreover, it is sinful to perform wudu again until he performed two Rakahs of Salah.

I have this mas'lah in the books time and again, but did not utilise your service. Now I am in doubt. Please explain this mas'alah in detail for my satisfaction and other brothers' guidance.

As you know that masah of one fourth in wudu is mandatory. If a person requires bath of ceremonial impurity he will perform wudu also, but if a person takes bath and he is pure already, it is clear that he did not perform ablution. So, what is meant to do masah of one fourth head? How can he perform Salah by bath only? To site one hadith: Aishah narrated: "The Prophet would not perform Wudu after the Ghusl." (Tirmizi, Abu Dawood, Ibn Majah). Please describe noticing the mentioned hadith that one can perform Salah by bath without performing wudu or not, while masah of head is obligatory in wudu?

Answer: Wudu means to wash three parts of the body: Face, hands and feet, and performing masah overhead.¹ When one took bath, wudu is done under the section of bathing.² Wudu is Sunnah before bathing as you mentioned the hadith,³ but if one did

'A'isha (rz) reported: Asma (rz) asked the Messenger of Allah (ﷺ) about washing after menstruation. He said: Everyone amongst you should use water (mixed with the leaves of) the lote-tree and cleanse herself well, and then pour water on her head and rub it vigorously till it reaches the roots of the hair. (Muslim. Book: It is recommended for the woman who is performing ghusl following menses to apply a piece of cloth scented with musk to the site of the bleeding. P.147. No.332,750) This hadith tells that he will rub the body and *ثُمَّ تَصْنُبُ عَلَى رَأْسِهَا* "then pour water on her head" describes that he should take bath regularly. Anees

¹ فرض الطهارة غسل الأعضاء الثلاثة يعني الوجه واليدين والقدمين-----الخ

The mandatory acts of wudu are to wash three parts of the body: Face, both hands, and both feet and to perform masah overhead..... (Al-Jauharah Al-Nayyirah. Vol.1 p.4. Book of Purity. Mujtabai Publication Dalhi. Al-Hdayah. Vol.1 p.16, 17. Maktabah Sharikah Ilmiyah Publication. Multan)

² ويقول القاضي في العارضة: لم يختلف أحد من العلماء في أن الوضوء داخل في الغسل-----الخ

Al-Qadhi said in Al-Aridhah: No one of ulama differed from that wudu is bath is included wudu. (Ma'arif Al-Sunan. Vol.1 p.368. Maktabah Binnoriyah Publication. Karachi)

³ وستن الغسل أن يبدأ بالمغتسل فغسل يديه وفرجه-----ثم يتوضأ وضوئه للصلاة إلا رجليه-----الخ

The method of bathing according to the Sunnah is that the person taking a bath should first of all wash both hands, and then wash the private parts. Thereafter, any impurity found on the rest of the body should be washed. Then make wudu like the wudu done for prayer, but the feet should not be washed. This text indicates that he will perform masah over his head. It is Zahirur Riwayah. Al-Hasah reported from Abu Hanifah (r) that he will not do masah, because there is not benefit, for mash follows originality. It is correct that he will perform masah (Al-Jauharah Al-Nayyirah. Vol.1 p.10. Mujtabai Publication Dalhi.)

not perform wudu before bathing, his bath is complete ¹ as well as wudu in the section of bathing. Masah means to apply wet hand over head.² When he poured water over his head and rubbed, it is done more than

masah.

However, it is totally wrong that people perform ablution after bathing. They should perform wudu before bathing so that they can compete the Sunnah of bathing. it is not permissible to perform wudu after bathing at all.³ (Aapkey Masail aur Unka Hal. Vol.3 p.63, 64)

Obligatory prayers can also be offered from the wudu which is performed within bath

Question: If bath is done with gargling, rinsing mouth, putting water in nose and blowing it out and washing feet, can Salah valid with that bath or it is necessary to perform wudu again for Salah?

Answer: One can offer Salah with that bath and performing wudu again is not needed, but it is better that firstly he should perform wudu after washing impurity of the body. Thereafter, take bath and wash feet. ⁴ (Fatawa Darul Uloom means Azizul Fatawa. Vol.1 p.193)

Ruling about remaking wudu after bath

Question: Is it necessary to remake wudu after bath or the wudu which is done while taking bath is enough?

¹ وفرض الغسل المضبضة والاستنشاق وغسل سائر البدن۔

The mandatory acts of bath are: Rinsing mouth, putting water in nose and blowing it out and washing the entire body. (Hidayah. Vol.1 p.29. Book of Purity)

² والمسح إصابة اليد المبتلة العضو-----الخ

Masah means to apply wet hand over the part of the body... (Sharah Al-Wiqayah. Vol.1 p. 55. The mandatory acts of wudu. H.M. Sa'eed Publication)

³ It means it is disliked. Anees

عَنْ عَائِشَةَ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ لَا يَتَوَضَّأُ بَعْدَ الْغُسْلِ "الحديث

"The Prophet would not perform Wudu after the Ghushl." Abu l'eesa (r) said: It is the statement of many Companions of Prophet (saws) and Taba'een that one should not perform wudu after bath. (Tirmizi. Vol.1 p.16. Book of Purity after bath. Delhi Publication)

And Al-Allamah Nooh Afandi (r) said: But it is narrated what proves to be disliked. Al-Tabrani extracted in Al-Ausat narrated Ibn Abbas (rz) that he said: The Messenger of Allah (saws) said: The one who makes wudu after bath is not from us. (Raddul Muhtar. Vol.1 p.158. H.M. Sa'eed Publication)

⁴ لو توضعاً أولاً لَيَأْتِي بِهَا ثانياً لأنه لا يستحب وضوءان للغسل۔

If he made wudu in the beginning of bath, he will not repeat it, because two wudu are not liked in one bath. (Al-Durrul Mukhtar in the margin of Raddul Muhatar. Sunnah of bath. Vol.1 p.158)

Answer: It is better to perform wudu before bathing. But if it is not done, the wudu which is done while taking bath can be enough. There is no need to remake wudu after bath.¹ But if he makes wudu in another place after bath, it is permissible.

قال ابن نجيم: وَاتَّفَقَ الْعُلَمَاءُ عَلَى عَدَمِ وَجُوبِ الْوُضُوءِ فِي الْغُسْلِ إِلَّا دَاوُدَ الظَّاهِرِيَّ فَقَالَ بِأَلْوَجُوبِ فِي غُسْلِ الْجَنَابَةِ وَإِذَا تَوَضَّأَ أَوْ لَا لَا يَأْتِي بِهِ ثَانِيًا بَعْدَ الْغُسْلِ فَقَدْ اتَّفَقَ الْعُلَمَاءُ عَلَى أَنَّهُ لَا يُسْتَحَبُّ وَضُوءَانِ ذِكْرُهُ النَّوَوِيُّ فِي شَرْحِ مُسْلِمٍ يَعْنِي لَا يُسْتَحَبُّ وَضُوءَانِ لِلْغُسْلِ أَمَّا إِذَا تَوَضَّأَ بَعْدَ الْغُسْلِ وَاخْتَلَفَ الْمَجْلِسُ عَلَى مَذْهَبِنَا أَوْ فَصَلَ بَيْنَهُمَا بِصَلَاةٍ كَمَا هُوَ مَذْهَبُ الشَّافِعِيِّ فَيُسْتَحَبُّ.

Ibn Nujaim said: Ulama agree that wudu is not necessary in bath but Dawood Al-Zahiri. He said that it is necessary in bath of ceremonial impurity. If one made wudu before bath, he will not remake it after bath, because ulama agree that two wudu are not desirable, Al-Nawawi said in Sharah Muslim that two wudu are not desirable in a bath. But if he made wudu in another place, according to our schools of thought, after bath or he separated both with offering Salah, according to Shafa'ee schools of thought, it will be desirable. (Al-Bahrur Raiq. Sunnah of bathing. vol.1 p.50. (Al-Durrul Mukhtar in the margin of Raddul Muhatar. Sunnah of bath. Vol.1 p.158) (Fatawa Haqqaniyah. Vol.2 p.530, 531)

Intention is not condition for bath

Question: Zaid needed to take bath and he did it before Fajr Salah. He intended that he is taking bath to be pure and offer Salah. Will he take bath again for Salah after bathing for sexual impurity?

Answer: Intention is not the condition of bathing. if he took bath without intention, he can offer Salah but making intention is better.² The bath is complete in the question mentioned above, that's why there is no need to take bath again. However, the conception of comparison between the bath for Salah and the bath of sexual impurity is newly self-created opinion which carry no fact at all.

¹ عَنْ عَائِشَةَ. أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ لَا يَتَوَضَّأُ بَعْدَ الْغُسْلِ "الحديث

"The Prophet would not perform Wudu after the Ghusl." (Ashab Al-Sunan. Jamul Fawaid. Bath for ceremonial impurity. P.131. Anees)

² وسننه (أي الغسل) كسنتن الوضوء سوى الترتيب الخ

(The Sunnah acts of bathig are like that of wudu except order... (Durre Mukhtar) (His statement 'like that of wudu') it means to begin with intention and الله (Raddul Muhtar. The matters of Sunnah of bath. Vol.1 p.144. Anees)

Written by Abdul Kareem (May Allah forgive him) 22nd Jumadal Ukhra, 1345 A.H. (Imdadul Ahkam. Vol.1 p.360)

Ghusul will be valid or not if intention forgot in Ghusul

Question: Umar needed to take bath and he performed all mandatory acts, but he forgot the intention of bath and he remembered it after clothing. He said that his bath is correct. Is he right or not?

Answer: Umar is right and his bath is complete in that state. Because intention is not mandated according to Ahnaf, but it is Sunnah. Leaving Sunnah will not foreclose bath. So is written in the books of Fiqh.¹ That's all. (Fatawa Darul Uloom. Vol.1 p.159)

Purity from such Ghusul performed against sunnah

Question: If bath is not taken according to Sunnah, will the impurity not be removed?

Answer: If he rinsed the mouth, put water in nose and blew it out and poured water over entire body, he became pure, because the mandatory acts of bath are not but these three.² (Aapkey Masail aur Unka Hal. Vol.3 p.106)

Ghusul from such water in which recited intention of bath is blown

Question: Should one take bath with such water in which recited intention of bath is blown that is read at the time of bathing or it should not be done? (K.K. Mumbai)

Answer: The intention which is done while bathing is enough to intend it by heart only. There is no order to recite and blow it.³

Written by Muhammad Nizamuddeen Azami. Mufti Darul Uloom Deoband, Saharanpur. 07/01/1402 A.H. (Muntakhabat Nizamul Fatawa. Vol.1 p.161, 162)

¹ Raddul Muhtar. The matters of Sunnah of bath. Vol.1 p.144. Zafeer

² وفرض الغسل غسل فيه وأنفه ويدنه الخ

The mandatory acts of bath are to wash mouth, nose and entire body. (Tanweerul Absar with Raddul Muhtar. Vol.1 p.151. The matter about bath) The first chapter about the mandatory acts of bath and they are three: Rinsing mouth, putting water in nose and blowing it out and washing entire body. (Fatawa Alamgiriyyah. Vol.1 p.13)

³ وهي لغة عزم القلب على الشيء واصطلاحاً حكماً في التلويح: قصد الطاعة والتقرب إلى الله تعالى في إيجاد الفعل.

The intention literally, means the determination of the heart for something and terminologically, as it is in Al-Talweeh: To intend to obey and draw close to Allah (swt) to offer the deed. (Al-Bahrur Raiq. Vo.1 p.94)

If an excused or unexcused person makes tayammum insisted of Friday bath, will he be considered sunnah performer or not

Question: I have been searching a masa'lah for many days, but did not find. Therefore, I request you to write if you or my teacher Maulana Zafar Ahmad studied it. I will be grateful to you.

If an excused or unexcused person makes tayammum insisted of Friday bath, will he be considered Sunnah performer or not? This matter if differed according to Maliki and Shafa'ee schools of thoughts. According to Malikiyah, the reason of this matter is bad smell. So tayammum will not fulfil this need. And according to Shafa'eeyah, the reason is a complete purity of two. So Tayammum will not be enough. Both can be the reasons according to the texts of Hanfiyah. Some tells that it is a complete purity of two. Therefore the ruling does not infer from this formula.

Zakariyah Kandhalawi, Saharanpur. 15th Ramadhan, 1347 A.H.

Answer: I did not find any clear masa'lah in this regard but it is preferred according to hadith and fiqhi statements that the reason is cleanliness in Friday bath and it can be done in other days too. Friday is selected because it is the day of gathering.

وهو علة التخصيصه بيوم العيد أيضاً وهو الظاهر من قول صاحب الهداية- وبه ورد التصريح في حديث عائشة رضي الله عنها وابن عباس رضي الله عنهما في بدء الغسل-

That is the reason of specialty on the day of Eid festival also. It is clear from the statement of the author of Al-Hidayah.¹ It is also explained by hadith of Aishah (rz) and Ibn Abbas (rz) in the beginning of bath.

¹وسن رسول الله صلى الله عليه وسلم الغسل للجمعة، والعيدين، وعرفة، والإحرام

The messenger of Allah (saws) prescribed bath for Friday, Eidain, Arafah and Ihram as Sunnah. The author of the book declared to be Sunnah. It is said that this four are recommended, and Muhammad (r) named bathing on Friday as Hasan (fine) in Al-Asl. (Al-Hidayah)

"عن أبي سعيد الخدري، أن رسول الله صلى الله عليه وسلم قال "غسل يوم الجمعة واجب على كل محتلم"

Abu Sa'id al-Khudri reported the Messenger of Allah (ﷺ) as saying: Taking bath on Friday is necessary for every adult. (Abu Dawood, Book: Performing Ghusl For The Friday Prayer. P.55. No. 354. Muslim. Book of Friday. Chapter: Obligation of bath on Friday. P.279. No.846/1957)

عن سمره رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم {مَنْ تَوَضَّأَ يَوْمَ الْجُمُعَةِ فَبِهَا وَنَعِثَ، وَمَنْ اغْتَسَلَ فَالْغُسْلُ أَفْضَلُ.

Samurah (May Allah be pleased with him) reported: The Messenger of Allah (ﷺ) said, "It suffices to perform wudu' properly for the Friday prayer; but it is better to take a bath." (Abu Dawood, Book: The Permissibility Of Not Performing Ghusl On Friday. P.57. No.354. Muslim. Book of Friday Prayer. Chapter. Obligation of bath on Friday. P.279. No.846/1959. Muslim. Book: Who listened and remained quiet during sermon of Friday Prayer. P.283. No.857/1988)

When this reason is preferred, Tayammum cannot be its substitute neither for excused person nor for unexcused.

It is what I understood and Allah knows best. 19th Ramadhan, 1347 A.H. (Imdadul Ahkam. Vol.1 p.359, 360)

THE DESIRABLE ACTS AND ETIQUETTES OF BATH

The Desirable Acts and Etiquettes of Bath

The way and Du'a of entering bathroom and coming out

Question: What is the Sunnah way of entering the bathroom and coming out and which Du'a is Sunnah to recite?

Answer: Usually the bathroom is not clean. So step left inside while and right while outing. Reciting **بِسْمِ اللَّهِ** is Sunnah before bath but it should be done before entering the bathroom and after finishing bath recite the Du'a which is recited after wudu outside of the bathroom. If the bathroom is very neat and clean and the toilet is not attached, step in and out as you wish. Recite **بِسْمِ اللَّهِ** inside it before unclothing. Recite **بِسْمِ اللَّهِ** after unclothing if you are bathing in Lungi (the cloth that is worn under the waist) and Du'a of wudu can be recited while bathing in this condition.

قال في العلائية: (وَسُنُّهُ) كَسَنَ الْوُضُوءِ سَوَى التَّزَيُّبِ وَأَدَابُهُ كَأَدَابِهِ وَقَالَ ابْنُ عَابِدِينَ رَحِمَهُ اللَّهُ تَعَالَى: (قَوْلُهُ: كَسَنَ الْوُضُوءِ) أَيُّ مِنْ الْبُذَاءِ بِالنِّبَةِ وَالتَّشْمِيَةِ وَالسَّوَالِ وَالشَّخِيلِ وَالذَّلِكِ وَالْوَلَاءِ النَّحْ وَأَخَذَ ذَلِكَ فِي الْبَحْرِ مِنْ قَوْلِهِ ثُمَّ يَتَوَضَّأُ - (قَوْلُهُ: سَوَى التَّزَيُّبِ) أَيُّ الْمَعْمُودِ فِي الْوُضُوءِ، وَإِلَّا فَالْغُسْلُ لَهُ تَزَيُّبٌ آخَرُ يَبْتَنِيهِ الْمُصَنِّفُ بِقَوْلِهِ بَادِئًا إِنَّهُ طَعَنَ أَبِي السُّعُودِ - أَقُولُ: وَيُسْتَفْتَى الدُّعَاءُ أَيضًا فَإِنَّهُ مَكْرُوهٌ كَمَا فِي نَوْرِ الْإِيضَاحِ. (قَوْلُهُ: وَأَدَابُهُ كَأَدَابِهِ) نَصَّ عَلَيْهِ فِي الْبُذَائِجِ: قَالَ الشُّرَنْبُلَايُ: وَيُمَسَّحُ أَيْ لَا يَتَكَلَّمُ بِكَلَامٍ مُطْلَقًا، أَمَّا كَلَامُ النَّاسِ فَلِكِرَاهَتِهِ خَالَ الْكُشْفِ، وَأَمَّا الدُّعَاءُ فَلِأَنَّهُ فِي مَصَاحِبِ الْمُسْتَعْمَلِ وَمَحَلِّ الْأَقْدَارِ وَالْأَوْحَالِ هَذَا أَقُولُ: قَدْ عَدَّ التَّشْمِيَةَ مِنْ سُنَنِ الْغُسْلِ فَيُسْكَلُ عَلَى مَا ذَكَرَهُ تَأَمَّلْ.

Raddul Muhtar. Vol.5 p.145)¹ (Ahsanul Fatawa. Vol.2 p.37)

Reciting Du'a at the time of bath

Question: What should be recited while bathing for sexual impurity to remove it? Is it lawful to recite Kalimah of Deen?

¹ Al-Durrul Mukhtar with Raddul Muhatr, The matter about Sunnah of bath. Anees

Answer: Do't recite Kalimah and any other word and keep quiet.

وَيُسْتَحَبُّ أَنْ لَا يَتَكَلَّمَ بِكَلَامٍ مَعَهُ وَلَوْ دَعَاءَ لِأَنَّهُ مَصَّبُ الْأَقْدَارِ۔

It is recommended not to speak at all while bathing though it is Du'a, because he is in the place of dirt effluent. Mara'iqi Al-Falah.² That's all and Allah knows best.

Written by ... (May Allah forgive him) ... Mufti of Madrasa Mazahir Uloom Saharanpur. 21/02/1357 A.H. (Fatawa Vol.5 p.89)

Du'a in the acts of bath

Question: Some people say that there is a separate Du'a for every acts of bath and it is necessary to recite them. Is it?

Answer: Du'a for every part of wudu or bath written in some books or famous among people is not proved by hadith. If it is read without considering as Sunnah, there is nothing wrong. Fuqaha has written: It is Sunnah that he should make intention of bath in his heart. If public said it by tongue that 'I intend to bathe for washing impurity', it is better. When he begins to wash both hands for bath, recite بِسْمِ اللَّهِ, because it is emphasized to recite اللَّهُ بِسْمِ before bath and this is enough. وَيَسْنَأَنْ أَنْ يَبْدَأَ بِالنِّيَّةِ بقلبه ويقول.

بلسانه۔۔۔ ثم يسمي الله تعالى عند غسل اليدين۔

It is Sunnah to begin with intention by heart and he can say by tongue... then he will recite بِسْمِ اللَّهِ while washing both hands.³ That's all. (Kitabul Fatawa. Vol.2 p.64)

Du'a in attached bathroom

Question: Nowadays, people build attached toilets and bathrooms with living rooms. The bathroom, where wudu is made the inside contents heap of excrement. It looks very detestable to make wudu sitting and reciting Du'a in that place, and it does not felt better to offer Salah in that attached room. Is our Salah and worships correct according to Shariah?

² Mara'iqi Al-Falah. P.106. Etiquettes of bathing. Qadeemi. Al-Halabi Al-Kabeer. P.51. Sunnah acts of bathing. Suhail Academy, Lahore. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.14, Etiquettes and Sunnah acts of bathing. Rashidiyyah.

³ Al-Fatawa Al-Hindiyyah. Vol.1 p.14, Second Chapter: Sunnah acts of bathing, Book of purity, margin of Kitabul Fatawa.

Answer: If the places are specified separately for bath and toilet i.e. a small or big wall separates both or the levels of both places are different i.e. one is some high and other is some low, both will be like separate places.

One can recite in the place where bath is taken that is usually some low. It is not lawful to recite Du'a in the place which is selected for toilet. If the upper level of a place is pure while the lower one is impure, offering Salah and reciting Du'a is lawful over it. Moreover, Fuqaha has written that if two clothes are folded, not sewn together, the lower cloth is impure and upper one is pure, offering Salah is correct over upper cloth.

لو صلى ماله بطانة نجسة وهو قائم على ما يلي موضع النجاسة من الطهارة، عن محمد ^{رضي} يجوز، وعن أبي يوسف ^{رضي} لا يجوز، وقيل: أما في غير المضرب فيكون حكمه حكمه ثوبين -

If he offered Salah on the cloth that has another cloth beneath and it is impure, he stood on the pure part that is joint with impure part, it is lawful according to Muhammad (r) but it is unlawful according to Abu Usuf (r). It is said: However, if it is not stuck, it will be like two cloths.⁴ That's all. (Kitabul Fatawa. Vol.2 p.43, 44)

Can naked person recite Du'a in bathroom or not?

Question: Is it correct or not to recite Du'a while making wudu in the bathroom?

Answer: He should not recite Du'a when he is naked.⁵ That's all and Allah knows best. Written by (May Allah forgive him) (Fatawa Vol.5 p.89)

Do not recite **بسم الله** by tongue while bathing naked

Question: Reciting **بسم الله** is Sunnah in the beginning of bath like in the beginning of wudu. Can one recite **بسم الله** while bathing naked? Abdul Hmeed Mumtaz Abad, Multan.

⁴ Al-Bahrur Raique. Vol.1 p .268. Book of Salah. Chapter of conditions of Salah.

⁵ وَأَدَائِهِ كَأَدَائِهِ يَوْمَ اسْتِغْفَالِ الْقَبِيلَةِ -

Its etiquettes are like the etiquettes of wudu except facing Qibla (direction of the Ka'bah) (Al-Durrul Mukhtar) Ibn Abideen narrated from Al-Shurun Bulaliyah: It is recommended not to speak at all. The public talk is disliked, because he is naked, and Du'a is disliked, because he is in the place of effluent used water, dirt and mud. (Raddul Muhtar.vol.1 p.156, The matters about Sunnah of bath. Saeed. And so is in Al-Fiqh Al-Islami wa Adillatuhu. Vol.1 p.535. The fifth matter, disliked acts of bath. Rasheediyah. And so is in Maraqqi Al-Falah. P.106. Chapter: Etiquettes of bath. Qadeemi)

Answer: He will not recite **بِسْمِ اللَّهِ** by tongue while bathing naked. Alamgiri reads:

ولايُسمى في حال الانكشاف ولا في محل النجاسة، هكذا في فتح القدير۔

بِسْمِ اللَّهِ should not be recited is the state of nakedness and in the place of impurity, as it is written in Fatahul Qadeer. (Alamgiri. Vol.1 p.3) That's all and Allah knows best.

Written by Muhammad Anwar (may Allah forgive him) Mufti Jamia Khairul Madaris, Multan, 12/02/1410 A.H. (Khairul Fatawa. Vol.2 p.78)

Do not face Qiblah while bathing naked

Question: Is it lawful to face Qiblah (direction of the Ka'bah) while bathing naked or not?

Answer: Prevent from facing Qiblah (direction of the Ka'bah) while bathing naked.¹

(وَسُنَّةٌ) كَسَّنِ الْوُضُوءَ سَوَى التَّزْيِينِ وَأَدَابُهُ كَأَدَابِهِ سَوَى اسْتِقْبَالِ الْقِبْلَةِ لِأَنَّهُ يَكُوبُ غَالِباً مَعَ كَشْفِ عَوْرَةٍ۔

Its Sunnah acts are like that of wudu except order and its etiquettes are like the etiquettes of wudu except facing Qiblah (direction of the Ka'bah), because he is mostly with naked body. (Durre Mukhtar)

(قوله مع كشف عورة) فلو كان متزراً فلا بأس به۔

(His statement 'with naked body'). If he is wearing lungi (the cloth that is worn under the waist), there is nothing wrong. (Shami. Vol.1 p.115)² That's all and Allah knows best.

¹Bathing with naked body

The better way to take bath is to bathe in bathroom and the man should cover his body from the navel upto the knees and should not expose it unnecessarily, because it is disliked to bathe naked in bathroom. The Prophet (saws) forbid from being naked as he said:

إِيَّاكُمْ وَالتَّعَزِّي فَإِنَّ مَعَكُمْ مَنْ لَا يُغَارِفُكُمْ إِلَّا عِنْدَ الْغَائِطِ وَجِنُّ يُفْضِي الرَّجُلَ إِلَى أَهْلِهِ فَاسْتَحْيُوهُمْ وَأَكْرَمُوهُمْ.

"Beware of nakedness! For indeed there are with you, those who do not part from you except at the place of defecation, and when a man goes into his wife. So be shy of them and honour them."

People looking at the part of the body which is mandatory to cover is unlawful. Therefore, it will never be lawful to bathe naked among people. But if one bathes in bathroom or secluded place, it is lawful to bathe naked while it is against the most convenience method. (Raddul Muhtar. Vol.1 p.155) If one bathes in bathroom, he should not face Qiblah (direction of the Ka'bah) (Tharat Ke Ahkam Wa Masail. P.240, 241, Anees)

² Al-Durrul Mukhtar with Raddul Muhatr, The matter about Sunnah of bath. Anees

It is lawful to bathe naked in loneliness

Question: I heard that if the roof is not covered, it is not lawful to bathe naked in it. The angles feel sham. Is it correct or not? Will bathing be lawful or not?

Answer: If he is alone, bathing naked is allowed, irrespective of covered roof or open space but covering all around is the best. There is no need to cover the roof.

روى البخاري رحمه الله تعالى عن أمِّ هانئ رضي الله تعالى عنها بنت أبي طالب، تقولُ ذهبتُ إلى رسولِ الله صلى الله عليه وسلم عامَ الفتح، فوجدته يُغتسلُ، وفاطمة ابنتُه تسوِّهُ ----- الحديث

Narrated Bukhar on the authority of Umme Hani (rz) the daughter of Abi Talib that she said, "I went to Allah's Messenger (ﷺ) in the year of the conquest of Mecca and found him taking a bath and his daughter Fatima was screening him..."¹

عَنْ مَيْمُونَةَ، قَالَتْ سَتَرْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ يَغْتَسِلُ مِنَ الْجَنَابَةِ، فَغَسَلَ يَدَيْهِ ----- الحديث

Narrated Maimuna: I screened the Prophet (ﷺ) while he was taking a bath of Janaba. He washed his hands....²

Facing Qiblah (direction of the Ka'bah) while bathing naked

Question: Is facing Qiblah while bathing naked disliked or permissible?

Answer: Alamgiri reads under the etiquettes of bath: (وَأَنْ لَا يَسْتَقْبِلَ الْقِبْلَةَ وَقْتُ الْغُسْلِ. (He should not face Qiblah while bathing.) (Alamgiri. Vol.1 p.14)

Durre Muktar reads: (وَأَدَابُهُ كَأَدَابِهِ سِوَى اسْتِقْبَالِ الْقِبْلَةِ لِأَنَّهُ يَكُوبُ غَالِبًا مَعَ كَشْفِ عَوْرَةِ. (Its etiquettes are like the etiquettes of wudu except facing Qibla (direction of the Ka'bah), because he is mostly with naked body.)

Shami reads: (قوله مع كشف عورة) فلو كان متزراً فلا بأس به. (His statement 'with naked body'). If he is wearing lungi (the cloth that is worn under the waist), there is nothing wrong as it is in Sharah Al-Muniyah and Al-Imdad. (Shami. Vol.1 p.156. Al-Bahrur Raiq. Vol.1 p.52)

Conclusion: These all texts mean that it is recommended not to face Qiblah while bathing naked. Bathing in in this state is somewhat disliked and it is against most convenience method. Allah knows best. (Fatawa Darul Uloom Zakariyah. Vol.1 p.533, 534)

¹Sahihul Bukhari, Book of bath. Chapter: Concealing Oneself When Performing Ghusl. Hadith:280, 281. Vol.1 p.42. Anees

² Sahihul Bukhari, Book of bath. Chapter: Concealing Oneself When Performing Ghusl. Hadith:280, 281. Vol.1 p.42. Anees

عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ "كَانَتْ بَنُو إِسْرَائِيلَ يَغْتَسِلُونَ عُرَاءً، يَنْظُرُ بَعْضُهُمْ إِلَى بَعْضٍ، وَكَانَ مُوسَى يَغْتَسِلُ وَخَدَّهُ، فَقَالُوا وَاللَّهِ مَا يَمْنَعُ مُوسَى أَنْ يَغْتَسِلَ مَعَنَا إِلَّا أَنَّهُ آذَرُ، فَذَهَبَ مَرَّةً يَغْتَسِلُ، فَوَصَّ ثَوْبَهُ عَلَى حَجَرٍ، فَقَرَأَ الْحُجْرُ يَتَوَبَّهِ-----
الحديث

Narrated Abu Huraira: The Prophet (ﷺ) said, 'The (people of) Bani Israel used to take bath naked (all together) looking at each other. The Prophet (ﷺ) Moses used to take a bath alone. They said, 'By Allah! Nothing prevents Moses from taking a bath with us except that he has a scrotal hernia.' So once Moses went out to take a bath and put his clothes over a stone and then that stone ran away with his clothes.¹

عَنْ أَبِي هُرَيْرَةَ، قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "يَبْتَغِي أَيُّوبُ عَلَيْهِ السَّلَامُ يَغْتَسِلُ عُزْيَانًا----- الحديث

It was narrated that Abu Hurairah said: "The Messenger of Allah (ﷺ) said: 'While Ayyub, peace be upon him, was bathing naked.'²

The prophet (saws) made screen instead of covering with lungi (the cloth that is worn under the waist) and took bath behind it. it proves that it is better to bathe behind the screen than bathing in lungi (the cloth that is worn under the waist). That's all and Allah knows best. 05 Jumadal Ula, 1388 A.H. (Ahsanul Fatawa. Vol.2 p.31, 32)

What is the ruling about bathing naked in open space?

Question: What is the ruling about bathing naked in open space for man or woman?

Answer: Bathing naked in the space where one can see is forbidden and it is lawful in secluded place where no one can see, but it is not better.³

¹ Sahihul Bukhari, Book of bath. Chspter: Whosoever took a bath alone (in seclusion) completely naked. Hadith:278, 279. Vol.1 p.42. Anees

² Sahihul Bukhari, Book of bath. Chspter: Whosoever took a bath alone (in seclusion) completely naked. Hadith:278, 279. Vol.1 p.42. Anees

³ (آداب الاغتسال هي آداب الوضوء إلا أنه لا يستقبل القبلة) حال اغتساله----- الخ

The etiquettes of bath are like the etiquettes of wudu except facing Qibla (direction of the Ka'bah) while bathing, because he is mostly unclothed. It is recommended to bathe in a place where no one can see. It is unlawful to see his private part neither bathing nor putting on cloth. (Hashiyah Al-Tahtawi on Maraqi Al-Falah. P.106. The etiquettes of bathing)

(قوله إلا لغرض صحيح) كتنحيط واستنجاء، وحتى في القنية أقوالاً إلا في تجرد للاغتسال منفرداً----- الخ

(His statement 'except for right purpose') like defaecation and purification from passing urine. Al-Qinyah reported many statements. But in the state of being naked for bathing alone. It is disliked according to one

Ruling about bathing naked alone

Question: Hanafi people take bath naked in our area and Shi'a say to us that it is not written in the Qur'an and hadith to take bath naked and neither wudu is valid nor Salah if one performs being naked?

Answer: It is proved to take bath naked in secluded place by the Prophet (saws). This hadith is narrated in Bukhari and Muslim.¹ That's all and Allah knows best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 07/06/1390 A.H. (Fatawa Mahmoodiyah. Vol.5 p.91, 92)

Bathing naked and making wudu in the same place

Question: (a) Zaid used to bathe naked in bathroom and used to make wudu in the same place after bathing and changing the cloth. Is it right?

statement and it is excused according to Allah's command. There is nothing wrong according to another statement and it is lawful for a short time and it is permissible in a small bathroom. (Raddul Muhtar. Vol.1 p.404, The conditions of Salah. The matters about concealing the private part. Anees)
And so is in Fatawa Mahmoodiyah. Vol.5 p.90. Anees

قال الإمام البخاري: "حدثنا عبدان عن ميمونة، قالت: رَأَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ----- الحديث¹

Imam Bukhyari (r) said: Abdan reported to us..... Narrated Maimuna: I screened the Prophet (ﷺ) while he was taking a bath of Janaba. He washed his hands, poured water from his right hand over his left and washed his private parts. Then he rubbed his hand over a wall or the earth, and performed ablution similar to that for the prayer but did not wash his feet. Then he poured water over his body, shifted from that place, and washed his feet.

Sahihul Bukhari, Book of bath. Chsptr: Whosoever took a bath alone (in seclusion) completely naked. Hadith:281. Vol.1 p.42. Anees. Sahih of Muslim. Vol.1 p .153. Book of concealing oneself while performing bath. Qadeemi)

There is no need to perform wudu separately.

The prophet (saws) did not use to perform wudu after bath. Narrated Al-Tirmizi, Abu Dawood, Nasai, Ibn Majah and Mishkat.78 (Mishkatul Masabeeh. Book of bath. Vol.1 p.48. Qadeemi. Sunan Al-Nasai. Vol.1 p.49. Book of leaving wudu after bath. Qadeemi)

Taking bath naked

Question: Is it lawful to take bath naked or not?

Answer: It is lawful. Sharah Muniyah reads: كشف العورة لا يجوز عند أحد في الصحيح.....الخ Exposing private part is unlawful in front of anyone according to right statement, but in loneliness. It is said that it is sin. It is also said that there is no problem. It is also said that it is lawful to be naked for bath as it is permissible for his wife to be naked for sexual intercourse. (Fatawa Maulana Abdul Ha'ee Urdu. P.184)

Question: (b) When he bathes with cloth he makes wudu for bathing after washing impurity from cloth. Is his bath correct or not?

Answer: (a) It is lawful to take bath naked in bathroom.¹

He should make wudu at that time then there is no need to repeat wudu after changing the cloth.²

Answer: (b) First he should wash the impurity of cloth if it is there. Thereafter, he can bathe and make wudu covering with that without any doubt. He can wash the cloth separately and take bath and make wudu naked in secluded place then wear the cloth. That's all and Allah knows best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 22/11/1389 A.H. (Fatawa Mahmoodiyah. Vol.5 p.93, 94)

Injunction about bathing unclothed

Question: Is it necessary for man and woman to cover body with cloth while bathing because people say that if someone took bath naked, scarcity falls in that house?

Answer: It is better that one should not be naked during bathing also. He should cover private parts with cloth. However, if he takes bath in covered place, there is no sin.³ It is

¹ (آداب الاغتسال هي آداب الوضوء [لأنه لا يستقبل القبلة] حال اغتساله -- النعم

The etiquettes of bath are like the etiquettes of wudu except facing Qibla (direction of the Ka'bah) while bathing, because he is mostly unclothed. It is recommended to bathe in a place where no one can see. It is unlawful to see his private part neither bathing nor putting on cloth. (Hashiyah Al-Tahtawi on Maraqqi Al-Falah. P.105. The etiquettes of bathing. Qadeemi)

² لو توضأ أولاً لا يأتي بها ثانياً لأنه لا يستحب وضوء ابن للغسل --

If he made wudu in the beginning of bath, he will not repeat it, because two wudu are not liked in one bath with the consent of all. But if he made wudu after bath and the place has changed according to Hanafi school or he offered Salah between them as Shafa'ee school, it is recommended. (Al-Durrul Mukhtar in the margin of Raddul Muhatar. Vol.1 p.158. Sa'eed. And so is in Al-Bahrur Raiq: vol.1 p.94. Sunnah of bath. Rasheediyah)

³ عَنْ أَبِي هُرَيْرَةَ، قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "بَيْنَمَا أَيُّوبُ عَلَيْهِ السَّلَامُ يَغْتَسِلُ عُزَيَاتًا -- الحديث

It was narrated that Abu Hurairah said: "The Messenger of Allah (ﷺ) said: 'While Ayyub, peace be upon him, was bathing naked, locusts of gold landed on him and he started to collect them in his garment. Then his Lord called him (saying): "O Ayyub, did I not make you rich?" he said: "Yes, O Lord, but I cannot do without Your blessing." (Sahihul Bukhari. Vol.1 p.42. Chapter: The person who takes bath naked alone in secluded place. Book of bath.)

It is better to take bath in lungi

Question: Nowadays, the bathrooms are covered. Is it better to take bath in lungi are taking it off? What is injunction of taking bath naked when there is no roof bathroom?

Answer: If the bathing place is secluded where no one can see, then it is permissible to bathe naked, irrespective of whether the roof is covered or not. It is proved by the Prophet (saws), but it is better to take bath wearing lungi (the cloth that is worn under the waist).¹ That's all and Allah knows best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p.92, 93)

Performing wudu or bath covering with towel

Question: If one performs wudu or bath concealing with towel or cloth above the knees, is wudu or bath valid or not?

Answer: A person should conceal his private parts (from navel upto the knees) all the times with most possibility. But this injunction is as recommendation and caution. It is necessary to conceal the private parts in two situations: 1. During Offering Salah. 2. When someone can see. Therefore, if some parts are exposed negligently while performing wudu and other cannot see, there is nothing wrong. As for as the completion of wudu or bath is concerned, concealing body is not necessary for them. So bath and wudu is correct in the case questioned above.² (Kitabul Fatawa. Vol.2 p.59, 60)

¹ (وَسُنُّهُ) كَسْتَنَ الْوُضُوءَ بِوَيِّ التَّزْيِيبِ وَأَدَابُهُ كَأَدَابِهِ سِوَى اسْتِقْبَالِ الْقِبْلَةِ لِأَنَّهُ يَكُوبُ غَالِبًا مَعَ كَشْفِ عَوْرَتِهِ ¹

Its Sunnah acts are like that of wudu except order and its etiquettes are like the etiquettes of wudu except facing Qiblah (direction of the Ka'bah), because he is mostly with naked body. Shami said: If he is wearing lungi (the cloth that is worn under the waist), there is nothing wrong. Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.156. Matter about Sunnah acts of bath. Saeed. And so is in Sharah Al-Muniyah. P.51, Sunnah acts of bathing. Suhail Academy, Lahore)

² (وَسُنُّهُ) كَسْتَنَ الْوُضُوءَ بِوَيِّ التَّزْيِيبِ وَأَدَابُهُ كَأَدَابِهِ سِوَى اسْتِقْبَالِ الْقِبْلَةِ لِأَنَّهُ يَكُوبُ غَالِبًا مَعَ كَشْفِ عَوْرَتِهِ ²

Its Sunnah acts are like that of wudu except order and its etiquettes are like the etiquettes of wudu except facing Qibla (direction of the Ka'bah), because he is mostly with naked body. Shami said: If he is wearing lungi (the cloth that is worn under the waist), there is nothing wrong. Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.156. Matter about Sunnah acts of bath. Aness)

Question: Here, in execution ward and in the whole prison, we all the prisoners wear underwear while bathing. Is bath valid in this though he is sexually impure? Is wudu also complete?

Answer: If the water reached under the knickers and underclothing and the concealing part is washed, bath will be correct.¹ Bathing includes wudu. So, until he offered two Rakahs of Salah or prayed such prayer that requires wudu, it is disliked to make wudu again after bath.² (Aapke Masail Aur Unka Hal. Vol.3 p.107)

Is it lawful or not to take bath for sexual impurity in front of the people?

Question: It is written in Bahishti Gauhar that if bath is obligatory for someone and he is not finding secluded place, it is necessary to take bath for man in front of man and for woman in front of woman. Zaid said that the word wajib (necessary) will not be in Arabic text. Bakr said that the translation is quite correct. Please decide it.

Answer: This mas'alah is correct. Durre Mukhtar reads the same. To site the Arabic text:

if bath is obligatory for someone and there are men, he will not leave bath though they see. If the woman is among men or men and women, she will delay the bath but she will not delay it among women only.³ The translation and the meaning is what Maulana has written. When Zaid

¹ (ويجب) أي يفرض (غسل) كل ما يمكن من البدن بلا حرج مرّةً واحدة

It is obligatory to wash all the body once with all possibility without any difficulty. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.152)

² فإت كان في مجلس واحد كره. (قوله فإت كان في مجلس واحد) ولم يؤد بالأول عبادة شرع التطهير لها وإلا فلا يكره

If he makes wudu again in the same place, it is disliked. (His statement 'If he makes wudu again in the same place') and he did not offer the prayer that requires wudu, else it is not disliked. (Hashiyah Al-Tahtawi on the margin of Maraqi Al-Falah. P.23. Book of Purity)

³ Al-Durrul Mukhtar on the margin of Raddul Muhtar. The matter about bath. Vol.1 p.143. The note which is written by Allamah Shami is worthy to reconsider: (قوله لا يدعه وإن رآه) It is referred in Al-Qinyah to Al-Wabari. Sharah Muniyah reads: It is not accepted because leaving prohibited one will be preferred to do the commanded one. While there is a substitute of bath that is Tayammum, so it will not be permissible to expose the private parts just due to that excuse in front of the one who is not allowed to see it unlike the spouses. Consult Al-Wabari to see the detail. (Raddul Muhtar. The matter about bath. Vol.1 p.143) These all discussion is about bathing naked, but if he takes bath concealing with lungi, there is nothing wrong. فإن أريد (قوله لا يدعه وإن رآه) ويقول الآخر وما ثم ستر. الخ If his statement 'though they see him' and his second statement 'the place which is secluded' means to see except the private part, there will be no objection. If it means the private part as Al-Bazzazi said: It is not sin to expose the private parts in bathroom to wash and to squeeze, because it is not possible to wash without it, and the sin on the person who looks is not accepted, because

did not have the skill to understand Arabic text, he should not object. The translation of لا يدعه according to the word is that he will not leave bath that means bath is necessary. That's all. (Fatawa Darul Uloom. Vol.1 p.170)

Is it lawful to take bath naked in field, river or pool?

Question: Is it lawful to take bath naked in field, river or pool or it should be covering with lungi (the cloth that is worn under the waist)? Should lungi (the cloth that is worn under the waist) be above the knees or under it? Is looking at the thigh and other parts affects bath or not and Salah is correct with wudu done while bathing or not?

Answer: It is permissible to take bath naked in secluded place.¹ He should bathe covering under knees among men.² Looking at the thigh and other parts does not affect bath and Salah is correct with wudu done while bathing.³ That's all. (Fatawa Darul Uloom. Vol.1 p.161)

leaving prohibited one will be preferred.... (Ghunyatul Mustamli. P.49) Here, it seems that the purpose of the one who answer is that it is necessary to take bath covering with lungi though people see the parts of the body except the private parts. It is never meant that it is necessary to take bath naked in front of the people. Allah knows best. Zafeer

Note: The bathing method for women is like for men, but her complete body is private part except face and palm. Therefore, it is obligatory to conceal them. So it is unlawful for them to bathe exposing the parts which is prohibited in the place where other can see. It also unlawful for them to bathe naked in front of women. Therefore, they should bathe covering their body. If they bathe in bathroom, they can bathe unclothed, but it is disliked. (Tharat Ke Ahkam Wa Masail) It is unlawful for women to bathe with cloth in front of men or in the space like well, canal and river etc. If they are in the place where they feel shy and the place is not secluded, they should not bathe in front of men though bathing is necessary or obligatory. They will delay bath and offer Salah after performing Tayammum. (Raddul Muhtar. Vol.1 p.159) (Tharat Ke Ahkam Wa Masail. Anees)

قيل يجوز أن يتجرد للغسل تجرد زوجته للجماع أيضاً إذا كان البيت صغيراً¹

It is said that it is lawful to be naked for bath as it is permissible for his wife to be naked for sexual intercourse. (Ghunyatul Mustamli. P.50)

² It is not lawful to expose private part in front of the one who is not allowed to see. (Ghunyatul Mustamli. P.49) (وهي (أي العورة) للرجل ما تحت سترته إلى ما تحت ركبته) -الخ The private parts for men is from the navel to the knees. (Durre Mukhtar) The knees are included in it as Ali (rz) narrated: Prophet (saws) said: "الركبة من العورة" The knee is one of the private parts (which are concealed) (Raddul Muhtar. Book of the conditions of Salah. The matters about concealing the private parts. Vol.1 p.375)

وأن يغتسل في موضع لا يراه أحد لاحتمال بدء العورة حال الاغتسال أو اللبس³

He should take bath in the place where no one can see due to the possibility of unclothing private parts (which are concealed) during bathing and clothing. (Ghunyatul Mustamli. P.49. Zafeer)

Question: People in some areas take bath in collectively in large pounds and pools. It is obvious that the conscience does not allow it if private part is unclothed. Above all, if a person takes bath covering private part with cloth in such a way that people see his body under the navel and above the knees, what is the injunction about it?

Answer: It should be clear that if a person takes bath alone in secluded place, he should prevent to expose the private parts. He is permitted to unclothe it to the extent he needs. But where there are people, it is obligatory for a man to conceal form the knees to the navel, and exposing it is forbidden. Therefore, it is necessary to bathe with covering. Above all, if one bathed in the case mentioned in the question, his bath will be complete if he washed the mandatory parts of bath though he committed forbidden and sinful act.

قال إبراهيم الحلبي: (وَأَنْ يَغْتَسِلَ فِي مَوْضِعٍ لَا يَرَاهُ أَحَدٌ) لاحتمال بدء العورة حال الاغتسال أو اللبس - ولحديث يعلى بن أمية أن النبي ﷺ قال: إِنْ أَلَّفَ اللَّهُ عَزَّ وَجَلَّ حَيًّا يَشْرِيهِ يَحِبُّ الْحَيَاءَ وَالسَّوْءُ فَإِذَا اغْتَسَلَ أَحَدُكُمْ فَلْيَسْتَتِرْ -

Ibrahim Halabi (r) said: He should take bath in the place where no one can see due to the possibility of unclothing private parts (which are concealed) during bathing and clothing. For, Ya'la bin Umayyah (rz) narrated: The Messenger of Allah (ﷺ) said: Allah is characterized by modesty and concealment. So when any of you washes, he should conceal himself. Reported Abu Dawood (r). (Kabeeri, The obligatory acts of bath. P.51)¹ (Fatawa Haqqaniyah. Vol.2 p.528)

Ruling about talking while bathing

Question: What is the injunction about talking while bathing? What is the ruling about reciting Sunnah Du'a while bathing? Is talking lawful while bathing?

Answer: It is better to be silent while bathing. Talking while bathing is regarded disliked by fuqaha and this time is not appropriate to recite Sunnah Du'a, because reciting the Name of Allah in the place of impurity is against etiquette.

قال ابن عابدين: قال في شرح المنية: وهو غير مسلم، لأن الترتك المنهي مقدم على فعل الأمور - - انتهى¹

Ibn Abideen said: Sharah Munyah reads: It is not accepted because leaving prohibited one will be preferred to do the commanded one. While there is a substitute of bath that is Tayammum, so it will not be permissible to expose the private parts just due to that excuse in front of the one who is not allowed to see it. (Raddul Muhtar on the margin of Al-Durrul Mukhtar. vol.1 p.155, The matters about Sunnah of bath)

قال ابن عابدين عن الشرنبلالية: وَيُسْتَحَبُّ أَنْ لَا يَتَكَلَّمَ بِكَلَامٍ مُطْلَقًا ، أَمَّا كَلَامُ النَّاسِ فَلِكِرَاهَتِهِ خَالِ الْكُشْفِ ، وَأَمَّا الدُّعَاءُ فَلِإِنَّهُ فِي مَصَبِّ الْمُسْتَعْمَلِ وَمَحَلِّ الْأَقْدَارِ وَالْأَوْحَالِ -

Ibn Abideen narrated from Al-Shurun Bulaliyah: It is recommended not to speak at all. The public talk is disliked, because he is naked, and Du'a is disliked, because he is in the place of effluent used water, dirt and mud. (Raddul Muhtar. vol.1 p.156, The matters about Sunnah of bath)¹ (Fatawa Haqqaniyah. Vol.2 p.526)

Ruling about talking inside the bathroom and toilet

Question: Aghlatul Awam fi Babil Ahkam reads on page: 83. People consider unlawful to talk inside the bathroom and toilet. It is not related to fact, but one should not talk unnecessarily. Mishkatul Masabeeh reads the following hadith under second chapter of etiquettes of toilet:

عن أبي سعيد رضي الله عنه قال قال رسول الله ﷺ: لَا يَجُوزُ لِمِ الرِّجَالِ أَنْ يَضْرِبَ ابْنَ الْغَائِطِ كَاشِفِينَ عَنْ عَوْرَتَيْهِمَا يَتَحَدَّثَانِ فَإِنَّ اللَّهَ عَزَّ وَجَلَّ يَنْقُصُ عَلَى ذَلِكَ -

Narrated Abu Sa'id al-Khudri (rz): I heard the Messenger of Allah (ﷺ) say: When two persons go together for relieving themselves uncovering their private parts and talking together, Allah, the Great and Majestic, becomes wrathful at this (action). Narrated Ahmad, Abu Dawood and Ibn Majah.

This hadith means that talking naked enrage Allah (swt) and it is confirmed to be exposed the private parts especially in toilet.

Answer: This hadith means that both are naked and they are looking each other, else it would not specify two men and the text would be

الرَّجُلُ يَضْرِبُ الْغَائِطَ كَاشِفًا عَنْ عَوْرَتِهِ يَتَحَدَّثُ -

When the matter is not so the text is also not accordingly. That's all. 9 Zul Qa'dah, 1345 A.H. (Imdadul Fatawa Jadeed. Vol.1 p.57, 58)

¹ قال الحسن بن عمار: وَيُسْتَحَبُّ أَنْ لَا يَتَكَلَّمَ بِكَلَامٍ مَعَهُ وَلَوْ دُعَاءً لِأَنَّهُ فِي مَحَلِّ الْأَقْدَارِ --- الخ

Hasan bin Ammar (r) said: It is recommended not to talk inside the toilet at all even Du'a, because he is in the place of dirt effluent. It is disliked with naked body. (After some lines) Disliking Du'a will be added to this. (Maraqi Al-Falah, The etiquettes of bathing. P.57. And so is in Hindiyah. Chapter: 2. Vol.2 p.14)

Question: People think that talking in bathroom and toilet. Is it related to fact according to Shariah?

Answer:

قال ابن عابدين رحمه الله: عِبَارَةُ الْعُرْكُوِيَّةِ وَلَا يَتَكَلَّمُ فِيهِ أَحَدٌ: فِي الْحَلَاءِ - وَفِي النَّبَاءِ عَنْ مُسْتَأْنَبِ أَبِي النَّيْتِ: يُكْرَهُ الْكَلَامُ فِي الْحَلَاءِ - وَظَاهِرُهُ أَنَّهُ لَا يَجْتَنُزُ بِحَالٍ قِصَاءَ الْحَاجَةِ - وَذَكَرَ بَعْضُ الشَّافِعِيَّةِ أَنَّهُ الْمُعْتَمَدُ عَنْهُمْ ، وَرَأَى فِي الْإِمْدَادِ وَلَا يَتَسَخَّطُ أَحَدٌ: إِلَّا يُعْذِرُ ، كَمَا إِذَا خَافَ دُخُولَ أَحَدٍ عَلَيْهِ .

Ibn Abideeb said: Al-Ghaznawiyah reads: One should not talk inside the toilet. Al-Dhiya narrated from Bustane Abillaith: It is disliked to talk inside the toilet. It is clear that it is not specialized with the state of relieving oneself. Some Shafa'ee ulama said: It is regarded according to their school of thought. Al-Imdad added: One should not hawk (slight cough or clearing of the throat) unnecessarily as when he feels someone to get in. (Raddul Muhtar. Vol.1 p.318) (Fatawa Shamiyah. Tnabeeh. Vol.1 p.344. H.M. Sa'eed)

It is understood by the text above that it is disliked to talk in the toilet not only in the state of relieving oneself but in other states too. So Shami (r) said. Similarly, it is disliked to hawk (slight cough or clearing of the throat) unnecessarily. Allah knows best.

Muhammad Taqi Uthmani. (May Allah Forgive him). (This Fatwa is extracted from his exercise note book of specialization in islamic Jurisprudence (Ifta) (The compiler. May Allah forgive him) 24/11/1379 A.H. Answer is correct. Servant Muhammad Shafi (May Allah forgive him) (Fatawa Uthmani. Vol.1 p.344, 345)

Reading a book while bathing

Question: One reads a book enjoining with bath in the bathroom. What is the injunction according to Shariah and Dunia (this world)?

Answer: Bahishti Zewar reads: One should not talk while bathing. (Bahishti Zewar. Vol.1 p.56)

Sharah Muniyah reads:

وَأَنْ لَا يُسْرِفَ فِي الْمَاءِ (إِنْ قَوْلُهُ) أَنْ لَا يَتَكَلَّمَ بِكَلَامٍ قَطُّ (شرح منية: ص ٣٢) قَوْلُهُ وَيُسْتَحَبُّ (أَنْ لَا يَتَكَلَّمَ بِكَلَامٍ قَطُّ) مِنْ كَلَامِ النَّاسِ أَوْ غَيْرِهَا أَمَّا كَلَامُ النَّاسِ فَلَمَّا تَقَدَّمَ فِي الْوُضُوءِ وَأَمَّا غَيْرُهُ مِنَ الذِّكْرِ وَالِدُّعَاءِ فَلأنَّهُ فِي مَحَلِّ الْمَصْبِ الْمَاءِ الْمُسْتَعْمَلِ وَمَحَلِّ الْأَوْضَاءِ أَيْ الْأَوْسَاطِ وَالْأَقْدَارِ۔

One should not spend extra water (till his statement) and he should not talk at all. (Sharah Muniyah. P.34) His statement. It is recommended not to talk at all whether it is general talk or not. As far as the general talk is concerned, the reason passed in the discussion about wudu. However, the other talk like remembering Allah (Zikr) and Du'a are disliked because he is in the place of dirt, filth and used water effluent. (Sharah Muniyah. P.51)

Shami reads:

قَالَ الشَّرْهُبُلِيُّ: وَيُسْتَحَبُّ أَنْ لَا يَتَكَلَّمَ بِكَلَامٍ مُطْلَقًا، أَمَّا كَلَامُ النَّاسِ فَلِكِرَاهَتِهِ حَالِ الْكُثْفِ، وَأَمَّا الدُّعَاءُ فَلأنَّهُ فِي مَصَبِّ الْمُسْتَعْمَلِ وَمَحَلِّ الْأَقْدَارِ وَالْأَوْحَالِ اهـ. أَقُولُ: قَدْ عَدَّ التَّسْبِيحَ مِنْ سُنَنِ الْغُسْلِ فَيُشْكِلُ عَلَى مَا ذَكَرْتَهُ تَأَمَّلْ. وَاسْتَشْكِلْ فِي الْحِلْيَةِ عُمُومَ ذَلِكَ بِمَا فِي صَحِيحِ مُنْيَلِهِ عَنْ {عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا} قَالَتْ كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ إِنَاءٍ بَيْنِي وَبَيْنَهُ وَاحِدٍ، فَيُبَادِرُنِي حَتَّى أَقُولَ دَعَايَ { وَفِي رِوَايَةِ النَّسَائِيِّ } { يُبَادِرُنِي وَأُبَادِرُهُ حَتَّى يَقُولَ دَعَايَ لِي وَأَقُولَ أَنَا دَعَايَ } "ثُمَّ أَجَابَ بِحَنْدَلِهِ عَلَى تِيَابِ الْجَوَازِ أَوْ أَنَّ الْمُسْنُونَ تَرَكُّهُ مَا لَا مَضْلَحَةَ فِيهِ ظَاهِرَةٌ. اهـ - أَقُولُ: أَوِ الْمُرَادُ الْكِرَاهَةُ حَالِ الْكُثْفِ فَقَطُّ كَمَا أَفَادَهُ الشَّعْبِيلُ السَّابِقُ، وَالظَّاهِرُ مِنْ حَالِهِ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ أَنَّهُ لَا يَغْتَسِلُ بِلَا سَاتِرٍ.

Al-Shurun Bulali said: It is recommended not to speak at all. The public talk is disliked, because he is naked, and Du'a is disliked, because he is in the place of effluent used water, dirt and mud. I said: He counted بسم الله in the Sunnah acts of bath and it is objected. It is objected about its commonness in Al-Hilyah because the hadith narrated in Sahih Muslim from Aisha (rz) that she reported: "I and the Messenger of Allah (ﷺ) took a bath from one vessel which was placed between me and him and he would get ahead of me, so that I would say: Spare (some water for) me, spare (some water for) me." And the hadith of Nasai reads: "He would compete with me and I would with him until he would say: 'Leave me some' and I would say: 'Leave me some.'" Then he answered that it was to consider as lawful but Sunnah is to leave that has no wisdom apparently. I say: It means that it is disliked in the state of nakedness only as the previous reason directed it and it is clear that the Prophet (saws) was not bathing naked. (Shami. Vol1 p.56. The matter about Sunnah of bathing)

Conclusion: Talking while bathing is against most convenience, even remembering Allah and Du'a is also disliked, because that is the place of filth, dirt, dust and nakedness. Similarly, reading Islamic and general book is also disliked in bathroom. Allah knows best. (Fatawa Darul Uloom Zakariyah. Vol.1 p.531, 532)

Bathing in standing position is better or in sitting

Question: Which position is better while bathing? Should one bath sitting or standing position is also better?

Answer: A fixed position is not compulsory while bathing. According to the occasion and condition, one should bath in the position which is concealing the body more. Usually, the sitting position is more concealing the body. So it is better to bathe in sitting position.

It is understood by the hadith reporting the bath of Prophet (saws) that he bathed sitting. Al-Imam Abu Abdullah Muhammad bin Isma'eel Al-Bukhari (r) authenticated:

عن أمِّ هانئ رضي الله تعالى عنها بنت أبي طالب، تقول ذهبت إلى رسول الله صلى الله عليه وسلم عام الفتح، فوجدته يغتسل، وقاطمته ابنته تستتره فقال من هذا فقلت أنا أم هانئ -

Narrated Um Hani bint Abi Talib: I went to Allah's Messenger (ﷺ) in the year of the conquest of Mecca and found him taking a bath while Fatima was screening him. The Prophet (ﷺ) asked, "Who is it?" I replied, "I am Um-Hani." (Al-Sahih Lil Bukhari. Vol.1 p.42. Chapter: To screen oneself from the people while taking a bath)¹ (Fatawa Haqqaniyah. Vol.2 p.526, 527)

Bathing in sitting position is better

Question: Is bathing in standing position better or in sitting? Please explain it, you will be rewarded.

وأخرجه الإمام مسلم في صحيحه عن معاذة قالت: قالت عائشة رضي الله عنها، كنت أغتسل أنا ورسول الله صلى الله عليه وسلم من إناء بيني وبينه واحد قببادني¹ حتى أقول دغلي دغلي. قالت وهما جُباب.

(Muslim. Vol.1 p.148. Chapter: A man and woman washing from a single vessel)

Answer: It is better to sit and bathe in because there is more modesty in this. Hadith reads that Prophet (saws) was taking bath sitting.² That's all and Allah knows best. 21st Rabi'ul Aakhir, 1394 A.H. (Ahsanul Fatawa. Vol.1 p.35)

One should take bath sitting or standing

Question: Is ruling about taking bath sitting and standing is same for men and women or different? The hadith proves that the Prophet (saws) and A'isha (rz) took bath sitting.

Answer: Both positions are lawful, but sitting is better in regard to be more screening. Interpreters of the glorious Qur'an (Mufasssireen) considered the Ayah اَنْى شَتَم as common between sitting and standing. (It means that sexual intercourse is lawful in both positions sitting and standing then it is worthiest that bathing should be also lawful in both positions.) The state of bathing is easier than sexual intercourse. (Imdadul Fatawa Jadeed. Vol.1 p.46)

Bathing in standing position

Question: Is bathing in sitting position Sunnah or standing for men women?

Answer: No one denoted this method under Sunnah of Bathing in reliable books that which position is Sunnah nor forbade one of them. Thus both methods are lawful. (Fatawa Maulana Abdul Ha'ee. P.184)

Urinating inside the bathroom

Question: There is a big masjid and it has no toilet and urinals and the bathroom is cemented and the duct is attached with drains. Sometimes the group of preachers (Tbighi Jam'at) and travelers come. If they urinate in that bathroom and pour water, is it lawful? Is it prohibited to urinate in that bathroom according to Shariah or not?

Answer:

عن أمِّ هانئ رضي الله تعالى عنها بنت أبي طالب، تقولُ: كُهِبْتُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَ الْفَتْحِ، فَوَجَدْتُهُ يَغْتَسِلُ، وَفَاطِمَةُ ابْنَتُهُ تَسْرُوهُ فَقَالَ مَنْ هَذِهِ²
فَقُلْتُ أَنَا أُمُّ هَانِئٍ -

(Al-Sahih Lil Bukhari, Vol.1 p.42. Chapter: To screen oneself from the people while taking a bath)

This hadith proves screening and there is more modesty in sitting. It is also narrated that the Prophet (saws) used to take bath sitting. Anees

(ويكره في محل التوضؤ) لقوله صلى الله عليه وسلم لا يبولن أحدكم في مستحمه ثم يغتسل فيه أو يتوضأ فإن عامة الوسواس منه قال ابن ملك لأن ذلك الموضع يصير نجساً فيقه في قلبه وسوسة بأنه هل أصابه منه رشاش أمر لا أه حتى لو كان بحيث لا يعود منه رشاش أو كان فيه منفذ بحيث لا يثبت فيه شيء من البول لم يكره البول فيه-

It is disliked to urinate in the place of wudu, because the Prophet (saws) said: "No one of you should make water in his bath and then wash himself or perform ablution there (after urination), for evil thoughts come from it." Ibn Malik (r) said that is because that place is usually impure and it will lead his heart to evil thoughts that does the surf sprinkled at him or not. So, if the water does not sprinkles back at him or there is a hole which does not stop urine to pass, it is not disliked to urinate in it. (Tahtawi. P.30)³

It is disliked to urinate in the place of bathing and performing wudu, but if there is duct of passing water and water is poured just after urinating and the effects of urine in no longer, it is not disliked. Even it is better to prevent to urinate there. That's all and Allah knows best.

Written by Mahmood (May Allah forgive him. Darul Uloom Deoband. (Fatawa Mahmoodiyah. Vol.5 p.95)

If one saw the private parts while performing wudu and bath

Question: When one takes bath he rubs his body and he looks his private parts, will wudu and bath be correct or not?

³Hshiyah Al-Tahtawi on the margin of Maraqi Al-Falah. P.54 Chapter about purification. Qadeemi. (Similarly, it is disliked to urinate standing or laying or with nakedness, or urinate in the place of performing wudu or bath because of the hadith: لا يبولن أحدكم في مستحمه ثم يغتسل فيه أو يتوضأ فإن عامة الوسواس منه "No one of you should make water in his bath and then wash himself or perform ablution there (after urination), for evil thoughts come from it." (Al-Durrul Mukhtar. Vol.1 p.344, Chapter about purification. Sa'eed. And so is in Majmau'l Anhur. Vol.1 p.101. Book of impurity. Darul Kutub Al-Ilmiyah, Beirut. The hadith is narrated by Abu Dawood in his Sunan, Book of Purity (27) Anees)

It is disliked to urinate in bathroom. The Prophet (saws) said: "No one of you should make water in his bath and then wash himself or perform ablution there (after urination), for evil thoughts come from it." (Abu Dawood, 27. Ibn Majah. Vol.1 p.61, Hadith.305)

It is against nature the one urinates in his bathroom first then perform wudu or bath there. It is also understood that the statement of Prophet (saws) related to the bathroom that has no separate place to urinate or the floor is not such that the urine does not pass after urinating so that the place becomes clean. Urinating is disliked in this case otherwise not. (Raddul Muhtar. Vol.1 p.324) It is disliked to urinate in the place of performing wudu. (Abu Dawood. Vol.1 p.5) Taharat Ke Ahkam Wa Masail. P.227, 228, Anees)

Answer: One should prevent to expose his private parts with most possibility and he should not see his own private parts, but it does not affect the completion of wudu or bath at all.

If one looked his private parts unintentionally, his wudu and bath will be correct.⁴ That's all. (Kitabul Fatawa. Vol.2 p.58)

Washing feet after exiting from bathroom

Question: Is it necessary to wash feet out of the bathroom when he made wudu after bath in the bathroom?

Answer: It is not necessary to wash feet after exiting from bathroom. For, nowadays, bathrooms are made with concreted floor, used water flows instantly unlike of the previous era, when the bathroom were made of mud bricks. At that time, it is said to wash feet.⁵ That's all and Allah knows best. (Habibul Fatawa. Vol.2 p.28)

⁴ من تستر فالستر أفضل - عن النبي ﷺ: الله أحق أن يستحي منه من الناس -

It is better to conceal with cloth. The Prophet ﷺ is reported to have said: "Allah is more deserving that you should feel shy before Him than People." (Sahihul Bukhari. Vol.1 p.42. Chapter: The person who takes bath naked alone in secluded place. Anees)

⁵ وسننه أن يبدأ المغتسل فيغسل يديه فرجه ويزيل النجاسة إن كانت على بدنه ثم يتوضأ وضوءه للصلاة إلا رجله ثم

The method of bathing according to the Sunnah is that the person taking a bath should first of all wash both hands, and then wash the private parts. Thereafter, any impurity found on the rest of the body should be washed. Then make wudu like the wudu done for prayer, but the feet should not be washed. Then he should pour water on the head and over all body three times. Then he would move and wash his feet. Maimoonah (rz) narrated bathing of the Prophet (saws) like this. He should delay washing feet, because they are in the place of water effluent and washing in that place is of no use but if he is on slab, he will not delay. (Al-Hidayah. Vol.1 p.30)

حَدَّثَنِي خَالَتِي، مَيْمُونَةُ قَالَتْ أَذْنَيْتُ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ غُسْلَهُ مِنَ الْجَنَابَةِ - - الحديث

Ibn 'Abbas reported it on the authority of Maimuna, his mother's sister that she said:

I placed water near the Messenger of Allah (ﷺ) to take a bath because of sexual intercourse. He washed the palms of his hands twice or thrice and then put his hand in the basin and poured water over his private parts and washed them with his left hand. He then struck his hand against the earth and rubbed it with force and then performed ablution for the prayer and then poured three handfuls of water on his head and then washed his whole body after which he moved aside from that place and washed his feet, and then I brought a towel (so that he may wipe his body). But he returned it. (Muslim. Book of description of ghusl in the case of janabah (sexual impurity). P.147, No.317/722. Bukhari. Book of Bathing only once. P.39. No.257. Anees)

Question: It is known among people that if one wants to meet his wife again at the same night, bathing is necessary. If he met again without bathing, his children will be disobedient. Is it proved by Shariah or not? Please answer in detail.

Answer: It is narrated in hadith that the Prophet (saws) met more than one of his wives and took bath in between and it is also reported that he met more than one of his wives without bath in between. Anas (rz) narrated: "Allah's Messenger would go around to his women with one Ghusl."

كَانَ يَطُوفُ عَلَى نِسَائِهِ يَغُضِّلُ وَاحِدَةً⁶

Surely, the action performed by the Prophet (saws) will be void of all loss and curse. However, it is better to make wudu in between. It is also narrated from the Prophet (saws). (Kitabul fatawa. Vol.2 p.62, 63)

Having sexual intercourse again without washing the private parts

Question: Is it lawful to have sexual intercourse again without washing the private parts of man or man and woman? While Allamah Shami writes: "وَعِنْدَنَا كَذَلِكَ" the injunction is the same according to us. It is understood that it is forbidden according to Hanafi School as it is forbidden in Shafa'ee School of thought while it is only disliked according to other School of thought. What is the Fatwa in this regard and what do our Mashaikh say?

Answer: The question does not declare the purpose of questioner. If he means that when a man had sexual intercourse, is it lawful to have again without washing the private parts of man and woman? So, where did Shami said that it is forbidden according to Imam Shafa'ee and it is the same according to us, and who said that it is disliked? You are requested to write the text of Shami referring name of the book, chapter, page number and the name of publication.

If he means the text of Shami what he has written in Raddul Muhtar, Book of Purity, The matters about ruling of having sexual intercourse with menstrual diseased woman and the one whose penis is impure under its note: Some Shafa'ee ulama gave fatwa of being forbidden to have sexual intercourse for the one whose penis is impure without washing it but for the one who is suffering from urinary incontinence like the woman who is

⁶ Al-Jame Li Tirmizi. Vol.1 p.20.

Here, impurity of penis means that it is polluted with other impurity not with sperm, because sperm is purer according to Shafa'ee School of thought. If Shami means, in the way of descending, to be polluted with sperm though it is impossible, it is his own opinion that cannot forbid. Only Nasse Qata'ee (definitive text) and what is in its meaning can forbid. If the questioner means another text of Shami, he should write. Fuqaha said: If a sexual impure person wants to meet his wife again, it is recommended to perform wudu then there is nothing wrong. Now it is declared that it is recommended to wash the penis also. Hindiyah reads in last of the second chapter: There is nothing wrong in sleeping and meeting wife again for sexual impure person before performing wudu, but it is better to perform wudu.

وَلَا بَأْسَ لِلْجُنُبِ أَنْ يَتَأَمَّرَ وَيُعَاوِدَ أَهْلَهُ قَبْلَ أَنْ يَتَوَضَّأُوا وَإِنْ تَوَضَّأُوا فَحَسَنٌ۔

There is nothing wrong in sleeping and meeting wife again for sexual impure person before performing wudu, but it is better to perform wudu. (Al-Fatawa Al-Hindiyah. Vol.1 p.16) And so is in Qiniyah. P.56, and in Khulasah. P.47.

Aujaz reads: I say that Fuqaha's texts mean that wudu for one who wants to sleep is confirmed more than wudu for one who wants to eat. Even the statements of some Fuqaha like Baji (r), Tahawi (r) etc. indicate to not be recommended for eating. So, it means that wudu is confirmed more for sleeping than eating.

Al-Shaikh Ibn Taimiyah (r) established a chapter named "استحباب الوضوء لمن أراد النوم" Wudu is recommended for the one who wants to sleep. Then he established the chapter named "تأكيد ذلك للجنب واستحباب الوضوء لأجل النوم والشرب والمعاودة" It is confirmed that wudu is recommended for sexually impure person to sleep, drink and to have sexual intercourse again. It declares in this regard that wudu is confirmed to sleep more than the other three.

Badai reads: There is nothing wrong for sexually impure person to sleep and to meet his wife again, because Umar (rz) narrated that he asked "O Messenger of Allah! May any one of us sleep while he is Junubi (sexually impure)?" He said: 'When he performs Wudu' as he performs for Salah."

It is lawful to sleep for him before making wudu as A'isha (rz) narrated: Allah's Messenger (ﷺ) used to sleep in the state of sexual impurity without touching water.

ولا بأس للجنب أن ينام ويعاود أهله لما روى عن عمر رضي الله عنه أنه قال يا رسول الله أينام أحدنا وهو جنب قال نعم ويتوضأ وضوءه للصلاة.

وله أن ينام قبل أن يتوضأ وضوءه للصلاة لما روى عن عائشة رضي الله عنها أنها قالت كان النبي صلى الله عليه وسلم ينام وهو جنب من غير أن يمس ماء.

There is nothing wrong for sexually impure person to sleep and to meet his wife again, because Umar (rz) narrated that he asked "O Messenger of Allah! May any one of us sleep while he is Junubi (sexually impure)?" He said: "When he performs Wudu as he performs for Salah."

It is lawful to sleep for him before making wudu as A'isha (rz) narrated: Allah's Messenger (ﷺ) used to sleep in the state of sexual impurity without touching water. (Badai Al-Sanai. Vol.1 p.15. The injunctions of Janabah (sexual impurity))

The word 'without touching water' means that the Prophet (saws) slept without touching water neither for wudu nor for any other thing.

Aujazul Masalik reads on page number 123:

قال يحيى: سئل الإمام المالك رحمه الله تعالى عن رجل له نسوة زوجات وجوار جمع جاريتة أي إماء هل يطأهن جميعاً قبل أن يغتسل؟ فقال: لا بأس أي يجوز بالاتفاق بأن يصيب الرجل جاريتته أو جواريه قبل أن يغتسل إلا أنه يستحب الوضوء وأقله غسل الفرج للمعاودة مع أنه أنشط كما ورد.

Yahya (r) narrated that Imam Malik was asked about the person who has wives and bondmaids more than one. Can he meet all before bathing? He replied: There is nothing wrong it is lawful with the consent of all that one can meet his bondmaid or bondmaids, but it is recommended to perform wudu and its least degree is to wash the private parts before meeting again. It leads to more interest also as it is narrated. That's all and Allah knows best. (Fatawa Mahmoodiyah.vol.5 p.118)

Having sexual intercourse again without taking bath

Question: How is it according to Shariah if one has sexual intercourse again without performing wudu or bath? Please explain, you will be rewarded.

Answer: It is lawful, but performing wudu, bath or purification is better and recommended.

قال في شرح التنوير: وَيُكْرَهُ مُعَاوَذَةُ أَهْلِهِ قَبْلَ اغْتِسَالِهِ إِلَّا إِذَا اخْتَلَمَ كَمَا بَيَّنَّا أَهْلَهُ. قَالَ الْحَلَبِيُّ: ظَاهِرُ الْأَحَادِيثِ إِنَّمَا يُفِيدُ التَّذَبُّبَ لَا تَنْقِي الْجَوَازِ الْمُقَادَرِ مِنَ كَلَامِهِ.

It is disliked to have sexual intercourse with his wife again before bathing, but if he faced wet dream, he did not meet his wife. Halabi said: The apparent of hadith proves recommendation not unlawfulness as his statement means. (Raddul Muhtar. Vol.1 p.163) That's all and Allah knows best. (Ahsanul Fatawa. Vol.2 p.35)

What is the ruling if one does not take bath before having sexual intercourse again at the same night?

Question: Is it necessary to bathe to meet with wife again or not? Can one meet with wife again in that case?

Answer: It is recommended to take bath or make wudu before meeting again, but if he did not do, there is no sin.⁷ Allah knows best.

Muhammad Taqi Uthmani (May Allah forgive him) 22/o1/1397 A.H. (Fatwa No.156/28, A) (Fatawa Uthmani. Vol.1 p.364)

Taking bath is not necessary just after having sexual intercourse

Question: Some people order to take bath just after having sexual intercourse that may cause illness. Is the injunction of Shariah same?

Answer: It is better but if one delays, there will be no sin.⁸ That's all. (Fatawa Darul Uloom. Vol.1 p.162)

Bath for sexual impurity is not necessary instantly

Question: It is popular among people that taking bath is necessary just after having sex with wife else it will be sin. Is it true?

⁷ Mishkatul Masabeeh reads vol.1 p.49 (publication Qadeemi Kutub Khana):

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَقْبَضَ أَحَدُكُمْ أَهْلَهُ ثُمَّ أَرَادَ أَنْ يَعُودَ فَلْيَتَوَضَّأْ بَيْنَهُمَا وَضُوءًا

Narrated Abu Sa'id Al-Khudri (rz): Allah's Messenger (ﷺ) said: "If one of you has sexual intercourse with his wife and wishes to repeat he should perform ablution between them" (Reported by Muslim).

⁸ عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ. أَنَّهُ قَالَ ذَكَرَ عُمَرُ بْنُ الْخَطَّابِ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ تُصَيِّبُهُ الْحِجَابَةُ مِنَ اللَّيْلِ. فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "تَوَضَّأْ" وَاغْتَسَلَ ذَكَرَكَ ثُمَّ نَمْ.

Narrated `Abdullah bin `Umar: `Umar bin Al-Khattab (rz) told Allah's Messenger (ﷺ), "I became Junub at night." Allah's Messenger (ﷺ) replied, "Perform ablution after washing your private parts and then sleep." Agreed upon. (Mishkat. Book of associating with sexually impure person and what is lawful for him. Vol.1 p.49. Zafeer)

Answer: It is not necessary instantly though it is mandated after having sex. He can bathe at his leisure time, but it is better to bathe instantly.

عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّهُ قَالَ ذَكَرَ عُمَرُ بْنُ الْخَطَّابِ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ تُصِيبُهُ الْجَنَابَةُ مِنَ اللَّيْلِ، فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "تَوَضَّأْ وَاغْتَسِلْ ذَكَرَكَ تُرَنَّمْ".

Narrated `Abdullah bin `Umar: `Umar bin Al-Khattab (rz) told Allah's Messenger (ﷺ), "I became Junub at night." Allah's Messenger (ﷺ) replied, "Perform ablution after washing your private parts and then sleep." Agreed upon. (Mishkat. Vol.1 p.49. Book of associating with sexually impure person)⁹ (Fatawa Haqqaniyah vol.2 p.536)

One can delay bath for sexual impurity or not

Question: If bath is mandatory, can one delay it for sometimes or he should take bath instantly? Explain it, you will be rewarded.

Answer: It is better to take bath as soon as possible, but if he delayed it till the time of Salah, there is no sin.

الجنب إذا أخر الاغتسال إلى وقت الصلوة لا يأتىء - كذا في المحيط -

If Junubi (sexually impure person) delayed bath till the time of Salah, it will not be sinful as it is in Al-Muheet. (Alamgiri. Vol.1 p.9) That's all and Allah knows best. Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan (Khairul Fatawa. Vol.2 p.82)

If one could not bathe before Fajr in Ramadhan, till when he can delay it

Question: If one met his wife after breaking the fast and before Sahri (dawn), can he take food of Sahri in the state of impurity? Is it obligatory for him to take bath before Fajr? If he does not want to bathe before Fajr because of cold or shame that what will think the family members, till when he can delay it?

⁹ عن عائشة رضي الله عنها قالت: كان النبي صلى الله عليه وسلم إذا كان جنباً فأراد أن يأكل ----- الحديث

'A'isha (rz) reported: Whenever the Messenger of Allah (ﷺ) had sexual intercourse and intended to eat or sleep, he performed the ablution of prayer. (Mishkatul Masabeeh. Vol.1 p.49. Book of associating with sexually impure person and what is lawful for him. And so is in Al-Fiqhul Islami wa Adillatuhu. Vol.1 p.382. Matter:5 The disliked acts of bath.)

Answer:

- 1) He can take Sahri in the case mentioned above.¹⁰
- 2) It is recommended not mandatory.

He should bathe before Fajr, because bath will be mandatory for Salah. Normal cold which does not cause any illness will not be accepted an excuse.

Written by Muhammad Mustaqim Nadawi, authenticated by Nasir Ali Nadawi (Fatawa Nadwatul Ulama. Vol.1 p.245, 246)

It is necessary to take bath before Fajr

Question: Zaid says: If one met his wife and he fears that Fajr Salah will be missed, he can offer Salah without bathing. Is it right?

Answer: He should offer Salah After taking bath.¹¹

Written by Nasir Ali (Fatawa Nadwatul Ulama. Vol.1 p.245)

Ruling about taking bath in the night of Arafah (9th night of Zul Hijj)

Question: It is written in Ghayatul Autar that bathing in the night of Arafah (9th night of Zul Hijj) is recommended. Is this ruling is for pilgrims only or for all?

Answer:

في الدر المختار: وعرفة أي في ليلتها، تاتارخانية، وقهستاني، وظاهر الإطلاق شموله للحاج وغيره.

¹⁰ عَنْ عَائِشَةَ. قَالَتْ كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ أَنْ يَنَامَ وَهُوَ جُنُبٌ، غَسَلَ فَرْجَهُ، وَتَوَضَّأَ لِلصَّلَاةِ.

Narrated `Aisha (rz): Whenever the Prophet (ﷺ) intended to sleep while he was Junubi, he used to wash his private parts and perform ablution like that for the prayer. (Sunan Abu Dawood. Book of purity, Chapter: Junubi (sexually impure person) eats. Hadith No.222)

وَإِنْ أَرَادَ أَنْ يَأْكُلَ أَوْ يَشْرَبَ فَيَنْبَغِي أَنْ يَتَمَضَّمُ وَيَغْسِلَ يَدَيْهِ ثُمَّ يَأْكُلُ وَيَشْرَبُ لِأَنَّ الْجَنَابَةَ حَمَلَتْ الْفَمَ.

If he wants to eat or drink, it is good to rinse the mouth and wash his hands then he should eat or drink, because the mouth is also affected with impurity. (Badai Al-Sanai. Vol.1 p.15)

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَرَى حَتَّى تَعْلَمُوا مَا تَقُولُونَ وَلَا جُنُبًا إِلَّا عَابِرِينَ سَبِيلٍ حَتَّى تَغْتَسِلُوا.

O you who believe! Do not go near Salah when you are intoxicated, until you know what you say, nor in a state of _major impurity __save when you are traversing a way until you take a bath. (Surah Nisa: 43)

Durre Mukhtar reads: And in the night of Arafah. Tatar Khaniyah, and Quhastani. Apparently, it will go for pilgrims and others. (vol.1 p.175)¹²

عن جده الفاكه بن سعد وكانت له صحبة أن رسول الله صلى الله عليه وسلم كان يغتسل يوم الفطر --- الحديث 121

It was narrated from 'Abdur-Rahman bin 'Uqbah bin Fakih bin Sa'd, from his grandfather Fakih bin Sa'd, (rz) who was a Companion of the Prophet (ﷺ) that the Messenger of Allah (ﷺ) used to take a bath on the Day of Fitr, the Day of Nahr, and the day of 'Arafah, and Fakih used to tell his family to have a bath on these days. (Ibn Majah, Book: The hadith which is narrated about bathing on the day of both Eid. P.186. No.1316)

عن إبراهيم قال: امض إلى عرفات، فإذا كان عند زوال الشمس فاغتسل إن وجدت ماء، وإلا فتوضأ 2

It is reported that Ibrahim (r) said: Set out for Arafat. If it is the midday, he will take bath if he finds water else he will perform wudu. (Musannaf Ibn Abi Shaibah. Book: What is denoted about the bath on the Day of Arafah in Hajj. Vol.3 p.404. No.15558)

Bathing is recommended for Eidain, Ihram Arafah beside Friday. The other thing which bathing is recommended for are as follow:

1. In the night of 15th Sh'aban
2. In the night of power (Shabe Qadr)
3. In the night of 9th Zul Hajj (Arafah)
4. On entering Mecca
5. On entering Medina
6. In the morning of sacrifice day (the Day of Nahr) staying in Muzdalifah
7. On entering Mena for pelting stone on Aqabah stoning pillar
8. For pelting the stoning pillars
9. For the one who wash dead person
10. For the insane when he is cured
11. After coming out from the state of intoxication
12. For intoxicating person when he becomes normal
13. After bloodletting /cupping
14. For Salah of solar Eclipse
15. For Salah of lunar Eclipse
16. For Salah of invoking Allah for rain (Istisqa)
17. For Salah of fear and fright
18. For Salah at the time of severe storm
19. For participating in gathering
20. For dressing new cloth
21. To repent from sins
22. After coming back from journey
23. After stopping the blood for menstrual diseased woman
24. For ceremonial impure person who want to meet his wife again
25. For the one who is to be killed
26. For the one who accepted Islam and he was pure
27. If ever the day grows dark
28. For the boy how enter the age of puberty and he has no sign of it
29. For the one who is certain that there is impurity on the body, but he did not know or he forgot the spot, he should take bath intending to the purity so that he can get the reward. Besides, if one bathe intending to get the pleasure of Allah and for cleanliness, In Sha Allah he will get reward. (Extracted from Raddul Muhtar. Vol.1 p.170) (Taharat Ke Ahkam Wa Masail. P.236, 238, Anees)

It means that it is recommended for all. That's all. 15th Zul Hijj, 1329 A.H. (Imdadul Fatawa Jadeed. Vol.1 p.53)

Bathing daily

Question: What is the injunction about habitual daily bath except obligatory bath? Is it virtuous and necessary? Some people do it as it is obligatory till they miss Jam'at (congregation) after listening Azan.

Answer: One should not do unnecessary thing as necessary. If he missed Salah, the fault will be severer, but if he bathes for more relaxation in Salah and freshness, it is good.¹³

Written by Muhammad Tariq Nadawi, Authenticated by Nasir Ali Nadawi (Fatawa Nadwatul Ulama. Vol.1 p.235)

وَتَنْظِيفُ بَدَنِهِ بِالْغَيْسَالِ فِي كُلِّ أُسْبُوعٍ مَرَّةً وَالْأَفْضَلُ يَوْمَ الْجُمُعَةِ وَكَرِهَ تَرْكُهُ وَرَأَى الْأَرْبَعِينَ¹³۔

To clean his body weekly by bathing once and it is better on Friday and it is disliked to delay after 40 days. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.583)

WHAT DOES NECESSITATE GHUSL

What Does Necessitate Ghusl

The method of washing sperm (mani) and the minimum age of puberty for man

Question: What is the age of puberty for man? When this humble person was 12 years old he ejaculated. Will that age be considered puberty age? What is the method of washing sperm, wadi and mazi (pre-seminal fluid)? Explain it you will be rewarded? (Questioner: Manzoor Rawalpandi. 24th Sh'aban, 1403 A.H.)

Answer: The minimum age of puberty for man is 12 years. You became adult when you became 12 years old because the sign of puberty is found that is ejaculation.¹⁴ Dry sperm is purified by scratching and wet sperm by washing.¹⁵ Similarly, mazi (pre-seminal fluid) and wadi will be pure by washing.¹⁶ Allah is the best Guide. (Fatawa Deoband Pakistan, known by Fatawa Faridiyah. Vol.2 p.65)

قال العلامة الحسكافي: بَلُوْهُ الْخُلَامُ بِالْإِخْتِلَامِ وَالْإِخْتِبَالِ وَالْإِنْزَالِ وَالْأَصْلُ هُوَ الْإِنْزَالُ (وَالْمَجَارِيَةُ بِالْإِخْتِلَامِ وَالْخَيْضِ وَالْحَبْلِ) وَلَمْ يَذْكُرِ الْإِنْزَالُ صَرِيحًا لِأَنَّهُ ¹⁴ قَلَمًا يُعْلَمُ مِنْهَا (فَارِثٌ لَمْ يُوجَدْ فِيهِمَا) شَيْءٌ (فَحَتَّى يَبْتَدِرَ لَيْلٌ مِنْهُمَا خَمْسَ عَشْرَةَ سَنَةً يَهْمَى --- النَّم

Allamah Haskafi said: The boy become adult by wet dream, making pregnant and ejaculation, the main thing is ejaculation..... If nothing is seen from both, the puberty age will be for both complete 15 years. So fatwa is given due to the shortness of the ages in our era. Its minimum age is 12 years. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Vol.5 p.107, Chapter: Pubescence of the boy. Book of prohibition)

وقال في الهندية: (وَمِنْهَا) الْفَرْكُ فِي النَّجَسِ الْتَمَّيُّ إِذَا أَصَابَ الْقُوبَ فَإِنَّ كَارَ رَطْبًا يَجِبُ غَسْلُهُ وَإِنْ جَفَّ عَلَى الْقُوبِ أَجْزَأُ فِيهِ الْفَرْكُ اسْتِخْسَاءً. ¹⁵

Al-Hindiyyah reads: The method of purifying dry sperm is to scratching from the cloth. If it is wet, it is necessary to wash and if it is dried on cloth, scrubbing will be enough approvingly. (Fatawa Alamgiriyyah. Vol.1 p.44, Seventh Book about impurity)

قال الفقيه طاهر بن عبد الرشيد: إذا احت النجاسة لم يميز إلا في المني اليابس فإن كان رطباً لا يطهر إلا بالغسل. النَّم ¹⁶

Faqih Tahir bin Abdur Rasheed said: If impurity is scrubbed, it will not be pure except dry sperm and if it is wet, it will be washed by water and it is impure according to us..... this is when mazi (pre-seminal fluid) did not discharge before sperm. So if mazi (pre-seminal fluid) discharged then sperm, the cloth can be purified by washing with water only. (Khulasatul Fatawa. Vol.1 p.41. Chapter: 6. Washing cloth and oil.)

The age puberty according to the age

Question: What do Ulama e Deen say about the minimum age of puberty for men and women? Explain it you will be rewarded. Questioner: Nasrullah Sawabi. 9th Muharram, 1403 A.H.

Answer: The puberty age is 15 years for men and women. As it is written in Sharah Al-Tanweer on the margine of Raddul Muhtar. Vol.6 p.132:

فَإِنْ لَمْ يُوجَدْ فِيهِمَا شَيْءٌ فَحَتَّى يَتِمَّ لِكُلِّ مِنْهُمَا خَمْسَ عَشْرَةَ سَنَةً بِهِ يُفْتَى -

If nothing is seen from both, the puberty age will be for both complete 15 years. So fatwa is given.¹⁷ Allah is the best Guide. (Fatawa Deoband Pakistan, known by Fatawa Faridiyah. Vol.2 p.69, 70)

When is ghusl mandated

Question: Which quantity of erotically sperm discharge mandated bath?

Answer: Discharging sperm erotically, without any condition breaks bath and mandates it.¹⁸ The Apostle of Allah (ﷺ) observed: Bathing is obligatory in case of seminal emission. This injunction is accession there in no condition of a quantity.

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ "إِنَّمَا الْمَاءُ مِنَ الْمَاءِ"

Abu Sa'id al-Khudri reported: The Apostle of Allah (ﷺ) observed: Bathing is obligatory in case of seminal emission.¹⁹ That's all. (Kitabul Fatawa. Vol.2 p.64, 65)

The injunction of bath due to seminal emission

Question: (1) Zaid felt wet dream and he caught hold his penis before ejaculation and ejaculate it out of the bed and he prevent it to touch the cloth and body. Is ghul is mandated for Zaid?

¹⁷ But the minimum puberty age for the boy is 12 years. "وَأَدْنَى مَدَنِهِ لِمَا اثْنَتَا عَشْرَةَ سَنَةً." "His minimum puberty age is 12 years. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Vol.5 p.107, Chapter: Pubescence of the boy. Book of prohibition)

¹⁸ The things that necessitates bath are as follow: 1. Having ceremonial intercourse 2. When sperm discharged from its place erotically 3. Having wet dream 4. Penetrating penis in anus 5. Stopping menstrual blood 6. Ending the period of bleeding which follows childbirth (Nifas). Bath is obligatory after these thing and it is forbidden to offer any prayer, recitation of the glorious Qur'an, touching it, entering Masjid and performing circumambulation (Tawaf). Similarly, it is prohibitively disliked to touch or read the glorious scriptures like the Torah, the Psalms (Zaboor) the Bible and the interpretation of the glorious Qur'an. (Raddul Muhtar. Vol.1 p.178, 179) (Taharat Ke Ahkam Wa Masail. P.238, Anees)

¹⁹ Sahih Muslim. Hadith No.343

The injunction of bath after ceremonial intercourse

Question: (2) One had ceremonial intercourse and changed cloth after washing impurity then he offered Salah. Is Salah valid or not?

Is it enough to change cloth and wash impurity or ghusl is necessary?

Answer: (1) Definitely, bath is mandated by seminal emission.¹

Answer: (2) It is not enough to wash only impurity after intercourse, but bath is mandatory and Salah is not allowed without bath. Changing cloth is not necessary and if there is impurity on over cloth, it is sufficient to wash it.² That's all and Allah knows best. Muhammad Basheer. 09/12/1388 A.H. (Fatawa Imarat Shariah. Vol.2 p.101)

Bath is mandated or not by sperm discharging of female

Question: Is woman has wet dream and sperm discharging? If she clung the man and feels arousal and she satisfied without penetration but she does not discharge sperm. Is bath mandated in this case or not? What is the colour of female sperm?

Answer: Woman has wet dream and she discharges sperm also.³ Her sperm's colour is yellowish.⁴ If she clung and felt satisfaction without discharging sperm and without penetration and sexual intercourse, bath will not be mandated.⁵ That's all and Allah knows best. (Fatawa Mahmoodiyah. Vol.5 p.97, 98)

¹² (وفرض) الغسل (عند) خروج (مني) من العضو --- (منفصل عن مقره) --- (بشهوة) --- (وعند) (إيلاج حشفة) --- (آدمي) --- (في أحد سبيلي

آدمي) حتى (يجامعة مثله) -

(Al-Durrul Mukhtar on the margin of Raddul Muhtar. Vol.1 p.295,299)

عن عائشة رضي الله عنها قالت قال رسول الله صلى الله عليه وسلم: "إذا جلس بين شعبها الأربع ومن الختان الختان فقد وجب الغسل"

(Muslim. Book of Intercourse that.... p.156. No.349/795. Abu Dawood. Book of ejaculating outside. p.41. No.216. Anees)

³ عَنْ أُمِّ سَلَمَةَ قَالَتْ جَاءَتْ أُمُّ سُلَيْمٍ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ يَا رَسُولَ اللَّهِ لَا يَشْخِي --- الحديث

Narrated Um Salama (rz): Um-Sulaim came to Allah's Messenger (ﷺ) and said, "Verily, Allah is not shy of (telling you) the truth. Is it necessary for a woman to take a bath after she has a wet dream (nocturnal sexual discharge?) The Prophet replied, "Yes, if she notices a discharge." Um Salama asked, "O Allah's Messenger (ﷺ)! Does a woman get a discharge?" He replied, "Yes, let your right hand be in dust (An Arabic expression you say to a person when you contradict his statement meaning "you will not achieve goodness"), and that is why the son resembles his mother." (Al-Sahih Li Muslim. Vol.1 p.146, Qadeemi, Chapter: Women are obliged to perform ghusl if they emit fluid. Anees)

⁴ "Her sperm is yellow n colour..." (Al-Durrul Mukhtar.vol.1 p.159, The mandatory acts of bath. Sa'eed. And so is in Al-Halabi Al-Kabeer. P.45. Suhail Accademy Lahore)

⁵ إذا جُمِعَت المرأة فيمَا دُونَ الْفَرْجِ وَوَصَلَ الْمَنِي إِلَى رَحْمَتِهَا وَهِيَ بَكَرْ أَوْ ثِيْبٌ لَا غَسْلَ عَلَيْهَا - الن

If woman discharges sperm erotically, bath is mandated or not

Question: (1) If women discharge sperm erotically like men, bath is mandated or not?

Bath by wet dream

Question: (2) If women have wet dream, bath will be mandated or no?

Answer: Bath is mandatory.¹ That's all. (Fatawa Darul Uloom. Vol.1 p.165)

Injunction of bath by discharging sperm and semen

Question: Here is a man. When he closes to her wife he discharges sperm and it also happens when he lies down together, talks to her in the day or touches her. Is bath mandated by his talking? A woman also suffers from spermatorrhoea. She discharges semen without any cause some time less and sometime more. What is the injunction about it?

If a woman is penetrated in anus and the sperm entered the uterus whether she is virgin or not, bath is mandatory for her, because the reason is not found that is ejaculation. (Al-Fatawa Al-ALamgiriyyah. Vol.1 p.51, The things that mandate bath. Rasheediyah. And so is in Al-Bahrur Raiq. Vo.1 p.106. Book of Purity. Rasheediyah. And so is in Al-Mabsoot. Vol.1 p.67. Book of wudu and bath. Maktabah Habeebiyah. Koita. And so is in Al-Halabi Al-Kabeer. P.45. Suhail Accademy Lahore)

والمعاني الموجبة للغسل: إنزال المني على وجه الدفع والشهوة من الرجل والمرأة حالة النوم واليقظة.¹

The thing that mandates bath is the ejaculation of man or woman with stream and lust in awaking or sleeping. (Al-Hidayah. Chapter: Bath. Vol.1 p.37, Zafeer)

وَإِنْ كُنْتُمْ جُنُبًا فَاطْبُؤْا

If you are in a state of major impurity, cleanse yourselves well (by taking bath). (Surah Maidah:6)

جَاءَتْ أُمُّ سَلَمَةَ امْرَأَتُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ يَا رَسُولَ اللَّهِ لَا يَسْتَحْيِي مِنَ الْحَقِّ هَلْ عَلَى الْمَرْأَةِ مِنْ غُسْلِ إِذَا هِيَ اخْتَلَمَتْ فَقَالَ "نَعَمْ إِذَا رَأَتْ الْمَاءَ"

"Umm Salama, the wife of Abu Talha al-Ansari, came to the Messenger of Allah, may Allah bless him and grant him peace, and said, 'Messenger of Allah! Allah is not ashamed of the truth-does a woman have to do ghusl if she has had an erotic dream?' He said, 'Yes, if she sees any liquid.'" (Bukhari. Chapter: When a woman has erotic dream. P.50, No.282, Muslim. Chapter: Women are obliged to perform ghusl if they emit fluid. Vol.1 p.145. No.313/712)

خَوْلَةَ بَيْتِ حَكِيمٍ. قَالَتْ سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْمَرْأَةِ تَحْتَلِمُ فِي مَنَامِهَا فَقَالَ "إِذَا رَأَتْ الْمَاءَ فَلْتَغْتَسِلْ".

It was narrated that Khawlah bin Hakim said: "I asked the Messenger of Allah (ﷺ) about a woman who has a wet dream and he said: 'If she sees water, let her perform Ghusl.'" (Sunan Al-Nasai. Chapter: Bathing of a woman has dreams like a man has dreams. Anees)

Answer: When the sperm flows erotically and forcefully, it necessitates bath.¹ Semen discharging in spermatorrhoea does not necessitate bath.² That's all and Allah knows best. (Fatawa Mahmoodiyah. Vol.5 p.98, 99)

To discharge white liquid substance by body massage, and necessitate bath

Question: Zaid get massage by his wife and he gets erection and then he discharges a white thick substance like water or when he goes to urinate, it happens before passing water. Does it necessitate bath?

Answer: If sperm is discharged with erection and lust that means it comes out forcefully that smells and the penis gets loos, it necessitates bath. If sperm is not discharged, bath is not mandatory.³ That's all and Allah knows best.

(وَفَرَضَ) الْغُسْلُ (عِنْدَ خُرُوجِ) (مِنْ) الْغُضُوِّ ----- (مَنْفَصِلٍ عَنْ مَقَرِّهِ) ----- (يَسْقُوهُ)¹

Bath is mandated when the organ discharged sperm..... that it leaves its place erotically indeed or supposedly. (Tanweerul Absar with Al-Durrul Mukhtar, Book of purity. Vol.1 p.159, Sa'eed. And so is in Al-Fatawa Al-Alamgiriyyah, Book of purity, Chapter: 2, Bathing, Lesson:3. Vol.1 p.14, Rashidiyah. And so is in Badai Al-Sanai, Lesson: Injunctions of bathing. Vol.1 p.283. Darul Kutub Al-Ilmiyyah, Beirut. And so is in Al-Hidayah. Book of purity. Vol.1 p.31. Sharikah Ilmiyyah, Multan)

". عن علي رضي الله عنه قال له رسول الله صلى الله عليه وسلم "لا تفعل إذا رأيت المذي فاغسل ذكرك وتوضأ وضوءك للصلاة فإذا فضخت الماء فاغتسل

Narrated Ali (rz): The Prophet (saws) said to him: "Do not do so. When you find prostatic fluid, wash your penis and perform ablution as you do for your prayer, but when you have seminal mission, you should take a bath." (Abu Dawood. No.206) Musnade Ahmad reads: إذا حذفت من الجنابة وإذا لم تكن حائفا فلا تغتسل (If you threw, you should take bath for sexual impurity and if you did not throw, do not take bath) (Musnade Ahmad. Ali Ibn Abu Talib. No.849. Anees)

² إلا أنه إذا علم أنه مذي أو شك أنه مذي أو ودي --- فلا غسل عليه اتفاقاً كالوودي ---

But when it is understood that it is mazi (pre-seminal fluid) or he is in doubt that it is mazi (pre-seminal fluid) or wadi.... bath is not mandated for him with the consent of all like wadi. (Al-Durrul Mukhtar, Book of purity. Vol.1 p.162, 163. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah, Book of purity. Chapter: 2, Bathing. Lesson: 3. Vol.1 p.15. Rasheediyah. And so is in Fatawa Qadhikhan on the margin of Al-Fatawa Al-Alamgiriyyah. Book of purity. Lesson about what mandates bath. Vol.1 p.43. Rasheediyah. And so is in Badai Al-Sanai. Book of purity. Lesson: Injunctions of bathing. Vol.1 p.278. Darul Kutub Al-Ilmiyyah, Beirut)

(فرض) الغسل (عند خروج) (مِنْ) الْغُضُوِّ ----- (مَنْفَصِلٍ عَنْ مَقَرِّهِ) ----- (بِشَهْوَةٍ) أَوْ لَذَّةٍ وَلَوْ حَكْمًا³

. (Tanweerul Absar with Al-Durrul Mukhtar, Book of purity. Vol.1 p.159, Sa'eed. And so is in Al-Fatawa Al-Alamgiriyyah, Book of purity, Chapter: 2, Bathing, Lesson:3. Vol.1 p.14, Rashidiyah. And so is in Badai Al-Sanai, Lesson: Injunctions of bathing. Vol.1 p.283. Darul Kutub Al-Ilmiyyah, Beirut. And so is in Al-Hidayah. Book of purity. Vol.1 p.31. Sharikah Ilmiyyah, Multan)

“عن علي رضي الله عنه قال له رسول الله صلى الله عليه وسلم: ”لا تفعل إذا رأيت المذي فاغسل ذكرك وتوضأ وضوءك للصلاة فإذا فضخت الماء فاغتسل

(Abu Dawood. No.206) Musnade Ahmad reads: إذا حذفت من الجنابة وإذا لم تكن حائفا فلا تغتسل (If you threw, you should take bath for sexual impurity and if you did not throw, do not take bath) (Musnade Ahmad. Ali Ibn Abu Talib. No.849. Anees)

Written by Mahmood (May Allah forgive him), Darul Uloom Deoband. The answer is correct. Nizamuddin (May Allah forgive him), Sayyed Mehdi Hasan (May Allah forgive him), 02/03/1386 A.H. (Fatawa Mahmoodiyah. Vol.5 p.99)

If sperm is discharged awaken, bath is necessary

Question: A person passes urine and if he put pressure, white liquid is discharged in a due quantity and it is not understood that it is sperm or wadi. Is bath necessary for such person or not? It should be notice that it happens without lust. Explain it you will be rewarded.

Answer: The liquid that flows after passing urine without lust, does not mandate bath though it is sperm.

قال في الحلائية: وفي الحائض: خَرَجَ مَيِّ بَعْدَ الْبَوْلِ وَذَكَرَهُ مُنْتَشِرًا لَزِمَهُ الْغُسْلُ. قَالَ فِي الْبَحْرِ: وَمَحَلُّهُ إِنْ وَجَدَ الشَّهْوَةَ - وفي الشامية: إِنْ عَدَّ رُجُوبَ الْغُسْلِ بِخُرُوجِهِ بَعْدَ الْبَوْلِ اتِّفَاقًا إِذَا لَمْ يَكُنْ ذَكَرَهُ مُنْتَشِرًا - أَلَمْ

(Raddul Muhtar: vol.1 p.149)¹ That's all and Allah knows best.

20th Jumadal Ukhra, 1392 A.H. (Ahsanul Fatawa. Vol.2 p.34)

Bath is not necessitated by ejaculation without lust

Question: Is bath necessary if one discharges sperm due to illness or weakness?

Answer: The word which is used in Qur'an and hadith for mandating bath is 'Janabah' and janabah (sexual impurity) is called the state that one ejaculates with lust. "إطلاق الجنابة في"

اللغة مخصوص بحال انبعاثه من الشهوة" According to the dictionary Janabah is specified with the state that aroused with lust.²

The case you mentioned does not mandated bath. (Kitabul Fatawa. Vol.2 p.60)

Ejaculation of semen is not the condition for mandating bath

Question: A person's semen is very light. When he plays with his wife he discharges semen without force. Can this person offer Salah without bath or not?

Answer: Bathing is mandatory.³

¹ Abu Dawood. No.206, Musnade Ahmad. Ali Ibn Abu Talib. No.849. Anees

² Kabeeri. P.39

³ Discharging sperm with force is condition for mandating bath according to Abu Usuf (r) and discharging sperm with lust and enjoy unconditionally, mandate bath. Anees

في الدر المختار: (وَفُرِضَ) الْغُسْلُ (عِنْدَ) خُرُوجِ (مَنِيِّ) مِنَ الْغُضِيِّ----- (مُنْفَصِلٌ عَنْ مَقَرِّهِ)----- (بِشَهْوَةٍ) أَيْ لَذَّةٍ----- وَلَمْ يَذْكُرِ الدَّفْقُ لِيَشْمَلَ مَنِيَّ الْمَرْأَةِ----- وَلَا أَنَّهُ لَيْسَ بِشَرْطٍ عِنْدَهُمَا خِلَافًا لِثَانِي-
 Bath is mandated when the organ discharged sperm..... that it leaves its place erotically indeed or supposedly.... He did not denote the condition of force so that it includes semen of woman..... and it is not necessary according to them that vary to the second. (vol.1 p.165, 166)¹ That's all. 18th Zul Hijj, 1333 A.H. Third supplement: 122. (Imdadul Fatawa Jadeed. Vol.1 p.57)

Bath is mandated when the organ discharged sperm..... that it leaves its place erotically indeed or supposedly.... He did not denote the condition of force so that it includes semen of woman..... and it is not necessary according to them that vary to the second. (vol.1 p.165, 166)¹ That's all. 18th Zul Hijj, 1333 A.H. Third supplement: 122. (Imdadul Fatawa Jadeed. Vol.1 p.57)

One had wet dream and he knew by apparent indices that certainly he discharged sperm without lust and ejaculation

Question: One had wet dream and he knew by apparent indices that certainly he discharged sperm without lust and ejaculation. Is bath mandatory in this case or not?

The apparent indices: To take an example, a person has no lust due to be aged. He has no wet dream. He is certain that this wet dream is without lust and ejaculation, or a person suffering from sperm incontinence and frequently wet dream undoubtedly, knows after noticing the signs and reasons that the sperm he discharged sleeping is without lust and force. It is clear in medical books e.g. 'Sharhe Asbab' that the sign of frequently wet dream which happens due to cold, wetness and looseness of the sperm vessels, is discharging semen without force, lust and erection. So he is certain that sperm discharged without lust. Egyptian Mirqat. Vol.1 p.327 reads:

وأكثر العلماء على أنه لا يجب الغسل حتى يعلم أنه بلل الماء الدافق واستحبوا الغسل احتياطاً-

It is translated by Nawab Qutbuddin in Mazahire Haque: Mostly Ulama's opinion is that bath is not mandatory (by noticing wet sleeping), until it is known that it was the wet of throwing sperm, but they recommended to take bath with caution. It means that if he knows that the sperm discharged with force, bath will be necessary otherwise not. Please tell me what is the injunction if a person having same condition act upon it? Explain it you will be rewarded.

Answer: According to our opinion it is lawful to act upon it for the person who discharge sperm without lust in awakening.

The person who did not discharge sperm without lust in awakening and he saw the wet on cloth after waking up and he is certain that it is sperm or he feel doubt in being sperm or mazi (pre-seminal fluid), bath is mandatory for him. Thinking that sperm discharged

¹ After the matter about the text of Sa'a.... After bath. Anees

in sleeping without lust is not right, because he cannot know it during sleeping. So, the criteria of wet dream is noticing wet.¹ Allah knows best.

وفي مراقي الفلاح: ومنها أي من أسباب وجوب الغسل وجود ماء رقيق بعد الانتباه من النوم ولم يتذكر احتلاماً عندهما ولهما ما روي أنه صلى الله عليه وسلم سئل عن الرجل يجد البلل ولم يجد احتلاماً قال يغتسل، خلافاً لأبي يوسف ويقول له أخذ خلف بن أيوب وأبو الليث لأنه منذي وهو الأقيس الخ

Maraqi Al-Falah reads: One of the other reasons that mandate bath according to Imam Abu Hanifah (r) and Imam Muhammad (r) is finding liquid water after waking up and he did not recall wet dream. They prove it by hadith narrated that Prophet (saws) was asked about the person who found wetness but he did not feel wet dream. He replied that he will take bath differing from Abu Usuf (r). Khalf bin Ayyub and Abullaith accepted his statement, because it is mazi (pre-seminal fluid), and it is nearer to the supposition. (P.57)

قلت: وقد أخذنا بقوله فيمن كان مبتلى بالإنزال بلا شهوة في اليقظة أيضاً وإلا فالقول ما قالاه والله أعلم

I said: We accepted his statement 'the one who is suffering from sperm discharging without lust in awakening also' else the we select what Imam Aby Hanifah (r) and Imam Muhammad (r) said. Allah knows best. 21st November, 1349 A.H. (Imdadul Ahkam. Vol.1 p.360, 361)

If waking person saw sticky liquid, is bath necessary

Question: An Urdu book reads: If one feels sticky liquid at the penis, bath is mandatory. And another book reads: If sticky liquid discharged before or after passing urine thinking about ejaculation, bath is necessary. What is right?

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: سئل رسول الله صلى الله عليه وسلم عن الرجل يجد البلل ولا يذكر احتلاماً ----- الحديث¹

Aishah (rz) narrated: "The Prophet was asked about a man who finds wetness and he does not recall having a wet dream. So he said: 'He is to perform Ghusl. And (he was asked) about a man who had a wet dream but does not find any wetness, so he said: 'No Ghusl is required of him.'" (Tirmizi. Book: What Has Been Related] About One Who Awakens To Find Wetness, But He Does Not Recall Having A Wet Dream. P.39 No.113. Anees)

Answer: If one feels sticky liquid after waking up, he should take bath.¹ If sticky liquid discharged without ejaculation and force before or after passing urine just thinking about ejaculation, bath is not necessary.² That's all and Allah knows best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband, 19/07/1393 A.H. (Fatawa Mahmoodiyah. Vol.5 p.96)

A detail about bath is mandatory or not for the person who woke up

Question: Sometimes it one does not remember his dream and he finds spot on cloth. Is bath obligatory in this case or not? How to differentiate that it is sperm or mazi (pre-seminal fluid) or wadi? Please describe the condition of three all. Some time when he wakes up, he finds the wet, but he does not feel the force that he feels in sperm.

Answer: If there is no spot, bath is not necessary though he recalls the dream. If he feels wet, it is of 14 kinds, because whether he is certain that it is (1) sperm or (2) mazi (pre-seminal fluid) or (3) wadi or (4) he has doubt to be sperm or mazi (pre-seminal fluid) or (5) he has doubt to be mazi (pre-seminal fluid) or wadi or (6) he has doubt to be sperm or mazi (pre-seminal fluid) or wadi. These are seven classes³ and each of them has two probabilities i.e. he recalls the dream or not. Now the collection of all will be 14 kinds. Bathing is not mandatory in four of them. They are: 1. He is certain that it is mazi (pre-seminal fluid) and he does not recall the dream. 2&3. He is certain that it is wadi and he recalls the dream or not. 4. He has doubt to be mazi (pre-seminal fluid) or wadi and he does not recall the dream. Bathing is mandatory in the remaining 10 kinds. So is in Al-

¹ وأما إذا لم يذكر الاحتلام وتيقن أنه مني أو شئت هل هو مني أو مني فكان ذلك يجب عليه الغسل - الخ

However, if one does not recall wet dream and he is certain that it is sperm or he is in doubt that it is sperm or mazi (pre-seminal fluid), bath will be mandatory in both case as caution with the consent of all. (Al-Halbi Al-Kabeer. P.42, Suhail Academy, Lahore. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.15, The things that mandate bathing. Rashidiyyah. And so is in Kulasatul Fatawa. Vol.1 p.13 Second lesson: bathing. Amjad Academy Lahore)

² قال العلامة ابن عابدين (قوله تقييد قولهم): أي فيقال إن عدم وجوب الغسل بخروجه بعد البول اتفاقاً - الخ

Allamah ibn Abideen said: (His statement restricting their statementss). It means that it is said that bath is not mandatory by discharging sperm after passing urine if his penis is not erect with the consent of all. (Raddul Muhtar. Vol.1 p.161, The mandatory acts of bath. Sa'eed. And so is in Maraqqi Al-Falah. P.96. The thing that mandates bath. Qadeemi)

³ One kind remained that is he has doubt to be sperm or wadi. You can count them as: He is certain that it is (1) sperm or (2) mazi (pre-seminal fluid) or (3) wadi or (4) he has doubt to be sperm or mazi (pre-seminal fluid) or (5) he has doubt to be mazi (pre-seminal fluid) or wadi or (6) he has doubt to be sperm or wadi or (7) he has doubt to be sperm or mazi (pre-seminal fluid) or wadi. These are seven classes and each of them has two probabilities i.e. he recalls the dream or not. Now the collection of all will be 14 kinds. Sa'eed Ahmad Palanpuri

Durrul Mukhtar and Raddul Muhtar.¹ The actuality different between sperm, wadi and mazi (pre-seminal fluid) is known and clear, but there is no certain sign that defines it,

¹ But in seven of them, bath is mandatory with the consent of all and in three of them, bath is mandatory according to Imam Abu Hanifah (r) and Imam Muhammad (r) only.

Here, all kinds with their injunctions are written in the following:

No.	Kinds	Injunction
1	Certain to be sperm and recalling the dream	Bath is mandatory with the consent of all
2	Certain to be mazi (pre-seminal fluid) and recalling the dream	Bath is mandatory with the consent of all
3	Certain to be wadi and recalling the dream	Bath is not mandatory with the consent of all
4	Certain to be sperm and not recalling the dream	Bath is mandatory with the consent of all
5	Certain to be mazi (pre-seminal fluid) and not recalling the dream	Bath is not mandatory with the consent of all
6	Certain to be wadi and not recalling the dream	Bath is not mandatory with the consent of all
7	Doubt in sperm and mazi (pre-seminal fluid) and recalling the dream	Bath is mandatory with the consent of all
8	Doubt in mazi (pre-seminal fluid) and wadi and recalling the dream	Bath is mandatory with the consent of all
9	Doubt in sperm and wadi and recalling the dream	Bath is mandatory with the consent of all
10	Doubt in sperm, mazi (pre-seminal fluid) and wadi and recalling the dream	Bath is mandatory with the consent of all
11	Doubt in sperm and mazi (pre-seminal fluid) and not recalling the dream	Bath is mandatory according to Trafain not mandatory according to Abu Usuf (r)
12	Doubt in sperm and wadi and not recalling the dream	Bath is mandatory according to Trafain not mandatory according to Abu Usuf (r)
13	Doubt in sperm, mazi (pre-seminal fluid) and wadi and not recalling the dream	Bath is mandatory according to Trafain not mandatory according to Abu Usuf (r)
14	Doubt in mazi (pre-seminal fluid) and wadi and not recalling the dream	Bath is not mandatory with the consent of all

(و) عند (رؤية مستيقظ) خرج رؤية السكران والمغشي عليه المذي منياً أو مذيّاً (وارت لم يتذكر الاحتلام) إلا إذا علم أنه مذي أو شئت أنه مذي أو ودى أو كل ذكره منتشراً قبيل النوم فلا غسل عليه اتفاقاً كالودي، لكن في الجواهر: إلا إذا نام مضطجماً أو تيقن أنه منى أو تذكر حليماً فعليه الغسل والناس عنه غافلون. (الدر المختار) (قوله منياً أو مذيّاً) أعلم أن هذه المسئلة على أربعة عشر وجهاً، لأنه إما أن يعلم أنه منى أو مذي أو ودى أو شئت في الأولين أو في الطرفين أو في الآخرين أو في الثلاثة، وعلى كل إما أن يتذكر احتلاماً أو لا فيجب الغسل اتفاقاً في سبعة صور منها وهي ما إذا علم أنه مذي، أو شئت في الأولين أو في الطرفين أو في الآخرين أو في الثلاثة مع تذكر الاحتلام فيها، أو علم أنه منى مطلقاً، ولا يجب اتفاقاً فيما إذا علم أنه ودى مطلقاً وفيما إذا علم أنه مذي أو شئت في الآخرين مع عدم تذكر الاحتلام ويجب عندهما فيما إذا شئت في الأولين أو في الطرفين أو في الثلاثة احتياطاً، ولا يجب عند أبي يوسف للشك في وجود الموجب -

(Raddul Muhtar. Vol.1 p.163, Beirut, Anees)

else there will be no doubt. 14th Muharram, 1329 A.H. First supplement. P.6 (Imdadul Fatawa Jadeed. Vol.1 p.49-51)

Some other kinds of finding wet after waking up

Question: (1) If one finds wet on his bed or thigh after waking up and he is certain that it is mazi (pre-seminal fluid) and he does not recall the dream, is bath mandatory or not? If he recalls the dream and he is certain that the wet is mazi (pre-seminal fluid), what is the injunction in this case?

Question: (2) If one woke up and he found wet on his penis and it was not erect before sleeping and he does not recall the dream and he is certain that the wet is mazi (pre-seminal fluid), what is the injunction in this case?

Question: (3) If one woke up and he did not find wet neither on his penis nor on any place and after sometimes he felt some wet, what is the injunction in this case? If the injunction differs in the case of recalling the dream and erection or not, please notify it. If a person faces this case nearly daily, what is the injunction for him?

Question: (4) What are the main signs of mazi (pre-seminal fluid) and wadi?

Question: (5) What is the reason if the injunction of question No.1 and No.2 differs?

Answer (to all): There may be many kinds, but in four of them, bath is not necessary and in the remaining kinds, bath is mandatory.

The four kinds in which bath is not necessary are as follow:

1. He is certain to be mazi (pre-seminal fluid) and he does not recall the dream.
2. He is certain to be wadi and he recalls the dream.
3. He is certain to be wadi and he does not recall the dream.
4. He has doubt to be mazi (pre-seminal fluid) and wadi and he does not recall the dream.

So is in Al-Durrul Mukhtar and Raddul Muhtar.

It is certain that sperm, mazi (pre-seminal fluid) and wadi vary in their reality, but there is no sign by which one can define them certainly else there would not be the kinds of doubt. If he discharged in awakening, he will see if it was with lust and force, bath will be mandatory otherwise not. It is hoped that the questioner got answers to all his questions with the help of mentioned rule. If anything remains, he can consult. Now only two things remained to be reminded: 1. The injunction does not depend on erection or

11th Rajab, 1331 A.H. The second excursus. P.53.¹ (Imdadul Fatawa Jadeed. Vol.1 p.51-53)

Question: A person woke up and he recalls the dream. In awakening before leaving the bed he felt wet after two or three minutes that he understands mazi (pre-seminal fluid). Thinking that the sperm may stop that is came out now, is bath mandatory or he should not think this and he should see whether it came out with lust and force or not?

Answer: I did not found this mas'alah, but according to the rule bath should be mandatory, because recalling the dream is the sign to be sperm or mazi (pre-seminal fluid) and the probability of discharging both mandates bath.² The condition of lust and force means that they should be at the time of leaving its place though it is not found at the time of ³ and if there is no restriction, it should be with force. Here, it may be that the lust is found at the time of leaving its place, but it ended due to wake up suddenly. This mas'alah should be asked somewhere else prudently.

8th Muharram, 1332 A.H. The second excursus. P.112. (Imdadul Fatawa Jadeed. Vol.1 p.55)

¹ Raddul Muhtar. Vol.1 p.163. Beirut. Anees

² This is the seventh kind of the map which contents 14 kinds. Sa'eed Ahmad Palanpuri

وَفُضِّلَ الْغُسْلُ (عِنْدَ خُرُوجِ مَنَى) مِنْ الْعُضْوِ----- (مُنْفَصِلٌ عَنْ مَقَرِّهِ----- بِشَهْوَةٍ)----- الْخ³

Bath is mandated when the organ discharged sperm..... that it leaves its place erotically... though it did not come out from the hole of penis at that time. (Al-Durrul Mukhtar, The discussion about bath. Vol.1 p.107, 108. Anees)

If one saw wet after waking up and he is certain not to be sperm, is bath mandated or not

Question: One saw wet on the hole of penis after waking up, he is certain not to have wet dream or he does not recall it, the wet is related to mazi (pre-seminal fluid) and there is no sign of sperm on the body or cloth. Is mandatory in this case or not?

Answer: Bath is not mandatory in this case as it is also stated in Muniyah normally. To site the text: “إن كان ذكره منتشراً قبل النوم” (If his penis is not erect before sleeping).⁴ He explained this case by this text and the kind in which he mandated bath is prudently. The text of Kabeeri on the separate paper explains it that there is no proof of mandating bath then he denoted the proofs of not mandating bath.⁵ That's all. (Fatawa Darul Uloom. Vol.1 P.168)

The wet found on the penis mandates bath or not

Question: Zaid woke up and saw wet on his penis. He does not know whether it is sperm or mazi (pre-seminal fluid) or wadi and he does not recall the dream. Is bath necessary? If yes, he has a question that in the case of no erection before sleeping as Alamgiri reads in vol.1 p.10. Firstly, he does not know that it is sperm or not. Secondly, if it is supposed that it is sperm, it did not discharge with no force, because if it would discharge with force, necessarily, it may spread on other places. Even sometimes, one notices wet on his penis in awakening by erection while there is no force. Can it not be said with most probability that it also does not mandate bath? Anyway, Zaid say: The condition of force is written in Zahirur Riwayah but this mas'alah is extracted from Nawadir.

Answer:

”ومنها وجود ماء رقيق بعد النوم ولم يتذكر احتلاماً آه“ - مراقي الفلاح - ”حاصل مسألة النوم إثنا عشر وجهاً كما في البحر لأنّه إما أن يتيقن أنه مذي أو مذي أو ودي أو يشك في الأول مع الثاني أو في الأول مع الثالث أو في الثاني مع الثالث فهذه ستة وفي كل منها أما أن يتذكر احتلاماً أو لا فتمت الإثنا عشر فيجب الغسل اتفاقاً فيما إذا تيقن أنه مذي أو يشك أنه مذي أو ودي أو يشك أنه مذي أو ودي وتذكر الإحتلام في الكل ولا يجب الغسل اتفاقاً فيما إذا تيقن أنه ودي مطلقاً تذكر الإحتلام أو لا أو يشك أنه مذي أو ودي ولم يتذكر أو تيقن أنه مذي ولم يتذكر“

⁴ Ghunyatul Mustamli. P.141, Chapter of Purity, Al-Kubra. Zafeer.

⁵ وَإِنْ اسْتَيْقَظَ فَوَجَدَ فِي إِخْلِيلِهِ بَلَدًا وَلَمْ يَتَذَكَّرْ حُلْمًا، إِنْ كَانَ ذَكَرُهُ مُنْتَشِرًا قَبْلَ النَّوْمِ فَلَا غُسْلَ عَلَيْهِ، إِنْ

If one woke up and he found wet on his penis, he does not know that it is sperm or mazi (pre-seminal fluid) and he does not recall the dream, it will be noticed that if his penis was erect before sleeping, bath will not be mandatory because erection is the cause to discharge mazi (pre-seminal fluid). So, it will be hold up on that. (Ghunyatul Mustamli. P.141, Zafeer)

“One of the other reasons that mandate bath is finding liquid water after waking up and he did not recall wet dream.” Maraqqi Al-Falah. The mas’alah of sleeping has twelve kinds as it is in Al-Bahrur Raique, because whether he is certain that it is sperm or mazi (pre-seminal fluid) or wadi or he has doubt in first with second or he has doubt in first with third or he has doubt in second with third. These are six kinds. In each of them he will recall the dream or not. These collections will be twelve kinds. Bath is mandatory with the consent of all if he is certain to be sperm whether he recalls the dream or not, if he is certain to be mazi (pre-seminal fluid) and recalls the dream, he has doubt to be sperm or wadi and recalls the dream in all. Bath is not mandatory if he is certain to be wadi whether he recalls the dream or not, or he has doubt to be mazi (pre-seminal fluid) or wadi and does not recall the dream or he is certain to be mazi (pre-seminal fluid) and does not recall the dream.

ويجب الغسل عندهما لا عند أبي يوسف فيما إذا شك أنه مني أو مذي أو شك أنه مني أو ودي ولم يتذكر احتلاما فيهما والمراد بالتيقن هنا غلبة الظن لأب حقيقته اليقين متعذرة مع النوم

Bath is mandatory according to Imam Abu Hanifah (r) and Imam Muhammad (r) not according to Imam Abu Usuf (r) if he has doubt to be sperm or mazi (pre-seminal fluid) or he has doubt to be sperm or wadi and does not recall the dream in both. Here, certainty means most probability, because the certainty in real is impossible with sleep. (Tahtawi. P.54)⁶

Bath is not mandatory in the question above according to Imam Abu Usuf (r) while it is necessary according to Tarafain.

The proof of Tarafain

”ولهما ما روي أنه صلى الله عليه وسلم سئل عن الرجل يجد البلل ولم يجد احتلاما قال يغتسل“ ولأب النوم راحة قهيج الشهوة وقد يرق المنى لعارض والاحتياط لازم في باب العبادات وهذا (إذا لم يكن ذكره منتشرا قبل النوم) لأب الانتشار سبب للمذي فيحال عليه مراقي الفلاح- قوله (وقد يرق) بطول المدة فتصير صورته كصورة المذي- اه

“They prove it by hadith narrated that Prophet (saws) was asked about the person who found wetness but he did not feel wet dream. He replied that he will take bath.” Because the relaxation of sleep inspires the lust and something causes to make the sperm watery. So caution is integrated in regard of worship and prayer, if his penis was not erect before sleeping, because the erection is the cause of discharging mazi (pre-seminal fluid) and it

⁶ Hashiyah Al-Tahtawi on Maraqqi Al-Falah. P.99. Qadeemi, Al-Bahrur Raiq. Vol.1 p.104. Rasheediyah. Al-Halabi Al-Kabeer. P.42. Suhail Academy Lahore

will be impossible. Maraḳī Al-Falah. His statement (the sperm becomes watery) due to old age and it changes like mazi (pre-seminal fluid). (Tahtawi)⁷

Having doubt that it was without force is irrelevant, if the wet is supposed sperm. Because force cannot be known in sleep, specially, when he does not recall the dream and the sperm discharged less with little force, it is not necessary to touch other place. If sperm discharged without force in awakening due to illness e.g. one discharges it when he lifts a burden and the like, it does not necessitate bath. That's all and Allah (swt) knows best.

Written by Mahmood (May Allah forgive him), the assistant Mufti Madrasah Mazahir Uloom, Saharanpur, 22/03/1364 A.H.

Authenticated by Abdul Lateef, Mazahir Uloom, Saharanpur, 24/03/1364 A.H. (Fatawa Mahmoodiyah. Vol.5 p.100)

The ruling about noticing white liquid in urine while one did not ejaculate having intercourse

Question: (1) Zaid had intercourse with a woman in dream yet he did not ejaculate and woke up. When he urinated, some white liquid drops discharged. Is bath mandatory on him or not?

Question: (2) Umar is suffering from premature ejaculation i.e. watery sperm. If he thinks and imagine or his penis erected in sleep or awakening, he discharges some white liquid drops and sometimes it happens without imaging and erection. Is bath necessary in these cases?

Answer: It is clear that the white liquid drops are mazi in all mentioned cases. For mazi is defined as: “ماء رقيق أبيض يخرج عند الشهوة” (It is white liquid water that discharge at the time of lust.) Shami.⁸ The definition comes true over what is stated above.

So, bath is not necessary for him, but it is better to take bath prudently.⁹ That's all. (Fatawa Darul Uloom. Vol.1 p.169)

⁷ Hashiyah Al-Tahtawi on Maraḳī Al-Falah. P.99. Qadeemi.

⁸ Raddul Muhtar, Matter about bath, under his statement لا عندمذي Vol. 1 p.53. Zafeer

⁹ لا (أي) يفرض الغسل عند مذي أو ودي بل الوضوء منه ومن البول جميعاً

It is not obligatory to take bath if mazi or wadi emitted but wudu is necessary. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Matter about bath. Vol.1 p.152, Zafeer)

Injunction of Salah if one forgets wet dream

Question: If one forgot wet dream and recalled it after some days, is it necessary to make up for the Salah of those days?

Answer: If he is certain about the day when he had wet dream, he has to make up for from that day. If he cannot define the day, it is necessary to make up for from when he got up before recalling and the wet dream is considered in that sleep.¹⁰ (Fatawa Maulan Abdul Haiee Urdu. P.183)

Bath is mandatory whenever sperm comes out, if it left its place with lust

Question: One had homosexual intercourse and did not ejaculate or fornicate with premature girl or masterbate and did not ejaculate or he prevented any thing coming out by the medicine or holding his penis. Is bath obligatory in all these cases? Understanding that it is neither the place of fornication nor ejaculation. Does entering in or masturbating obligate bath. If white liquid emitted while urinating after some time or after 3-4 hours, in which case bath will be obligatory? Will it be considered urinary incontinence?

Answer: 1. Intercourse mandate bath whether he ejaculates or not. ¹¹

2. If the girl is too tit and it is dreaded that the private parts and common parts will combine, bath will not be obligatory until he ejaculated. Only masturbating does not obligate bath until he ejaculated. ¹²

3. If the semen moved from its place with lust committing that despicable action but he prevented it coming out by any way, whenever that semen comes out, bath will be mandatory.

عَنْ عَائِشَةَ. قَالَتْ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الرَّجُلِ يَجِدُ الْبَلْلَ وَلَا يَذْكُرُ اخْتِلَافَهَا قَالَ "يَغْتَسِلُ". الْحَدِيثُ ¹⁰

Narrated Aisha, Ummul Mu'minin (rz): The Prophet (ﷺ) was asked about a person who found moisture (on his body or clothes) but did not remember the sexual dream. He replied: He should take a bath. He was asked about a person who remembered that he had a sexual dream but did not find moisture. He replied: Bath is not necessary for him. (Tirmizi: Chapter: [what has been related] about one who awakens to find wetness, but he does not recall having a wet dream. P.30. No.113. Musnad Abu Ya'la Al-Musali. Vol.8 p.149, No.4694. Al-Muntaqa Li Ibn Al-Jarood. Vol.1 p.33, No.89, 90, Anees)

عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ "إِذَا جَلَسَ بَيْنَ شُعْبَيْهَا الْأَرْبَعِ ثُمَّ جَعَلَهَا فَقَدْ وَجِبَ عَلَيْهِ الْغُسْلُ". ¹¹

Abu Huraira (r) reported: The Apostle of Allah (ﷺ) said: When a man has sexual intercourse, bathing becomes obligatory (both for the male and the female). In the hadith of Matar the words are: Even if there is no orgasm. (Muslim. No.348/783. Anees)

¹² Abu Dawood. No.206. Musnad Ahmad Ibn Abi Talib. No. 849, Anees

وَتُعْتَبَرُ الشَّهْوَةُ عِنْدَ انْفِصَالِهِ عَنْ مَكَانِهِ لَا عِنْدَ خُرُوجِهِ مِنْ رَأْسِ الْإِخْلِيلِ.

The desire will be considered when the semen separated from its place not when it came out from the entrance of urethra (the hole of penis) (Alamgiri. Vol.1 p.8.) That's all and Allah knows the best.

Muhammad Anwar (May Allah forgive him) Authenticated by Abdus Sattar (May Allah forgive him) President of Ifta. (Khairul Fatawa. Vol.2 p.82)

One hold the penis and prevent the sperm to come out then he discharged it after ending his lust

Question: One feels in wet dream that semen is about to discharge, suddenly he woke up, hold his penis and prevented the semen to come out, till his lust ended at all then he left his penis and a large quantity of semen emitted. Is bath obligatory or not?

Answer: If there was no lust while discharging the semen, bath will not be mandatory according to Imam Abu Usuf (r). It can be acted upon in some needed situations like travelling.

Al-Tanweer reads:

وَقُرِصَ عِنْدَ مَنِيٍّ مُنْقِصٍ عَنْ مَقَرِّهِ بِشَهْوَةٍ وَإِنْ لَمْ يَخْرُجْ بِهَا - وفي الشرح: وَشَرَطَهُ أَبُو يُوسُفَ ، وَبَقَوْلِهِ يُقْنَى فِي صَنِيفٍ خَافَ رَيْبَهُ أَوْ اسْتَحَى كَمَا فِي الْمُسْتَقْنَى. وَفِي الْقَهْطَانِيِّ وَالتَّارِخَانِيَةِ مَعْرِضًا لِلتَّوَازِلِ : وَبَقَوْلِ أَبِي يُوسُفَ نَأْخُذُ ؛ لِأَنَّهُ أَيْسَرُ عَلَى الْمُسْلِمِينَ قُلْتُ وَلَا يَسِيءُ فِي الشَّيْءِ وَالسَّفَرِ. وَفِي الْحَاشِيَةِ : (قَوْلُهُ : وَشَرَطَهُ أَبُو يُوسُفَ) أَيَّ شَرَطَ الدَّفْعَ ، وَأَثَرُ الْجَوْلَافِ يَظْهَرُ فِي مَا لَوْ اخْتَلَمَ أَوْ نَظَرَ بِشَهْوَةٍ فَأَمْسَكَ ذَكَرَهُ حَتَّى سَكَتَتْ شَهْوَتُهُ ثُمَّ أَرْسَلَهُ فَأَنْزَلَ وَجَبَ عَنْهُمَا لَا عِنْدَهُ ، (قَوْلُهُ : قُلْتُ إِنَّ) ظَاهِرُهُ الْمَيْلُ إِلَى اخْتِيَارِ مَا فِي التَّوَازِلِ ، وَلَكِنْ أَكْثَرُ الْكُتُبِ عَلَى خِلَافِهِ حَتَّى الْبُخَارِيُّ وَالنَّهْضِيُّ ، وَلَا يَسِيءُ قَدْ ذَكَرُوا أَنَّ قَوْلَهُ قِيَّاسٌ وَقَوْلُهُمَا اسْتِحْسَانٌ وَأَنَّهُ الْأَخْوَطُ ، فَيَنْبَغِي الْإِفْتَاءُ بِقَوْلِهِ فِي مَوَاضِعِ الْفُرُورَةِ فَقَطْ تَأْمَلْ. وَفِي شَرْحِ الشَّيْخِ إِسْمَاعِيلَ عَنِ الْمُصَوِّرِيَّةِ قَالَ الْإِمَامُ قَاضِي خَانِ : يُؤْخَذُ بِقَوْلِ أَبِي يُوسُفَ فِي صَلَوَاتِ مَا صِيَّةٍ فَلَا تَعَادُ ، وَفِي مُسْتَقْبَلَةِ لَا يُصَلِّي مَا لَمْ يَغْتَسِلْ .

(Raddul Muhtar. Vol.1 p.149) that's all and Allah knows the best.

20th Radi Al-Akhir, 1397 A.H. (Ahsanul Fatawa. Vol.2 p.33, 34)

Bath should be taken if one prevented semen to come out in wet dream

Question: If one hold his penis in wet dream and prevented semen to emit and discharged it while passing urine and he does not know whether it the sperm discharged or not. Is it mandatory to take bath or he can perform Salah without taking bath?

Answer: he should take a bath and he should not perform Salah without bathing.¹³ That's all and Allah knows the best.

Muhammad Abbas, 25, 12, 1352 A.H. (Fatawa Imarat Shariah. Vol.2 p.87)

What is the injunction if the semen is prevented coming out?

Question: I suffer wet dream too much since some days and I made a habit to prevent ejaculation. Sometimes not a drop emits and sometimes one or half of a drop discharges. I feel doubt that the drop fluid with lust but sometimes I am certain that it didn't happen. The drop equals to the coin of 25 paise sometimes, bigger than it or listen then that sometimes. In sometimes one or two drops discharge after preventing the ejaculation. Is bath mandatory or not in this case?

(وَقُرْضَ) الْغُسْلُ (عِنْدَ خُرُوجِ مَنِيِّ) مِنَ الْغُضْوِ..... (مُنْقَطِعٍ عَنْ مَقَرِّهِ)..... (يَشْهُوَةً)..... وَلَا لَكُنْهُ لَيْسَ بِشَرْطٍ عِنْدَهُمَا.. النِّم (Raddul Muhtar. Matter about bath. Vol.1 p.297)

Answer: When it is certain that one or half of a drop discharged, bath will be mandatory. When the drop did not discharge at all, bath is not necessary.¹⁴ If the drop emits without lust after preventing the ejaculation, but is not necessary according to the view of Imam Abu Usuf (r) while Imam Abu Hanifah (r) and Imam Muhammad (r) mandate bathing and it is cautiousness.¹⁵ That's all. (Fatawa Darul Uloom. Vol.1 p163)

If sperm discharged again after a moment, will bath be mandatory or not

Question: If a person ejaculated the sperm and he sucked it when it was about to come out, or if he took bath and then the sperm emitted again without lust, will bath be

¹³ If the drop emits without lust after preventing the ejaculation, but is not necessary according to the view of Imam Abu Usuf (r) while Imam Abu Hanifah (r) and Imam Muhammad (r) mandate bathing and it is cautiousness. Mujahid

¹⁴ قَالَ قُلْتُ لِعَطَاءِ الرَّجُلِ يَجْتَلِمُ فَيَدْرِكُ ذَكَرَهُ قَبْلَ أَنْ يَخْرُجَ النُّطْفَةُ فَيَقْبِضُ عَلَيْهِ فَيَرْجِعُهُ هَلْ عَلَيْهِ غُسْلٌ..... النِّم

I said to Ata (r): "a person has wet dream and holds his penis before the sperm emitted, the sperm returns, is bath obligatory for him? He replied if nothing emitted, bath is not obligatory for him. (Musannaf Abdur Razzaque. Vo.1 p.197, No. 977) this is statement of Taba'i elaborates that if the semen did not emit, but is not obligatory. Anees.

¹⁵ (وَقُرْضَ) الْغُسْلُ (عِنْدَ خُرُوجِ مَنِيِّ) مِنَ الْغُضْوِ..... (مُنْقَطِعٍ عَنْ مَقَرِّهِ)..... (يَشْهُوَةً)..... وَلَا لَكُنْهُ لَيْسَ بِشَرْطٍ عِنْدَهُمَا.. النِّم

Taking bath is mandatory when the sperm discharged and separated from its place with lust, because only its discharging is not a condition according to them unlike the second. Therefore, he said though the semen did not come out from the hole of penis. The condition is made by Abu Usuf (r) and fatwa is given according to his statement. (Al-Durrul Mukhtar) It is notable that fuqaha said that what Imam Abu Usuf (r) said is analogy (Qiyas) and what they said they said approvingly which is nearer to prudence. (Raddul Muhtar. Matter about bath. Vol.1 p. 148)

mandatory or not? If one had intercourse with a woman and she sucked it tightly when it was about to come out, will bath be mandatory in this case?

Answer: Bath will be mandatory for him though the semen came out after the lust calmed down.¹ When he had intercourse with the woman it mandated the bath whether he ejaculated or not inside or outside. ²Bath will be obligatory if the semen emitted again after taking bath.³ It is not allowed to suck the sperm at all. Allah knows the best.

Written by Mahmood (May Allah forgive him) Fatawa Mahmoodiyah. Vol.5 p.106, 107)

Is bath mandatory if the same emitted again after taking bath

Question: If one is sperm is too thin that when he took bath after passing urine, the remaining sperm emitted, will bath be obligatory or not?

Answer: Imam Shami elaborated this matter that if the remaining is sperm emitted in the state of the erection, bath will be obligatory again and if there is no erection, bath will not be mandatory. Separating sperm from its place with lust is a condition for mandating bath though the sperm did not emit with lust. But Fatwa is on the condition of emitting sperm with lust on the occasion of need which is the view of Imam Abu Usuf (r), but if there is no need, Fatwa will be on the condition of separating sperm. And so it is in Al-Durrul Mukhtar and Shami etc⁴ that's all. (Fatawa Darul Uloom. Vol.1 p.66)

¹ (وَفَرَضَ) الْغُسْلَ (عِنْدَ) خُرُوجِ (مَعْنَى) مِنَ الْغُضُو..... (مُنْفَصِلٌ عَنْ مَقَرِّهِ) هُوَ صِلْبُ الرَّجُلِ وَتَرَاتِبُ الْمَرْأَةِ... (يَشْهُوُّ)... الْإِنَّمِ

Taking bath is mandatory when the sperm discharged and separated from its place (it is the loin of man and the rib of woman) with lust. (Al-Durrul Mukhtar. Vol.1 p.159, 160. Book of taking bath. Saeed and so is in Maraqi Al-Falah. P.96. Chapter about the things mandate bath. Qadeemi. And so is in Tabieen Al-Haqaique. Vol.1 p. 65 the things mandate bath. Darul Kutub Al-Ilmiyah. Beirut)

² لما أخرجه الإمام أبو عيسى الترمذي عن عائشة رضي الله عنها قالت: إذا جاوز الختان والختان وجب الغسل. الحديث

When Imam Abu Isa Al-Tirmizi extracted this hadith on the hot authentication of Aisha (rz) she narrated: "When the two circumcised parts meet and the tip of the penis disappears, then ghusl becomes obligatory. I and the Prophet (saws) did it and we took bath. Sunan Al-Tirmizi. Vol.1. p.30. Chapter: when the two circumcised parts meet and the tip of the penis disappears, then bath becomes obligatory, Saeed and so is in Al-Durrul Mukhtar. Vol.1 p.161, 162. Snnah acts in bath, Saeed and so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.15. Chapter: 3 about the mandating acts, Rasheediyah)

³ لَوَاطَسَ مِنَ الْجَنَابَةِ قَبْلَ أَنْ يَبُولَ أَوْ يَنَامَ وَصَلَّى ثُمَّ خَرَجَ بَيِّنَةُ النَّبِيِّ فَعَلَيْهِ أَنْ يَغْتَسِلَ عِنْدَهُمَا خِلَافًا لِأَبِي يُوسُفَ رَحِمَهُ اللَّهُ تَعَالَى - الْإِنَّمِ

If one took bath of janabah before passing urine or sleeping and performed Salah then the remaining sperm came out, bath is obligatory for him according to the view of Imam Abu Hanifah (r) and Imam Muhammad (r) which is different from the view of Abu Usuf (r). But he will not repeat that Salah according to all as it is mentioned in Al-Zakhirah. (Al-Fatawa Al-Alamgiriyyah. Vol.1 p.14. Chapter:3. about the mandating acts, Rasheediyah. And so is in Tatar Khaniyah. Vol.156. Bath. Isaratul Qur'an. Karachi)

⁴ وَفِي الْحَقَائِدِ: خَرَجَ مَعْنَى بَعْدَ الْبُؤُولِ وَذَكَرَهُ مُنْتَبِهٌ لِرُغْمَةِ الْغُسْلِ - الْإِنَّمِ

Injunction about the emitting sperm after bath

Question: I woke up in the night at 12 o'clock and found myself to have bath. I took bath and led Salah of Zuhr. Later when I passed urine, the sperm emitted. I thought that I led Salah with sexual impurity. What to do now?

Answer: Raddul Muhtar reads:

وَكَذَا لَوْ خَرَجَ مِنْهُ بَيِّنَةُ الْمَنِيِّ بَعْدَ الْغُسْلِ قَبْلَ النَّوْمِ أَوْ الْبُؤُولِ أَوْ الْمُسِيِّ الْكَثِيرِ هَتَرَ أَيُّ لَا بَعْدَهُ؛ لِأَنَّ النَّوْمَ وَالْبُؤُولَ وَالْمُسِيَّ يَقْطَعُ مَادَّةَ الرِّزَائِلِ عَنْ مَكَانِهِ بِشَهْوَةٍ فَيَكُونُ الثَّانِي زَائِلًا عَنْ مَكَانِهِ بِلَا شَهْوَةٍ فَلَا يَجِبُ الْغُسْلُ اتِّفَاقًا زَيْلَعِي.

Similarly, if the remaining sperm emitted after taking bath before sleeping, passing urine or much walking (Nahr), not after that. Because sleeping, passing urine and walking terminate the sperm separated from its place with lust. So when the sperm emitted again it will be with lust and bath will be obligatory with the consent of all. Zaila'ee.

This text establishes that when he passed urine after wet dream, the sperm emitted again after taking bath will not mandate bath again. First bath is correct. So the Salah is led in that condition is correct. There is no need to be worry.¹ 1st Rab'ee Al-Thani, 1324 A.H. (Imdadul Fatawa Jadeed. Vol.1 p.48, 49)

Al-Khaniyah reads: The sperm emitted after passing urine and his penis is erect, bath will be obligatory. Al-Bahr reads: It will be adopted when it happened with lust. (Durre Mukhtar) His statement 'ومحمل' means what Al-Khaniyah stated. Al-Bahr reads: The reason stated in Al-Tajnees proves it that in the condition of erection the semen will separate and emit gushing with lust. The text of Al-Muheet as it is in Al-Hilyah describes: a person passed urine and the sperm emitted from his penis. If it is with erection, bath will be mandatory because it is indicating that the sperm emitted with lust. (Raddul Muhtar, the matter about bath. Vol. 1 p.149) Because emission of sperm with force is not a condition in the view of Imam Abu Hanifah (r) and Imam Muhammad (r). It is different from second case that's why the author said though it did not emit from the hole of the penis with lust. This condition is made by Abu Usuf (r) and fatwa is given according to his statement for the guest who feared from suspicion or he felt shy. We take the statement of Abu Usuf (r), because it is easier for Muslims. I said particularly in winter season and while travelling (Durre Mukhtar) It is fair to give fatwa according to the view of Imam Abu Usuf. (Raddul Muhtar. Book: Taking bath. Anees)

¹ The replying person mentioned the order with mistake that he passed urine after taking bath while the question mentions that he took bath after passing urine. That's why he answered accordingly. Now to have the answer according to question: His Salah is valid because the sperm emitted later. However, the sperm emitted after taking bath, it has some details. If he walked too much before that, bath will not be obligatory again else it will be. The questioner is unknown person. If he reads the answer he should memorise it understanding. If the bath is mandated again by the rule, he will repeat Salah that he led after that and will inform remembering those who performed behind him and those whom he cannot remember is forgiven. He should announce it in the congregation at least once. The Salah will be repeated until he had taken bath of Fardh or Sunnah. The Salah offered after that will be repeated. Saeed Ahmad Palanpuri.

Injunction of bathing if the sperm emitted after bath

Question: Sometimes bath is taken just after sexual intercourse or wet dream due to the shortage of time and some drops discharge after taking bath. Is it necessary to take bath again or the first bath will be valid?

Answer: The matter carries some details if the drops of is sperm emitted after taking bath. If the drops of sperm emitted after sleeping, passing urine or much walking, taking bath again will not be obligatory and the first bath will be sufficient. The reason is that the sperm emitted without lust and force in this condition. If the drops of sperm discharged before these means, taking bath again will be obligatory. As Al-Hindiyah Reads:

لَوْ اغْتَسَلَ مِنَ الْجَنَابَةِ قَبْلَ أَنْ يَبُولَ أَوْ يَنَامَ وَصَلَّى ثُمَّ خَرَجَ بَقِيَّةُ الْمَنِيِّ فَعَلَيْهِ أَنْ يَغْتَسِلَ عَنْدَهُمَا خِلَافًا لِأَيِّ يُوسُفَ رَحِمَهُ اللَّهُ تَعَالَى وَلَكِنْ لَا يُعِيدُ تِلْكَ الصَّلَاةَ فِي قَوْلِهِمْ جَمِيعًا. كَذَا فِي الدَّخِيرَةِ وَلَوْ خَرَجَ بَعْدَ مَا بَالَ أَوْ نَامَ أَوْ مَشَى لَا يَجِبُ عَلَيْهِ الْغُسْلُ إِتِّفَاقًا. كَذَا فِي التَّبْيِينِ - (Al-Hindiyah. Vol.1 p. 14 Chapter: 3, about the mandating acts for bath)¹ Fatawa Haqqaniyah. Vol.2 p.534, 535)

Will it be obligatory to bath again, if the sperm emitted from vagina after bath of sexual impurity?

Question: If a person had privacy with a woman and she took bath. If the sperm of man emitted from vagina after taking bath, will bath be valid or not? Up to where is obligatory to wash vagina?

Answer: When a woman met her husband then the sperm of man emitted from her vagina, bath will not be obligatory again.²

”اغتسلت ثم خرج منها مني الزوج لا تلزمها إعادة الغسل“

قال ابن عابدين: وَكَذَا لَوْ خَرَجَ مِنْهُ بَقِيَّةُ الْمَنِيِّ بَعْدَ الْغُسْلِ قَبْلَ النَّوْمِ أَوْ الْمَشْيِ الْكَبِيرِ هُنَّ أَيْ لَا تَعْدُهُ - النِّجَ 1

Ibn Abideen said: Similarly, if the remaining sperm emitted after taking bath before sleeping, passing urine or much walking (Nahr), not after that. Because sleeping, passing urine and walking terminate the sperm separated from its place with lust. So, when the sperm emitted again it will be with lust and bath will be obligatory with the consent of all. (Raddul Muhtar, Mandating acts for bath. Vol.1 p.160)

² If a woman took bath then the sperm emitted, it is of two kinds: If she discharged it with lust, she will take bath again. If the sperm is not her own or she discharged it, but it did not emitted with lust, bath is not obligatory on her. (Taharat Ke Ahkam Wa Masail. P.242, Anees)

She took bath then her husband's sperm emitted, bath will not be obligatory again. Kabeeri.¹

It is obligatory to wash exterior vagina.

“ويجب غسل فرج خارج لا داخل”

It is obligatory to wash exterior vagina not interior.

It is obligatory to wash exterior vagina not interior. Extracted from Al-Durrul Mukhtar.² Allah knows the best.

Written by Mahmood (May Allah forgive him) 12/07/88 A.H. Authenticated by Nizamuddeen (May Allah forgive him) Darul Uloom Deoband. 14/07/18 A.H.

(Fatawa Mahmoodiyah. Vol.5 p.99, 100)

Injection about taking bath before passing urine after wet dream

Question: If a person did not pass urine after wet dream or ejaculation and took bath. Later he passed urine. Will bath be obligatory on him again while the sperm is not found during in urine?

Answer: No.³ Allah knows the best. Written by Mahmood (May Allah forgive him) 30/03/88 A.H. (Fatawa Mahmoodiyah. Vol.5 p.102)

If the sperm emitted by thinking about woman, the definition of sperm, mazi and wadi, the injunction about urinary incontinence

Question:

¹ Al-Halabi Al-Kabeer. Vol.46. "فلو اغتسلت فخرج منها مني، إن منيها أعادت الغسل لا الصلوة و إلا لا الخ" "If she took bath and the sperm emitted. If the sperm is her own, she will repeat bath and Salah else not. (Al-Durrul Mukhtar) Ibn Abideen described: His statement "و إلا لا" means if the sperm is not her own and it is man's sperm, she will not repeat anything and she will perform wudu. (Raddul Muhtar. Vol.1 p.160. Matter about bath. Saeed. And so is in Al-Tatarkhaniyah. Vol.1 p.156. Mandating acts for bath. Idaratul Qur'an, Karachi)

² Al-Durrul Mukhtar. Vol.1 p.152. Acts that mandates bath. Saeed. And so is in Maraqi Al-Falah.P. 103. Acts that mandates bath. Qadeemi

³ قال ابن عابدين: وَكَذَا لَوْ خَرَجَ مِنْهُ بَقِيَّةُ الْمَنِيِّ بَعْدَ الْغُسْلِ قَبْلَ النَّوْمِ أَوْ التَّوَلَّى أَوْ الْمَشْيِ الْكَبِيرِ فَهَرَأَيْ لَا بَعْدَهُ - أَيْ

Ibn Abideen said: Similarly, if the remaining sperm emitted after taking bath before sleeping, passing urine or much walking (Nahr), not after that. Because sleeping, passing urine and walking terminate the sperm separated from its place with lust. So, when the sperm emitted again it will be with lust and bath will be obligatory with the consent of all. (Raddul Muhtar, Mandating acts for bath. Vol.1 p.160. Saeed. And so is in Al-Halabi Al-Kabeer. P.45, Major purity. Suhail Academy, Lahore. And so is in Al-Tatarkhaniyah. Vol.1 p.156, Book of Bath. Idaratul Qur'an Karachi)

(1) If a person fancied a woman or he saw a girl or a picture of a woman or he got lust while reading hot novels, he moved by them and he discharged sticky liquid. Does it obligate bath or not? What will be named the sticky liquid, sperm or mazi (pre-seminal fluid)? It will be better if you describe their signs and difference between sperm and mazi.

(2) If in the sperm emitted without any hot fancy and thinking e.g. one suffers from sperm incontinence and a discharges after passing urine. Will bath be obligatory in this case or not?

Answer: If that fancy and thinking created lust and erection. If it caused discharging sperm, bath will be obligatory but if mazi (pre-seminal fluid) emitted, bath will not be obligatory and only wudu is required.¹

Let us cast a glance to the definition and differences between sperm, mazi and wadi to define them. Fuqaha defines it as follow:

(أولها خروج المني) وهو ماء أبيض ثخين ينكسر الذكر بخروجه يشبه رائحة الطلع ومني المرأة رقيق أصفر (إلى ظاهر الجسد) لأنه ما لم يظهر لا حكم له (إذا انفصل عن مقره) وهو الصلب (بشهوة) وكان خروجه (من جماع) كاحتلام ولو بأول مرة لبلوغ في الأصح وفكر ونظر وعبث بذكره - إلى قوله فإذا لم توجد الشهوة لا غسل كما إذا حمل ثقيلاً أو ضرب على صلبه فنزل منه بلا شهوة -
(Maraqi Al-Falah with Al-Tahtawi. Vol.1 p.55)

مذي: مذي بفتح الميم وسكون الدال المعجمة وكسرهما وهو ماء أبيض رقيق يخرج عند شهوة لا بشهوة ولا دفق ولا يعقبه فتور وربما لا يحس بخروجه وهو أغلب في النساء من الرجال -

Mazi is an Arabic word (*spelled with fatah of of meem, with sukoon and kasr of dal with point above it*) that means a sticky white thin fluid that emits when a person is desiring intercourse. Its emission is not accompanied by feelings of pleasure, lust, gushes, and spurts and frigidity is not followed. Sometimes its emission is not felt and it is mostly faced by women than in men.

ودي: وهو ماء أبيض كدر ثخين لا رائحة له يعقب البول وقد يسبقه أجمع العلماء على أنه لا يجب الغسل بخروج المذي والودي -

Wadi: It is white water which looks like thick pearl, has no odor, and followed by the urine. Ulama have agreed upon date bath will not be obligatory by the emission of mazi and wadi. (Maraqi Al-Falah with Al-Tahtawi. Vol.1 p.55)

¹ If the body or clothes are involved with mazi, it is necessary to be washed. (Abu Dawood. No.206. Musnad Ahmad. Ali Ibn Abi Talib. No.894. Anees)

Syyid-ul-Millat Maulana Muhammad Miyan (r) states in Sharah Nurul Idhah: Mazi is a thin sticky white fluid that is emitted when a person has sexual desire. It differs from sperm. The lust and desire is not felt when mazi emits while they are felt during the emission of sperm. The sperm is accompanied by feelings of pleasure, gushes, and spurts. The erection is ceased after its emission unlike semen. The colour of the semen is clearer than mazi. Its smell is like that of palm tree pollen. Wadi is brownish water that emits prior or later to the urine. It is thicker than urine. (Idhah-ul-Isbah Sharah Noorul Idhah. P.27)

Umdatul Fiqh reads: The difference between sperm, mazi, and wadi is that the mani that comes from a man is thick and white, and that which comes from a woman [fluid emitted at the moment of climax] is thin and yellow. Male's semen spreads in length, comes out gushing with lust, it smells like that of palm tree pollen and it is sticky. Its emission ceases the erection i.e the desire and lust end. Mazi is a sticky whitish thin fluid that is emitted when a person is forplaying. Its emission is not accompanied by feelings of pleasure and it does not gush out in spurts. Its emission does not cease the erection and climax, but it increases it. When it happens to women, it is called 'Qazi'. Wadi is thick urine whether it emitted after urine, intercourse or taking bath without lust. (Umdatul Fiqh. P.111. Part.1, Acts that mandates bath)

In the question above, if a person got sexual thinking and erection by the reason mentioned above and discharged moisture. According to the definition and signs of semen and mazi, if it is decided that the emitted substance is semen, bath will be obligatory as the text of Mara'iqi Al-Falah declares it.

Bahishti Zewar reads: Masa'lah: Bath is mandatory for purification from major impurity. There are four reasons of major impurity. First: Discharging sperm separated from its place with lust in awaking or sleeping, faintly or infaintly, by intercourse or without intercourse, by thinking or moving any particular part etc. (Bahishti Zewar. P.17. The Bath)

If there is neither desire nor sexual thinking nor erection and the semen emitted after urine due to sperm incontinence, bath will not be obligatory. If there is desire, lust and erection, bath will be obligatory. Durre Mukhtar reads:

وَفِي الْخَانِيَاةِ: خَرَجَ مَنِيٌّ بَعْدَ الْبَوْلِ وَذَكَرَهُ مُنْتَشِرًا لِرِمَّةِ الْغُسْلِ، قَالَ فِي الْبَحْرِ: وَمَحَلُّهُ إِنْ وَجَدَ الشَّهْوَةَ، وَهُوَ تَقْيِيدٌ قَوْلِهِمْ بَعْدَ الْغُسْلِ بِخُرُوجِهِ بَعْدَ الْبَوْلِ.

Khaniyah reads: The semen emitted after urine and his penis is erect, bath will be obligatory. Al-Bahr reads: It is with the condition of lust. It is to restrict the statements

of Fuqaha (Bath will not be obligatory if semen emitted after urine.) with lust and erection.

Shami reads:

(قَوْلُهُ: وَمَحْمَلُهُ) وَعِبَارَةُ الْمُحِيطِ كَمَا فِي الْحَلِيَّةِ: رَجُلٌ بَالَ فَخَرَجَ مِنْ ذَكَرِهِ مَنِيٌّ، إِنْ كَانَ مُنْتَشِرًا فَعَلَيْهِ الْغُسْلُ؛ لِأَنَّ ذَلِكَ دَلَالَةٌ خُرُوجِهِ عَنْ شَهْوَةٍ. (قَوْلُهُ: تَقْيِيدُ قَوْلِهِمْ) أَيْ فَيُقَالُ إِنْ كَانَ عَدَمُ وُجُوبِ الْغُسْلِ بِخُرُوجِهِ بَعْدَ الْبَوْلِ اتِّفَاقًا إِذَا لَمْ يَكُنْ ذَكَرُهُ مُنْتَشِرًا فَلَمْ يُنْتَشِرْ وَأَوْجَبَ، لِأَنَّهُ أَنْزَلَ جَدِيدًا وَجَدَ مَعَهُ الدَّفْقُ وَالشَّهْوَةُ.

His statement: “ومحملة” and the text of Muheet as Al-Hilyah reads: A person passed urine and the sperm emitted from his penis. If there is erection, bath will be obligatory, because it proves that the semen emitted with lust and desire. His statement “تَقْيِيدُ قَوْلِهِمْ” means bath will not be obligatory if the semen emitted after passing urine without erection. If it emitted with lust and desire, bath will be obligatory with the consent of all, because it is a ejaculation gushing out in spurts. (Durre Mukhtar and Shami. Vol.1 p.149. Matter about bath.)

Ghayatul Autar reads: وفي الحَانِئَةِ: -----بَعْدَ الْبَوْلِ --- الخ Khaniyah reads: The semen emitted after urine and his penis is erect, bath will be obligatory. Al-Bahr reads: It is with the condition of lust. It is to restrict the statements of Fuqaha (Bath will not be obligatory if semen emitted after urine.) with lust and erection. It is declared in the books of Fiqh if the sperm emitted after urine, sleeping or much working, bath will not be obligatory. So no bathing is combined with no erection and lust. (Ghayatul Autar Translation of Durre Mukhtar. Vol.1 p.79)

Umdatul Fiqh reads: If a person passed urine and the sperm emitted with erection or it emitted gushing out in spurts, bath will be obligatory. If emitted without erection and lust, bath will not be obligatory (but wudu will nullify). (Umdatul Fiqh: Vol.1 p.111)

Fatawa Darul Uloom states: Question: If a person discharges sticky white fluid due to semen incontinence (Dhat), does it obligate bath? Answer: Discharges sticky white fluid due to semen incontinence does not obligate bath. (Fatawa Darul Uloom Complete. Vol.1 p.153) Allah knows the best. (Fatawa Rahimiya. Vol.7 p.141-145)

Does the emission of mazi or wadi mandate bath?

Question: If a spouse foreplayed and did not copulate, the water emitted from them except semen is impure. Does it pollute the clothes that got involved with it? Does it mandate bath? Please answer in detail?

Answer: Yes, this liquid is impure. It is necessary to be washed the portion of cloth which got involved with it, but it nullifies wudu only and does not mandate bath.¹

As Al-Fiqhul Islami reads:

ولا غسل للمذى والودى، أما المذى فهو رقيق أبيض مائل إلى البياض يخرج عند ملاعبة الرجل أهله الخ

Mazi and wadi do not mandate bath. However, mazi thin whitish fluid that is emitted when a person foreplays with his wife. (Vol.1 p.360)

وفيه: والمذى هو ماء أبيض رقيق يخرج عند ثورات الشهوة أو تذكر الجماع بلا تدفق وهو نجس للأمر بغسل الذكر منه الوضوء، الخ

It is further denoted that mazi is a thin white water emits without force at the time of sexual climate or discussing about copulation. It is impure in the regard of washing penis and mandating wudu. (Vol.1 p.152) Allah knows the best. (Fatawa Darul Ifta Wa Darul Qadha, Jamia Binnoriyah, Pakistan, No.8844)

Injunction of Wadi

Question: I have read in a book that if there is certainly of being Wadi and the dream is recalled, bath is not necessary. Now I want to ask that some books establish: Wadi comes out after urine. If it is true, and a person just got up and left his bed, wadi will never come out. So, saying that bath is not obligatory if one is certain to be wadi and is recalling the dream is wrong?

Answer: The books stating that wadi comes out after passing urine neither means that wadi does not emit without urine nor means that it comes out just after passing urine. But it is possible that it discharges without urine sometimes or emitted with delay after passing urine before sleeping. So there is no objection. Allama Shami narrated a statement referring to Khazanah:

أن الودى ما يخرج بعد الاغتسال من الجماع وبعد البول وهو شئ لزج

Wadi is a liquid that emits after taking bath from copulation and after passing urine. It is sticky. (Vol.1 p.171)² It is the second answer.³

¹ عن عائشة رضي الله عنها قالت: "المنى منه الغسل والمذى والودى يتوضأ منهما" -

Narrated Aisha (rz) Semen mandates bath and mazi and wadi mandate wudu. (Musannaf Ibn Abi Shaibah. Book about semen, mazi and wadi. Vol.1 p.88. No.977. Anees)

² Raddul Muhtar. Vol.1 p.165 before the matter about the moist of vagina. Beirut. Anees

³ The emission of wadi does not mandate bath.

عن عائشة رضي الله عنها قالت: "المنى منه الغسل والمذى والودى يتوضأ منهما" -

Narrated Aisha (rz) Semen mandates bath and mazi and wadi mandate wudu. (Musannaf Ibn Abi Shaibah. Book about semen, mazi and wadi. Vol.1 p.88. No.977. Anees)

The injunction of washing and taking bath the semen emitted

Question: The semen emitted and the cloth got involve with it. Will the cloth be pure after washing?

Answer: If the semen emitted with lust, bath will be obligatory. If it is not, the place got involved with salmon will be pure after washing.⁴

Written by Muhammad Masuood Hasan Hasani, corrected by Nasir Ali Nadawi (Fatawa Nadwatul Ulama. Vol.1 p.290)

Bath is mandatory also after fornication and sodomy etc.

Question: Is bath mandatory or recommended after fornication, sodomy and debauchery etc.?

Answer: Bath is mandatory in this case.⁵ He should repent from this major sin and evildoing. The manner of taking bath from the sexual impurity is the same whether it existed by lawful or unlawful action. (Fatawa Darul Uloom. Vol.1 p.167)

Is it impossible to be pure if one copulated with washwoman's daughter?

Question: I copulated with a Muslim washwoman's daughter. Now I am abashed. I listened that the one who copulated with washwoman's daughter, neither can be pure nor be able four performing Salah and keeping fast. Is this talk of people true or not? What is the way of verification?

⁴ (ويطهرمني) أي محله (يأبى بفرك) ... (والإ) يكن يا بساً أو لا رأسها طاهراً (فيغسل) كسائر النجاسات⁴

(The dry semen will be pure) means its place (by screeching) (Otherwise) whether it is dry or not and its place is pure (it will be washed) like other impurities. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.514. Book of impurities)

⁵ (وفرض) الغسل (عند) خروج (مني) الخ (وعند إيلاج حشفة) هي مافوق الختار الخ⁵

(Bath will be obligatory when the semen emitted or the head of penis) that is ahead from the place of circumcise or its measure if it is cut off, (is penetrated in a person's private part) who is likely to be penetrated. Bath will be obligatory for the doer and the one who is done, if they are mandated persons. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Matters about bath Vol.1 p.129. Zaffer)

عن الحسن في الرجل يصيب من المرأة في غير فرجها قال: إن ابنته هي أنزلت اغتسلت وإن ابنته لم تنزل توضأت الخ

Hasan was asked about the person who penetrated the woman in other then vagina. He replied: If she is it related, she will take bath else she will perform wudu and will wash the place got involved with man's semen. (Musannaf Ibn Abi Shaibah, No.992. Musannaf Abdur Razzaq. No.971, Anees)

Answer: It is forbidden to copulate with the girl without performing Nikah (marriage) according to Sharia. No matter, whose daughter she is. It is fornication and a major sin.⁶ You should repent and regret sincerely. A person can be pure after taking bath, no matter, where he committed the sin.

The people saying -One who copulated with washwoman's daughter, neither can be pure whole life nor be able for performing Salah and keeping fast-is wrong to the core.⁷ Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p.108, 109)

How many times bath is mandatory after fornication?

Question: Zaid fornicated with Hindah. Will the sexual impurity be washed by taking bath once or not? Some people say that he has to take bath 40 times. What is the true Mas'ala?

Answer: Taking bath once is enough to get the Sharai purity from all kinds of sexual impurities whether that came by wet dream, lawful copulation, unlawful intercourse or any other ways. It is false to say that one will not get purity and the impurity cannot be washed until he took bath 40 times. Though, the sin of fornication is a major sin, which

قال الله تعالى: "وَلَا تَقْرَبُوا الرِّثَا إِنَّهُ كَارِهٌ فَاجْتَنِّهِ وَصَائِي سَيِّئًا" - وقال ابن أبي الدنيا: - عن النبي صلى الله عليه وسلم قال: "ما من ذنب بعد الشرك أعظم عند الله من نطفة وضعها رجل في رحم لا يحمل له" -

Allah Almighty said: "And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way." Ibn Abi Al-Duniya said: ... The Prophet (saws) is reported to have said: "No sin except polytheism is bigger than the one that a man injects his semen in the uterus which is unlawful. (Tafseer Ibn Kathir, Surah Al-Isra: 32)

⁷ The repentance accompanied with abashing on that sin is made compulsory to be pure from any kind of major sin while taking bath is ordered to get purity from sexual impurity.

قال رسول الله صلى الله عليه وسلم: إِنْ الْمُؤْمِنُ إِذَا أَذْنَبَ كَانَتْ نَكْثَةٌ سَوْدَاءٌ فِي قَلْبِهِ فَإِنْ تَابَ وَاسْتَغْفَرَ صَقَلَ قَلْبُهُ الْحَدِيثُ

The Messenger of Allah (ﷺ) said: "When the believer commits sin, a black spot appears on his heart. If he repents and gives up that sin and seeks forgiveness, his heart will be polished. But if (the sin) increases, (the black spot) increases till it covers the heart.

Mulla Ali Qari (r) said under the sentence "his heart will be polished" which means that the mere of his heart is cleansed and refined for the manifestations of his sustainer. Because the repentance ease in the place of polish that removes the grimes and darkness of heart in real or in assimilatory. (Mirqatul Mafateeh. Vol.5 p.173. Hadith No.2342, Book of repentance and penitence. Chapter: 2 Rasheedi)

وقال الله تعالى: "وَارْتِ كُنْثَرُ جُنُبًا فَأَطْهَرُوا" - قال الحافظ ابن حجر العسقلاني رحمه الله تعالى: قال الكرمانى رحمه الله تعالى: غرغره يبارت أن وجوب الغسل على الجنب مستفاد من القرآن -

Allah Almighty said: "And if you are in a state of janabah, then purify yourselves." Hafiz Ibn Hajar Al-Asqalani (r) said: Al-Karmani (r) said: Its purpose is to denote that the obligation of bath is inferred from the glorious. (Fathulbari, Book of bath. Vol.1 p.474. Surah Maidah:6)

demands that he should not be pure until he asked forgiveness and repented sincerely with the bottom of his heart. But Shariah did not restrict him and issued the injunction of purity by taking bath once, as it is written in the books of Fiqh.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) 21/03/89 A.H. (Fatawa Mahmoodiyah. Vol.5 p.108)

Is bath required if intercourse takes place wearing condom?

Question: If intercourse takes place using condom without ejaculation, is bath required?

Answer: The meeting of two circumcised parts (male and female's private parts) when the tip of penis is inserted in, mandates bath without ejaculation on condition that both feel warmth of each other. That's why Fuqaha denoted that the penetration with thick cloth that restricts feeling the warmth of interior vagina, will not mandate bath. However, in the case of condom, though the penis is wrapped, the velum is too thin that one can feel all the pleasure with that and both enjoy with that. Therefore, the penetration with condom without ejaculation mandates bath.

As Hasan Inb Ammar (r) said:

ومنها إيلاج بخرقة مانعة من وجود اللذة على الأصح، قال الشيخ أحمد الطحطاوى رحمه الله: (قوله مانعة من وجود اللذة) اقتصر على ذكر اللذة هنا وزاد فيما تقدم وجود الحرارة ولعلها متلازمان. - (الطحطاوى حاشية مراق الفلاح: ص ٨٠، فصل عشرة أشياء لا يختل منها) وأيضاً قال: "ولولف ذكره بخرقة وأولجه ولم ينزل فالأصح أنه إن وجد حرارة الفرج واللذة وجب الغسل والإفلا" - (Maraqi Al-Falah with Al-Tahtawi. P.78. Things that mandate bath.² (Fatawa Haqqaniyah. Vol.2 p.532)

¹ وفرض الغسل عند خروج مني من العضو - - - وعند إيلاج حشفة آدمي أو إيلاج قدرها من مقطوعها ولولم يبق منه قدرها في أحد سبيلي آدمي حتى يجامع مثله عليهما، أي الفاعل والمفعول لو كانا مكلفين ولو أحدهما مكلفا فعليه فقط دور المراهق الخ.

(Al-Durrul Mukhtar. Vol.1 p.161. The acts that mandate bath. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Chapter:3 about the things mandate bath. Vol.1 p.15. Rasheediyah. And so is in Majmaul Anhur. Vol.1 p.39. Book of purity. Darul Kutub Al-Ilmiyyah. Beirut)

قال المصنف: (أولم حشفته) أو قدرها (ملفوفة بخرقة، إن وجد لذة الجماع (وجب) الغسل (والإفلا) على الأصح - - -²

Haskafi @ said: If one inserted the tip of his penis or its measure wrapping with cloth and felt the pleasure of intercourse, bath will be mandatory else not according to the most correct statement. (Al-Durrul Mukhtar with Raddul Muhtar. Book of bath. Vol.1 p.164, 165)

Is bath required if intercourse takes place wearing condom?

Question: Nowadays people use condom while having intercourse with woman. Will bath be obligatory in this case?

Answer: Bath will be mandatory.

Is bath required if the penetration took place with wrapping cloth?

Question: If the tip of penis is entered into vagina, bath will be mandatory, though the semen did not emit. If both are dressed in the above-mentioned case, is bath mandatory for both or not?

Answer: They should take bath to be on the safe side in this case also.

Durre Mukhtar reads:

الأحوط الوجوب (أولم حشفته) أو قدرها (ملفوفة بخرقة، إن وجد لذة) الجماء (وجب) الغسل (والإلا) على الأصح، والأحوط الوجوب (درمختار) أى وجوب الغسل في الوجهين، بحر وسراج النخ.

Bath will be obligatory prudently. If one inserted the tip of his penis or its measure wrapping with cloth and felt the pleasure of intercourse, bath will be mandatory else not according to the most correct statement, but bath will be obligatory to be on the safe side in both cases. (Al-Durrul Mukhtar) Bahr and Siraj.¹ (Fatawa Darul Uloom. Vol.1 p.162)

Why bath is not required if the intercourse took place with wrapping cloth?

Question: Why bath is not obligatory in the intercourse took place with wrapping thick cloth on penis? Is this evildoing lawful or not?

Answer: Actually, Fuqaha write the Masail (jurisprudential question) related to the same book in one place and did not write in that place other injunctions of that Masail. It will be better to ask an Alim this question orally. So, in the concern of mandating bath, it is not discussed that this act is lawful or not. Similarly, they write that bath will be mandatory if the tip of penis disappeared in one of the private parts and they do not denote its lawfulness or unlawfulness. This injunction is written in another of chapter that penetration in anus is lawful or not, like the matter of intercourse with wrapping

ولولف ذكره بخرقة وأولجه ولم ينزل فالأصح أنه إذا وجد حرارة الفرج واللذة وجب الغسل وإلا فلا والأحوط وجوب الغسل في الوجهين لقوله صلى الله عليه وسلم: إذا التقى الختانان وغابت الحشفة وجب الغسل أقل أولم ينزل.

(Tahtawi on Maraqa Al-Falah. Vo.1 p.54) If it is acted without any Sharai need, it will be a severe sin. Allah knows the best. Written by Nizamuddin, Mufti Darul Uloom Deoband. Authenticated by Habibur Rahman Khairabadi. (Muntakhabat Nizamul Fatawa. Vol.1 p.153)

¹ Raddul Muhtar, Matters about bath. Vol.1 p.152, 153. Zafeer

cloth. Here we are concentrating to write the injunction of bath in regard of being obligatory or not.

The matters related to its lawfulness and unlawfulness is written in the due chapter which is not related to this chapter. Bath is not required particularly in the case when the wrapping cloth is thick that restricts warmth and pleasure to feel. If the wrapping cloth is thin and warmth and pleasure is felt, bath will be obligatory by penetration only. If he ejaculated in this case, bath will be obligatory with the consent of all. To be on the safe side bath should be obligatory when the wrapping cloth is thick too. Durre Mukhtar reads:

(أو لم حشفته)... (ملفوفة بخرقة، إن وجد لذة) الجماء، (أي بأن كانت الخرقة رقيقة بحيث يجد حرارة الفرج واللذة: شامي) (وجب) الغسل (والإلا) على الأصح، والأحوط الوجوب الخ.

If one inserted the tip of his penis wrapping with cloth and he got the pleasure of intercourse due to the thinness of cloth, as he felt the pleasure and warmth of vagina, bath will be obligatory else not according to the most correct statement, but bath will be obligatory to be on the safe side.¹ Shami (r) writes explaining the sentence “ قوله والإلا، ”

”أي ما لم ينزل اوروالأحوط الوجوب“ the three all Imam said the same. It is also inferred from the Hadith “إذا التقى المختانان وغابت الحشفة وجب الغسل أنزل أولم ينزل”² (Fatawa Darul Uloom. Vol.1 p.163, 164)

Is passing urine compulsory to be pure after intercourse?

Question: I listened that if one did not pass urine after intercourse, he will not be pure.

Answer: It is prevailed that is wrong to the core.³ (Fatawa Darul Uloom. Vol.1 p.156)

Is bath required if semen emitted while masturbating?

Question: One friend of mine is habitual of masturbating (discharging semen by rubbing with hand). He does not take bath after that. Later when he passes urine, the semen does not emit. That's why he says that bath will not be obligatory. Kindly, explain it that bath will be obligatory or not by this action?

¹ Al-Durrul Mukhtar with Raddul Muhtar, Matters about bath. Vol.1 p.152

² Raddul Muhtar, Matters about bath. Vol.1 p.153. Zafeer

³ It is obligatory to take bath after intercourse. The purity does not depend on passing urine. (وفرض) الغسل. Bath is obligatory if the sperm emitted from penis.... Or penetrated the tip of the penis. (Al-Durrul Mukhtar with Raddul Muhtar. Matters about bath. Vol.1 p.148. Zafeer)

Answer: Masturbation is forbidden to get lust and desire and it carries the curse. It is written in Tahtawi on Maraqqi Al-Falah:

(قوله لا لجلبها أى الشهوة) أى فيحرم لما روى عن النبي صلى الله عليه وسلم: "ناكح اليد ملحون"، وقال ابن جريح: سألت عنه عن عطاء فقال: مكروه سمعت قوماً يحشرون وأيديهم حبالي فأظنهم هؤلاء، وقال سعيد بن زبير: عذب الله أمة كانوا يعبثون بمذاكيرهم، وورد: "سبعة لا ينظر الله إليهم منهم الناكح يده" -

(Not to increase lust and desire) If it is, it is forbidden because the Prophet (saws) said: "The one who masturbates is cursed" Ibn Juraij said: "I asked Ata (r) about this. He replied: it is detestable. I listened about some people who will be resurrected with pregnant hands. I thing that they will be those who were masturbating. Saeed Ibn Zubair (rz) said: "Allah punish some people who were playing with their penises. It is also narrated: there's seven people, Allah will not pay attention to them. One of them is the one who masturbates." (Tahtawi. P.56)

The semen emits with lust and desire while practicing this act. So, bath will be obligatory though the semen did not emit after passing urine.

Maraqqi Al-Falah reads:

يفترض الغسل بواحد من سبعة أشياء أولها (خروج المني إلى ظاهر الجسد إذا انفصل عن مقره بشهوة من غير جماع) كاحتلام ولو بأول مرة لبلوغ في الأصح وفكر ونظر وعبت بذكره -

Bath becomes obligatory if one of seven things exists. 1. Emission of sperm on the body when it separated from its place with lust without intercourse like wet dream though it is first time after puberty, thinking about intercourse, looking at our playing with his penis. (Maraqqi Al-Falah with Al-Tahtawi. P.56. Book of taking bath) Allah knows the best. (Fatawa Rahimiyah. Vol.4 p.276, 277)

Does masturbation mandate bath and nullify the fast?

Question: If one masturbated and the seven did not get on the cloth, is it enough to wash the penis or bath is compulsory? Does it nullify fast or not?

Answer: If semen did not discharge while masturbating, fast is not nullified. If mazi emitted, washing penis and performing wudu is enough. Neither bath is obligatory nor

fast is nullified.¹ If the semen emitted, fast is nullified and bath is obligatory also.² Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 17/09/85 A.H.
Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. Vol.5 p.106)

Bath is mandatory if women have sex with their fingers

Question: Assalamu Alaikum! Truly, I hesitate to ask you, but I am asking only with the intention of purification and Islam. Can girls have sex with their fingers? When the bath will be obligatory in this case? Can she do this with her fingers till she became satisfied?

Answer: When the finger is penetrated in the interior vagina, in order to have sex or satisfy herself, and the ejaculation took place, bath will be obligatory. So, it is necessary to prevent from aforementioned unlawful action. In this situation, you should persuade your parents or guardians to get her marry wisely.

وفي الشامية: وقيد بالدبر لأن المختار وجوب الغسل في القبل إذا قصدت الاستمتاع لأن الشهوة فيهن غالبية فيقام السبب مقام المسبب دور الدبر لعدمها. وفي المنية: وفي وجوب الغسل بإدخال الأصبع في القبل أو الدبر خلاف الأولى أن يوجب في القبل إذا قصد الاستمتاع لغلبة الشهوة فيهن غالبية فيقام السبب مقام المسبب وهو الإنزال.

Al-Shamiyah states: It is restricted with anus, because it is more preferable to mandate bath in vagina if one wants to enjoy. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome unlike anus that has no lust and desire. (Before the matter about the moist of vagina. Vol.1 p.166)

¹ عن علي بن أبي طالب قال: كنت رجلاً مذاءً فأمرت رجلاً أن يسأل النبي صلى الله عليه وسلم لمكانة ابنته فقال: فقال: توضأ واغسل ذكرك.

Narrated `Ali (rz): I used to get emotional urethral discharge frequently. Being the son-in-law of the Prophet (ﷺ) I requested a man to ask him about it. So, the man asked the Prophet (ﷺ) about it. The Prophet (ﷺ) replied, "Perform ablution after washing your organ (penis)." (Bukhari. Chapter: The washing away of emotional urethral discharge and performing ablution after it. P.48, No.269, Abu Dawood. P.31, No.206. Anees)

² إذا استمتع بالكف فلما انفصل البني عن مكانه عن شهوة أخذ إحليله حتى سكنت شهوته ثم خرج البني فعلى قول أبي حنيفة ومحمد رحمهما الله وجب عليه الغسل خلافاً لأبي يوسف.

If one enjoyed sexually with his hand, when the semen separated from its place with sexual desire, he holds his penis till his desire ended up, later the semen emitted, bath will be obligatory according to the statement of Imam Abu Hanifah (r) and Imam Muhammad (r) while the statement of Imam Abu Usuf (r) differs. (Al-Tatar Khaniyah. Vol.1 p.156. Book of bath. Idaratul Qur'an Karachi). Similarly, the matter of masturbating with hand in regard that it does not invalidate without ejaculation, but if he ejaculated, he has to make up for. It will be explained further and it is more preferable. (Raddul Muhtar. Vol.2 p.399. The injunction about masturbating with hand, Saeed)

Al-Muniyah reads: There is a difference between mandating bath by penetrating finger in vagina and in anus. It is better to mandate bath when it is in vagina if one wants to enjoy. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome that is ejaculation. (Muniyatul Musalli. P.46) Allah knows the best. (Fatawa Darul Ifta Wa Darul Qadha Jamia Binnoriah, Pakistan, No.3621)

Bath is mandatory if one penetrated finger in woman's vagina with sexual desire or without it.

Question: Will bath be obligatory for doer or for both, if the man penetrated his finger in women's private part with sexual desire or without it?

Answer: If woman's sexual desire raised while penetrating finger, bath will be obligatory for woman according to one opinion, and it will not be obligatory according to other statement until she ejaculated, but bath is preferable to be on safe side. If woman's sexual desire did not raise, bath will not be obligatory for any one with the consent of all.

The matter is mentioned in Sharah Al-Muniyah. P.44 and in Al-Durr. Vol.1 p.171. It is described in Al-Durr that bath is not obligatory and it is preferable. Shamiyah narrated from Nooh Afandi and Sharah Al-Muniyah that mandating bath is preferable.³ Allah knows the best. 26th Sha'ban, 46 A.H. (Imdadul Ahkam. Vol.1 p.359)

Is bath obligatory if someone entered his finger or hand in woman's vagina?

Question: If the female doctor or midwife entered her hand or finger in women's vagina for treatment or checking the pregnancy or the woman herself entered her finger in order to apply medicine, will bath be obligatory for the woman or not? What is the injunction if her husband does this?

Answer: If it is as meditation and she did not get sexual desire by entering hand or finger, bath will not be obligatory whether the female doctor does it she does it herself. But if she penetrated her finger in order to get sexual desire or the couple do it as foreplay and the husband penetrated his finger, bath will be obligatory according to the opinion of some Fuqaha. This opinion is classified as preferable also. So it is better for woman to take bath prudently. If the woman discharged semen, bath will be obligatory certainly. Durre Mukhtar reads:

³ (Al-Durrul Mukhtar with Raddul Muhtar, before the matter about the moist of vagina. Vol.1 p.166)

لا (يجب الغسل) عند (إدخال أصبع ونحوه) كذكر غير آدمي وذكر خنثى وميت وصبي لا يشتهي وما يصنع من نحو خشب (في الدبر أو القبل) على المختار.

Bath will not be mandatory, if the finger and like this as the penis of other than man, third gender, dead person or the child who does not have sexual desire or like the stick etc. is inserted in anus or vagina according to the preferable opinion.

Shami reads:

(قوله على المختار) قال في التجنيس: رجل أدخل أصبعه في دبره وهو صائم اختلف في وجوب الغسل والقضاء، والمختار أنه لا يجب الغسل ولا القضاء لأن الأصبع ليس آلة للجماع فصار بمنزلة الخشبة ذكره في الصوم، وقيد بالدبر لأن المختار وجوب الغسل في القبل إذا قصدت الاستمتاع، لأن الشهوة فيهن غالبية فيقام السبب مقام المسبب دون الدبر لعدمها، نوح أفندي.

أقول: آخر عبارة التجنيس عند قوله بمنزلة الخشبة، وقد راجعتها منه فرأيتها كذلك، فقوله وقيد الخ من كلام نوح أفندي، وقوله لأن المختار وجوب الغسل الخ بحث منه سبقه إليه شارح المنية، حيث قال: والأولى أن يجب في القبل الخ وقد نبه في الإمداد أيضاً على أنه بحث من شارح المنية، فافهم.

His statement (على المختار) He said in Al-Tajnees: A person entered his finger in his anus while he is keeping fast. The statements differed about mandating bath and making up for. The preferred statement is to mandate bath not making up for, because the finger is not the tool for intercourse, but it is equal to the stick in this regard as it is mentioned in the chapter of fasting. It is restricted with anus, because it is more preferable to mandate bath in vagina if one wants to enjoy. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome unlike anus that has no lust and desire. Nooh Afandi.

I say: It is the last text of Tajnees under the text (قوله بمنزلة الخشبة). I consulted him, I found the same. The text (وقيد الخ) is the statement of Nooh Afandi. His statement (لأن المختار) (وجوب الغسل الخ) is a discussion, Shareh Al-Muniyah mentioned before. He said: It is better to mandate bath when it is in vagina. It is also mentioned in Al-Imdad that it is a discussion of Shareh Al-Muniyah. (Durrul Mukhtar and Shami. Vol.153, 154, Matter of bath before the matter about the moist of vagina.)

It is written in Al-Tahtawi in the margin of Al-Durrul Mkhtar:

(قوله (و) لا عند (إدخال أصبع) ----- على المختار) يخالفه من جهة الترجيح في القبل ما ذكره نوح أفندي ونصه قال في التجنيس: رجل أدخل أصبعه في دبره وهو صائم اختلفوا في وجوب الغسل والقضاء والمختار أنه لا يجب الغسل ولا القضاء لأن الأصبع ليس آلة للجماع فصار بمنزلة الخشبة، وقيد بالدبر لأن المختار وجوب الغسل في القبل إذا قصدت الاستمتاع لأن الشهوة فيهن غالبية فيقام السبب مقام المسبب دون الدبر لعدمها، فقد اختلف الترجيح في القبل، أبو السعود-

Bath is not mandatory if finger is entered according to the chosen statement. It is contradicted in regard of preferring if it is in vagina, which is described by Nooh Afandi. His text is: It is written in Al-Tajnees: A person entered his finger in his anus while he is keeping fast. The statements differed about mandating bath and making up for. The preferred statement is to mandate bath not making up for, because the finger is not the tool for intercourse, but it is equal to the stick in this regard. It is restricted with anus, because it is more preferable to mandate bath in vagina if one wants to enjoy. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome unlike anus that has no lust and desire. The preferring is differed about vagina. Abu Sauoo. (Tahtawi on Al-Durrul Mukhtar. Vol.1 p.139)

Ghayatul Autar reads: Bath will not be mandatory, if the finger and like this is inserted in anus or vagina according to the preferable opinion. Therefore, bath is preferred with the consent of all when the finger is inserted in anus, but it is different when it is inserted in vagina. Because Shaikhul Islam Abu Sa'd (r) narrated from the statement of Nooh Afandi that bath is preferred when the finger inserted in vagina, if the woman intended to have sex. It means bath will be obligatory without ejaculation. The reason is that women have too much sexual desire. So, the reason is placed in the place of outcome. So it is mentioned in Al-Tahtawi summarily. (Ghayatul Autar Translation of Durre Mukhtar. Vol.1 p.83)

Maraqī Al-Falah reads:

ومنها إدخال أصبع ونحوه كشبه ذكر مصنوع من نحو جلد (في أحد السبيلين) على المختار لقصور الشهوة-

One of them that do not mandate bath is to enter finger or similar to it like artificial leather penis in one of the two private parts, because of lack in sexual desire according to the chosen statement.

Tahtawi reads:

(قوله على المختار) أي في الدبر ومقابلته ضعيف، وأما في القبل فذكر في شرح التنوير: أن المختار عدمه أيضاً وحكي العلامة نوح أن المختار فيه الوجوب إذا قصدت الاستمتاع، لأن الشهوة فيهن غالبية فيقام السبب مقام المسبب فاختلف الترجيح بالنسبة لإدخال الأصبع في قبل المرأة. أفاده السيد رحمه الله (طحاوى على مراقى الفلاح، فصل عشرة أشياء لا يغتسل منها)-

The statement (قوله على المختار) means that doing this in anus and its opposite is poor. However, if it is in vagina, as it mentioned in Sharah Al-Tanweer that bath will not be

obligatory in this case also. Allama Nooh described that being bath obligatory is preferable, if she intends enjoyment. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome. So the preferable opinions contradicted about entering finger in vagina, Said Al-Sayyid (r) (Tahtawi on Maraqqi Al-Falah. Chapter: Ten things that do not mandate bath.)

Umdatul Fiqh reads: If a woman moved by sexual desire and penetrated the penis of immature person, animal, third gender, dead person, stick or her finger, bath will be obligatory for her, whether she ejaculated or not. This is the opinion of Shareh Muniyah. But bath will not be obligatory without ejaculation according to the true opinion. (Umdatul Fiqh. Vol.1 p.112) Allah knows the best.

(Fatawa Rahimiyah. Vol.7 p.134-136)

If one entered his own finger in his private part, neither it mandates bath nor invalidates fast.

Question: If a woman entered her finger in her private part, will it mandate bath or not? If she does it while keeping fast, will it effect on the fast?

Answer: No¹ (Fatawa Darul Uloom. Vol.1 p.168)

Penetrating finger does not mandate bath

Question: (1) If the man penetrated his finger into the woman's vagina, will it require bath or not?

Applying medicine in vagina does not require bath

Question: (2) If a woman entered her hand or her finger into another woman's vagina to apply the medicine, for checking or without reason, bath will be obligatory or not?

Answer: (1-2) Bath will not be obligatory in both cases.² (Fatawa Darul Uloom. Vol.1 p.165)

¹ (و) لا "أى لا يفرض الغسل" عند (إدخال أصبع ونحوه) Bath will not be mandatory, if the finger and like this is inserted in anus or vagina. (Al-Durrul Mukhtar on the margin of Raddul Muhtar, Matter about bath. Vol. 1 p.153) or he in entered his dry finger in his anus or into the woman's vagina....his fast will break. (Al-Durrul Mukhtar on the margin of Raddul Muhtar, Book of fast, Chapter: Things that break the fast and the things that do not break. Vol. 2 p.153)

² (و) لا (يجب الغسل) عند (إدخال أصبع ونحوه) كذكر غير آدمي وذكر خلقي وميت وصبي لا يشتهي وما يصنعه من نحو خشب (فى الدبر أو القبل) على المختار.

Does it require bath or not, if a woman puts medicine in her vagina?

Question: Qabilah puts medicine in her vagina, does it require bath or not?

Answer: Bath is not required absolutely according to the preferable statement, but the author of Muniyah discussed: Bath is obligatory to be the safe side on condition that it is acted intending sexual pleasure and amusement. If it is just in order to apply medicine as it is mentioned in the question, bath is not necessary in his opinion too. Durre Mukhtar reads:

(و) لا عند (إدخال أصبع ونحوه)... (في الدبر أو القبل) على المختار آه ونقل الشامي من كلام نوح آفندي على التجنيس أن المختار وجوب الغسل في القبل إذا قصدت الاستمتاع. لأن الشهوة فيهن غالبية فيقام السبب مقام المسبب. قال: وقوله لأن المختار وجوب الغسل ثم بحث منه سببه إليه شارح النية حيث قال: والأولى أن يجب في القبل ثم وقد نبه في الإمداد أيضاً على أنه بحث من شارح النية، فافهم.

Bath will not be mandatory, if the finger and like this is inserted in anus or vagina according to the preferable opinion. Shami narrated from the statement of Nooh Afandi on Tajnees that being bath obligatory is preferable, if she intends enjoyment. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome. His statement (لأن المختار وجوب الغسل الخ) is a discussion, Shareh Al-Muniyah mentioned before. He said: It is better to mandate bath when it is in vagina. It is also mentioned in Al-Imdad that it is a discussion of Shareh Al-Muniyah.¹ Allah knows the best.

8th Zul Hijj, 44 A.H. (Imdadul Ahkam. Vol.1 p.359)

If the semen is injected in uterus, does it mandate bath?

Question: If the semen is injected in uterus through the vagina, does it mandate bath for woman or not?

Bath will not be mandatory, if the finger and like this as the penis of other than man, third gender, dead person or the child who does not have sexual desire or like the stick etc. is inserted in anus or vagina according to the preferable opinion. (Al-Durrul Mukhtar on the margin of Raddul Muhtar, Matter about bath. Vol. 1 p.153) (Before the matter about the moist of vagina.)

If a woman moved by sexual desire and penetrated her finger in her vagina intending ejaculation, bath will be necessary.

وفي وجوب الغسل بإدخال الأصبع في القبل أو الدبر خلاف الأولى أن يوجب في القبل إذا قصد الاستمتاع - الخ

There is a difference between mandating bath by penetrating finger in vagina and in anus. It is better to mandate bath when it is in vagina if one wants to enjoy. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome that is ejaculation unlike anus that has no lust and desire. (Ghlunyatul Mustamli Known by Kabeeri. P.66. Zafeer)

¹ (Al-Durrul Mukhtar with Raddul Muhtar, Vol. 1 p.166, before the matter about the moist of vagina.)

Answer: If the woman moved by sexual desire, bath is mandatory preferably. If you did not feel any desire, bath is not required, but taking bath is better. If it is carried out by doctor or husband, sexual desire is more probable. So the injunction of bath will be more preferable. It is strictly prohibited if it is carried out by the doctor. Therefore, it should not be done but only by the husband when it is required. (Fatawa Rahimiyah. Vol.6 p.281)

وما يصنع من نحو خشب (في الدبر أو القبل) على المختار - لأن المختار وجوب الغسل في القبل إذا قصدت الاستمتاع لأن الشهوة فيهن غالبية في مقام السبب مقام المسبب الثم -

Bath will not be mandatory, if something like the stick is entered in anus or vagina according to the preferable opinion, because it is more preferable to mandate bath in vagina if one wants to enjoy. The reason is that the lust and desire is too much in vagina. So the reason is placed in the place of outcome. (Durre Mukhtar and Raddul Muhtar. Vol.1 p.153, 154. Matters about bath. Tahtawi on Al-Durrul Mukhtar. Vol.1 p.139. Maraqi Al-Falah with Al-Tahtawi. P.55. Chapter: Ten things that do not mandate bath.) Allah knows the best. (Fatawa Rahimiyah. Vol.7 p.354)

Mas'alah about test tube baby in regard of mandating bath

Question: Is bath required, if the sperm is interred in the uterus through the test tube baby?

Answer: The reason of mandating bath is not only the emission or intromission of sperm, but the main reason is enjoyment and satisfaction that is developed by sexual desire. It is not found in the case of test tube baby as the sperm is entered in the uterus of woman by a machine. It is clear that the enjoyment and satisfaction is not developed like when a man has intercourse.

To take an example, a woman enters her finger or the penis other than man which does not mandate bath. Above all, if the woman ejaculated while the operation of test tube baby, bath will be obligatory though taking bath without ejaculation is better to be the safe side.

”لما قال الحسكفي: (وفرض) الغسل (عند) خروج (مني) من العضو... (متفصل عن مقره) هو صلب الرجل وترائب المرأة... (بشهوة) أي لذة ولو حكماً كمحتلم ولم يذكر الدفق ليشمل منى المرأة لأن الدفق فيه غير ظاهر - وأيضاً قال: (و) لا عند (إدخال أصبع ونحوه) كذكر غير آدمي وذكر خنثى وميت وصبي لا يشي وما يصنع من نحو خشب (في الدبر أو القبل) على المختار“ -

Because, Haskafi (r) said: Bath is mandatory if the semen is emitted and separated from its place that is spine of man and rib of woman.....with lust and enjoyment though supposedly like the one who had wet dream. He did not denote its gushing out in spurt to include the semen of woman, because gushing is not obvious.

He further said: Bath will not be mandatory, if the finger and like this as the penis of other than man, third gender, dead person or the child who does not have sexual desire or like the stick etc. is inserted in anus or vagina according to the preferable opinion. (Al-Durrul Mukhtar on Raddul Muhtar. Book of bath. Vol.1 p.166)¹ (Fatawa Haqqaniyah. Vol.2 p.533)

Is bath required if some portion of penis interred in vagina

Question: If one fourth, one third or half of tip of man's penis entered in vagina, and the semen entered in vagina gushing out in spurt, will bath be obligatory for woman also or not?

Answer: Bath is not obligatory for woman. ² (Fatawa Darul Uloom. Vol.1 p.162)

If immature boy copulated with adult female, who is obligated to bath?

Question: If immature boy had intercourse with adult girl or adult man did it with immature girl, who will be obligated to bath?

Answer: Bath is mandatory for adult female. If the boy is in the age that he can have sex and feels sexual desire, bath will be obligatory for him also. Likewise, if an adult man has intercourse with immature girl, bath is necessary for man and if the girl is nearer to puberty and feels sexual desire, bath is mandatory for her also. This is mentioned in Munyatul Musalli, Hidayah, Qodoori and so on.³ (Fatawa Darul Ulloom. Vol.1 p.165)

Immature girl is not obligated to take bath, if one had sex with her

قال حسن بن عمار: أولها خروج البني وهو ماء إلى ظاهر الجسد لأنه ما لم يظهر لا حكم له إذا انفصل عن مقره بشهوة من غير جماع - 1

Hasan bin Ammar (r) said: One of the things that mandate bath is the emission of semen when it separated from its place with lust without intercourse, which is a kind of water, on the exterior body, because which is not obvious has no injunction. (Maraqi Al-Falah with Tahtawi. P.76, Chapter: The acts that mandate bath) He further said: One of them that do not mandate bath is to enter finger or similar to it like artificial leather penis in one of the two private parts, because of lack in sexual desire. (Maraqi Al-Falah with Tahtawi. P.81, Chapter: Ten things that do not mandate bath.)

2 (وفرض) الغسل الخ عند (إيلاج حشفة) هي ما فوق الختان الخ (أو) إيلاج (قدرها من مقطوعا) ولولم يبق منه قدرها - الخ 2

(Bath will be obligatory when the semen emitted or the head of penis) that is ahead from the place of circumcise or its measure if it is cut off and did not remain its measure. It is mentioned in Al-Ashbah that no injunction will be applied. And I did not see it. (Durre Mukhtar) His statement “هي ما فوق الختان” so is mentioned in Al-Qamoos. Zilaee added “from the head of penis” and in the margin of Nooh Afandi reads: It is the head of penis till the circumcised place. (Durrul Mukhtar. Matters about bath. Vol.1 p.149)

3 صبي ابن عشر جامعة امرأته البالغة عليها الغسل لوجود مواراة الحشفة بعد توجه الخطاب ولا غسل على الغلام - الخ 3

If the boy of ten years had intercourse with an adult woman, bath will be obligatory for her, because the tip of penis disappeared in after addressing, while it is not mandatory for the boy because he is not addressed, but he will be recommended to take bath to make a habit like the recommendation of wudu and Salah. If the husband is adult and the wife is little who has sexual desire, the answer will be opposite. (Ghunyatul Mustamli. P.44. Matters about bath)

Question: If one had intercourse with an immature girl, is bath obligatory for her or not?

Answer: Bath is not obligatory for immature girl but she is recommended to take bath to make a habit for Islamic injunctions.¹ Allah knows the best. Muhammad Uthman Ghani, 21/09/1351 A.H. (Fatawa Imarat Shariah. Vol.2 p.69)

The matter of bath, in the case of intercourse with animal

Question: If a man had intercourse with an animal and did not ejaculate, is bath mandatory or not?

Answer: Only penetration does not mandate bath, but it should be the place of having lust for penetration which is meant here (meeting of the two circumcised parts). Since, the animal or dead is not the place of having lust. Therefore, only having intercourse with animal without ejaculation does not mandate bath.

”لما قال الحصكفيّ: ولا عند وطى بهيمة أو ميتة أو صغيرة غير مشتهة بأن تصير مفضاة بالوطء وإن غابت الحشفة... بلا إنزال لقصور الشهوة“²

Because Haskafi (r) said: Bath is not obligatory if the intercourse took place without ejaculation with animal, dead person with immature girl in a way that deflowered her though the tip of penis hidden in, due to the inadequacy of lust. (Al-Durrul Mukhtar with Raddul Muhtar. Sunnah acts of bath. Vol.1 p.166. ² (Fatawa Haqqaniyah. Vol.2 p.533, 534)

Bath is not necessary, by just rubbing penis on the thigh

Question: A person decreases his sexual desire by rubbing his penis on her thigh. He presses the penis to the extent that the semen does not emit. Will bath be obligatory for him according to Hanafi School of thought?

Answer: Bath is not obligatory without ejaculation in that case.³ Allah knows the best. Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 26/02/91 A.H.

1 The above footnote. However, if the girl is near of puberty and has sexual desire, bath will be obligatory for her.

2 وفي الهندية: ”والإيلاج في البهيمة والميتة والصغيرة التي لا يجامع مثلها لا يوجب الغسل بدون الإنزال“²

Al-Hindiyah reads: Penetrating in animal, dead or immature girl that is not in the age of having intercourse, bath will not be obligatory without ejaculation. (Al-Hindiyah. Vol.1 p.15, Chapter: 3, about the acts that mandate bath. And so is in Khulasatul Fatawa. Vol.1 p.13, Chapter: 2, about bath)

3 قوله بخلاف البهيمة ومادون الفرج) أي بخلاف مادون الفرج، وهو التفخيذ والتبطين فإنه لا يجب فيه الغسل أيضاً³

(His statement: unlike with animal and other than vagina) that means rubbing thighs and bellies without ejaculation that does not mandate bath also due to the shortage of reason. (Fatahul Qadeer. Vol.1 p.64. The acts that mandate bath. Mustafa Al-babi Al-Halabi. Egypt. And so is in Al-Tatarkhaniyah. Vol.1 p.154, The

Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. 26/02/91
A.H. Fatawa Mahmoodiyah. Vol.5 p.102, 103)

Sticky liquid and erection do not mandate bath without sexual enjoyment

Question: One is suffering from the emission of the sperm after passing urine and he gets the erection, but he does not feel sexual desire and enjoyment. Will bath be obligatory for him or not? One Mufti Saheb said: Bath will be obligatory, because the erection and sexual desire are same things as Alamgiri denotes, while another Mufti Saheb said: Bath will not be obligatory without sexual desire and gushing out in spurt. Hidayah and Shami support this opinion.

Answer: This kind of liquid and erection do not mandate bath until combined with enjoyment and gushing out in spurt.¹ It is wrong to say that the election and sexual desire and enjoyment are the same things.

Because the boys that have no sexual desire feel that enjoyment. If these boys had intercourse, the prohibition of marriage does not come.

لوجامع ابن أربعة سنين زوجة أبيه لا تثبت الحرمة الخ

If the child of four year old had intercourse with his step mother, the marriage prohibition will not come.²

Had the enjoyment and erection same things, marriage prohibition would have been applied. Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. Vol.5 p. 103, 104)

Looking at the naked body of wife or husband does not mandate bath

reasons that mandate bath. Idaratul Qur'an Karachi. And so is in Al-Bahr Al-Raiq. Vol.1 p.106. Book of purity, Rasheediyah)

1 (وفرض) الغسل (عند) خروج (مني) --- (بشهوة) أي لذة ولو حكماً كمحتلم --- وفي الخائفة: خرج مني بعد البول وذكره منتشر. لزمه الغسل. الخ 1

Bath is mandatory if the semen is emitted with lust and enjoyment though supposedly like the one who had wet dream.... Khaniyah reads: The semen emitted after urine and his penis is erect, bath will be obligatory. Al-Bahr reads: It is with the condition of lust. It is to restrict the statements of Fuqaha (Bath will not be obligatory if semen emitted after urine.) with lust and erection. His statement 'ومحمله' means what Al-Khanyah stated. Al-Bahr reads: The reason stated in Al-Tajnees proves it that in the condition of erection the semen will separate and emit gushing with lust. (Al-Durrul Mukhtar, Book of Purity. Vol.1 p.160, 161. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Book of Purity. Book: 2. Bath, Chapter: 3. Vol.1 p.14,15) 2 Raddul Muhtar, Book of Marriage (Nikah). Chapter: Muharramat. Vol.3 p.35.

Question: A person took bath naked in the presence of his wife in such condition that she handed over him the cloth to wear and she saw his private part. She did not feel sexual desire at all and just she cast a cursory glance while handing cloth or the same happened with husband. Is it lawful to perform Salah with that bath?

Answer: If wife looked at private part of husband or he looked at her private part after bath, wudu or bath will not carry any wrong.¹ Salah is correct also. Allah knows the best. Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p.110)

Bath is not required if one looks at naked non – mahrams

Question: What do the Ulama (Shariah Jurists and Scholars) say in regards to the following case: "If a woman looked at a naked non-mahram, is bath obligatory for her or not?"

Answer: Bath is not obligatory.² Allah is the best Guide. (Fatawa Deoband Pakistan, known with Fatawa Faridiyah. Vol.2 p.65)

Clysodrast does not mandate bath

Question: The patient has to go under the operation of clysodrast for the X-Ray of gall-bladder i.e. the water is irrigated in his belly to the extent that fills it too much and the water begin to return. This causes the legs and clothes wet and the patient is sent to bathroom where he discharges the water irrigated. Probably, this operation is carried out in order to clean the belly.

- (1) Is bath obligatory in the case mentioned above?
- (2) If bath is not mandatory, is washing legs and changing cloth necessary?
- (3) If bath is not mandatory, is Salah correct in that condition?

¹ Looking at the private part does not mandate bath.

² Because this is not one of the act that mandates bath. (Saifullah Haqqani)

Answer: The operation of clysostrast does not mandate bath,¹ but the emitted water is impure. So, it is necessary to wash cloth and body that got involve with it.² He can perform Salah without bath after washing the impurity. (Aapke Masail Aur Unka Hal. Vol.3 p.123)

Dropping urine during bathing

Question: What is the injunction, if drop of urine discharged during bathing?

Answer: If the drop is emitted during bathing, repeating bath is not required. It is enough to perform wudu for Salah and so on. (Imdadul Muftyen. P.244)

Is bath required, if lizard fell down on the body?

Question: Is lizard impure animal? Is bath required, if it fell down or climbed on the body?

Answer: Bath is not mandatory according to Shariah, if lizard fell down on the body.³ Allah knows the best.

Injunction of bath, if lizard or flies fell down

Question: (a) Is it necessary to take bath, if lizard fell down on the body? Mostly people say that if lizard fell down on the body, one should take bath putting gold in the water or he should rub any golden thing on that spot.

1 Because it is not one of the acts that mandate bath.

ثم إننا وجب غسل جميع البدن بخروج البنى ولم يجب بخروج البول والغائط وإنما وجب غسل الأعضاء المخصوصة لا غير الخ-

It is necessary to wash the entire body, if semen emitted while bath is not necessary by discharging urine and defecating. What is required is to wash private parts only. (Badai Al-Sanai. Vol.1 p.61) It will invalidate wudu. والخارج من السبيلين متفق عليه على أنه ينقض الوضوء. Discharging from one of the two private parts invalidates wudu with the consent of all. (Al-Jauharah Al-Nayyirah. Vol.1 p.7 Mumbai Pulication)

2 يجب على المصلى أن يقدم الطهارة من الأحداث والأنجاس. It is necessary to get the purity from hadas and impure things for the one who intends to perform Salah. (Hidayah. Vol.1 p.9 Chapter: Conditions of Salah)

3 Because falling lizard on the body is not one of the acts that mandate bath. The surface of lizard's body is pure. Its falling on the body does not mandate bath at all. Above all, if any impure thing got on the lizard that effected the part of the body on which it fell, that part is necessary to be washed only not the whole body.

It is necessary to wash the entire body, if semen emitted while bath is not necessary by discharging urine and defecating. What is required is to wash private parts only. (Badai Al-Sanai. Vol.1 p.61)

Question: (b) If butterfly or grasshopper fell down in eating stuff, is the poison extinguished by blowing Surah Quraish?

Answer: (a) Bathing or rubbing gold or other thing is not required according to Shariah if lizard fell down on the body, because it is obligatory to wash the place which got involved with impure thing. The body or cloth do not get impure if they touch the body of alive lizard.¹

It may harm medically, and its effect may be extinguished by applying a particular thing. So, it is better to consult the doctors in this regard.

(b) Hadith reports that fly has a kind of poison and it has its cure too. Therefore, if it fell down in eaten stuff, it should be dipped and picked out.² Modern medical research also supports it.³

However, the matter about blowing Surah Quraish due to Falling fly and grasshopper, I don't know that this is reported in hadith or not. It is better to recite: **بِسْمِ اللَّهِ الَّذِي لَا يَضُرُّهُ** before using that. It is expected that he be safe from its harm. Allah knows the best. (Kirabul Fatawa. Vol.2 p.82, 83)

Bath is not mandatory by touching impure things

Question: One picked up wine full bottle. Is his Salah valid without taking bath?

Answer: Bath is not mandatory by touching impure things, it is enough to wash it if impure thing got on it.⁴ Allah knows the best.

Muhammad Usman Ghani. 22/05/1371 A.H. (Fatawa Imarat Shariah. Vol.2 p.70)

Injunction of taking bath after washing impure clothes

Question: Is it compulsory to take bath after washing impure clothes?

¹ ثم إننا وجب غسل جميع البدن بخروج المني ولم يجب بخروج البول والغائط وإنما وجب غسل الأعضاء المخصوصة لا غير ذلك.

It is necessary to wash the entire body, if semen emitted while bath is not necessary by discharging urine and defecating. What is required is to wash private parts only. (Badai Al-Sanai. Vol.1 p.61)

² Sunan Ibn Majah. No.3504. Chapters of Tib.

³ Sunnat Nabawi Aur Jadeed Science. P.280

⁴ Bottle is not impure at all. So the impurity will not effect, but if the wine (which is impure) got on body or cloth, washing that portion of the body or cloth is necessary to wash. Mujahid.

Answer: There are some factors that mandate bath. Washing impure clothes is not one of those factors. Therefore, bath will not be obligatory. Clothes will become pure after washing three times along with hands, but it is better to wash hands separately. That is enough. (Kitabul Fatawa.vol.2 p.59)

If impurity got on the entire body, Sharai bath is not necessary. Washing it is enough

Question: Durre Mukhtar reads that bath is mandatory, if the entire body became impure. Is that bath the same as the bath of sexual impurity? Is it necessary to rub or pouring water is enough for Fardh?

Answer: That bath is equal to the one when any impure thing or impure body is washed. That means water should be pour three times.¹ (Fatawa Darul Uloom. Vol.1 p.155)

Is bath required if one defecated without water or clod?

Question: Zaid is travelling and he got smeared with urine which is unavoidable. There is neither water nor any other thing that can be used for purification. Helplessly, he passes urine and when that when it stops he got the application with water or clod. Did he get the application or he is still impure? Can you perform Salah without taking bath or not?

Answer: He can perform Salah after getting purification with clod or water and he does not need to take bath.² Allah knows the best.

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur. 12/07/1385 A.H. Corrected by Sayyid Ahmad Ali Saeed. Muhammad Jameelur Rahman, Assistant Mufti of Darul Uloom Deoband. (Muntakhabat Nizamul Fatawa. Vol.1 p.161)

Bath is not required, if the water used for verification got on the private parts

¹ والنجاسة ضربتان مرئية وغير مرئية وما كان منها مرئياً فطهارتها بزوال عينها الله

Impurity is of two kinds: 1- Obvious 2- Unobvious. The first one can be purified by removing and washing the same impurity. The second one can be purified by washing to the extent that the washer considered predominantly that it became pure. It is counted by washing three times. (Al-Hidayah. Book of impurity. Vol.1 p.74, Zafeer)

² اعلم أن الجمع بين الماء والحجر أفضل he should know that the combination of water and clod is better. (Shami. Vol.1 p.842, Maktaba Faizul Qur'an. Deoband)

Question: Is bath required, if the water used for purification is applied on the private parts after purification?

Answer: Bath is not required, if the water used for purification is applied on private part.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him), Darul Uloom Deoband, 05/02/89 A.H. (Fatawa Mahmoodiyah. Vol.5 p.106)

Bath is not necessary after shaving head

Question: Can one perform Salah by making ablution after shaving head or he has to take bath? If he offered Salah without bath, is his Salah valid or not?

Answer: Shaving head are getting cut the hair does not mandate bath. You can perform Salah by making ablution only, even if your ablution is valid already, that cannot break the ablution. So, you can perform Salah without new wudu. Allah knows the best. Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband (Muntakhabat Nizamul Fatawa. Vol.1 p.161)

Is bath required for the person who washed dead person?

Question: If immature boy died and a person washed him, is bath obligatory for that person or not? If the child is some days old only, is bath obligatory for the person who washed him?

Answer: Bath is not obligatory for the person who washed dead person in the question asked above, whether the deceased person is adult or child of some days.² Munyatul

¹ "Aabe Dast" is the water used for purification.

² But bath is recommended for the person who washed diseased, as Durre Mukhtar reads: "ونُدب أى الغسل" Bath is recommended for insane or fainted who cured ... or one who washed dead person. (Fatawa Shami. Vol.1 p.175, 176)
The coming hadith establishes the proof for recommending bath:

عن عائشة رضي الله عنها أنها حدثت أن النبي صلى الله عليه وسلم كان يغتسل من أربع، من الجنابة ويوم الجمعة ومن الحمامة، وغسل البيت.

Narrated 'Aisha (rz): Allah's Messenger (ﷺ) used to take a bath from four things; after sexual intercourse, on Fridays, after extracting blood from his body and after washing a dead body. Abu (Abu Dawood, Chapter: Bath for the one who has washed a deceased person. P.462, No.3160)

Musalli describes 11 kinds of bath. This bath is not out of them.¹ The opposite meaning of classifications is a proof. Therefore, it got out that this is not the occasion of bath. Allah knows the best.

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband Saharanpur,
Authenticated by Habibur Rahman Khairabadi (Muntakhabat Nizamul Fatawa. Vol.1
p.42, 43)

This hadith denotes that bath should be taken after extracting blood from the body and washing deceased person.

عن أبي هريرة رضي الله عنه أن رسول الله صلى الله عليه وسلم قال: من غسل الميت فليغتسل، ومن حمّله فليتوضأ.

Narrated AbuHurayrah (rz): The Messenger of Allah (ﷺ) said: He who washes the dead should take a bath, and he who carries him should perform ablution. (Abu Dawood, Chapter: Bath for the one who has washed a deceased person. P.462, No.3161. Tirmizi, Chapter: Narrations about bathing for the one who has washed a deceased person. P.241, No.993)

This hadith also denotes that bath should be taken after washing deceased person.

¹ Kabeeri. P.53, 54. Book of Purity.

INJUNCTIONS OF JANABAH (SEXUAL IMPURITY)

﴿وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا﴾

Surah Al-Maidah: 6

And if you are in a state of Janabah, then purify yourselves.

Injunctions of Janabah (Sexual impurity)

Why is bath obligatory due to sexual impurity?

Question: Is human being Halal or Haram? If he is Halal, he doesn't need to be pure. He is pure himself. If he is Haram, why is the Salah of Haram valid?

Answer: Human being gets impure due to Janabah (sexual impurity) and becomes pure after taking bath. So he should take bath to validate his Salah.¹ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p.158, 159)

The wisdom of bath in janabah (sexual impurity)

Question: A Hindu asked me objectionably that Muslims worship blindly. They have nothing to do with research e.g. if semen is ejaculated, it does not mandate to wash the entire body. The man becomes pure after washing the private part only. How it becomes impure entirely?

Answer: These are Allah's wisdoms that each and every Muslim does not know let alone a Hindu. Therefore, we should not discuss this. It can be explained orally somehow, but the shortage of time does not allow the detail.²

¹ والمعاني الموجبة للغسل إنزال المني على وجه الدفق والشهوة من الرجل والمرأة حالة النوم واليقظة الخ

The things that mandate bath are: the ejaculation of semen with sexual desire gushing out in spurt from man or woman in wakening or sleeping, making of the two circumcised parts without ejaculation, menstrual discharge and vaginal discharge. (Al-Hidayah. Chapter about bath. Vol. 1 p.37 Zafeer)

The Glorious Qur'an reads: "وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا" And if you are in a state of Janabah, then purify yourselves. (Surah Al-Maidah: 6)

عن علي رضي الله عنه قال له رسول الله صلى الله عليه وسلم: لا تفعل إذا رأيت المذي فاغسل ذكرك وتوضأ وضوئك للصلوة فإذا فضخت الماء فاغتسل.

(Abu Dawood. Book about mazi. P.31, No.206). Another hadith reads:

إذا حذفت فاغتسل من الجنابة وإذا لم تكن حاذفاً فلا تغتسل.

(Musnad Ahmad. Ali Ibn Abu Talib. Vol.1 p.173, No.849)

² ما المسئلة الأولى وهي إيجاب الشارع صلى الله عليه وسلم الغسل من المني دون البول فهذا من أعظم محاسن الخ

The first matter, however, is mandated by Share (the one on whom Shariah is revealed) ﷺ that bath it is obligatory due to seminal discharge unlike the urine. It is one of the great attitudes of Shariah which contains

Ideology of washing the entire body in the case of sexual impurity

Question: Why is the entire body is ordered to be washed in the state of sexual impurity, while the impurity discharges from private part? The analogy is that the private part should be washed only. What is the effect of sexual impurity (janabah) on the entire body that mandates to wash each and every part of the body?

Answer: Questioning about the wisdoms of the injunction of Shariah indicates the weakness of belief. A Muslim should act upon the injunction of Shariah unquestioningly. His belief does not command him to discuss about the wisdoms of injunctions of Shariah, because Iman (faith) and Islam means to obey and surrender himself. It never means that the injunctions of Shariah contradict with logic, but our logic is inadequate that causes us, most of the time, not to understand the Islamic wisdoms and ideologies.

However, Ulama said in regard of washing the entire body due to janabah that it causes burden, laziness, weakness and letharginess in the body and the bath brings energy, pleasure and frivolousness. Janabah creates distance between human beings and angles, and when he takes bath the distance come to an end. When human beings conclude the intercourse, his heart become constrictive and it feels a burden and becomes so suffocating and narrow. When he washes both kinds of impurity and rubs his body while bathing, that suffocating and narrowness comes to an end. The experienced doctors have written that bathing after having intercourse returns the strengths and recovers the weakness. It is very beneficial for the soul. Being impure sexually and delaying bath is so harmful. The logic and nature are enough to prove it.

”وإليه أشار الشيخ ابن القيم الجوزية حيث قال: فإن الغتسال من خروج المني من أنفع شيء للبدن والقلب والروح بل جميع الأرواح القائمة بالبدن فإنها تقوى بالغتسال، والغسل يخلف عليه ما تحلل منه بخروج المني، وأيضاً فإن الجنابة توجب ثقلاً وكسلاً والغسل يحدث له نشاطاً وخفةً (وبعد أسطر) وقد صرح أفاضل الأطباء بأن الغتسال بعد الجماع يعيد إلى البدن ويخلف عليه ما تحلل منه وأنه أنفع شيء للبدن والروح وتركه مضر.“

mercy, wisdom and experience. The reason is that the sperm discharges from the entire body. That's why Allah Subhanahu Wa Ta'ala named it "Sulalah" (the thing that flows), because it flows from the entire body. Moreover, bathing from discharging semen benefits the body, heart, and all souls that are related to the body, because they get the strength from bathing. The bath recovers what is discharged by the emission of sperm. This is what that can be felt, and because the sexual impurity leads to burden and laziness. The bath creates energy and lightness. Therefore, Abuzar (rz) said: When I have taken bath for seminal impurity, I feel that I have put down a mountain. The high-qualified doctors have explained that taking bath of the intercourse brings the strength and recovers the body what is discharged by the emission of sperm. It is very beneficial for the body and soul and very harmful to leave it. (Elamul Muawwiqueen. Publication: Ashraful Matab'e, Delhi. Vol.1 p.170)

Shaikh Ibn Qayyim Al-Jauziyah (r) pointed out and said: Bathing from discharging semen benefits the body, heart, and all souls that are related to the body, because they get the energy from bathing. The bath recovers what is discharged by the emission of sperm, because the sexual impurity leads to burden and laziness. The bath creates energy and lightness. (After some lines) The high-qualified doctors have explained that taking bath of the intercourse brings the strength and recovers the body what is discharged by the emission of sperm. It is very beneficial for the body and soul and very harmful to leave it. (Elamul Muawwiqueen: The detailed answers of Ibn Qayyim to the book of taking bath, because of semen. Vol.2 p.42) (Fatawa Haqqaniyah. Vol.2 p.538, 539)

What is the benefit of performing wudu in the state of janabah

Question: What is the benefit to make wudu while getting seminal bath? Is that wudu valid without removing impurity? It is written in books that the Prophet ﷺ advised and the companions (r) used to acting on that one should sleep with ablution if he had intercourse. What does this wudu means in the state of impurity? I couldn't understand.

Answer: Making wudu in the state of sexual impurity does not bring purity but this kind of wudu decreases the impurity. If one cannot understand the ideology of Islamic injunction, there is nothing wrong in that. Allah knows the best. (Ahsanul Fatawa. Vol.2 p.35)

When the wudu of Simeon bath should be performed?

Question: Should one perform the wudu before taking bath or after?

Answer: One should perform wudu after washing the impurity of the body. Later he should pour the water over his head and the body. Making wudu before taking bath is Sunnah. ¹ Allah knows the best.

(وسننه)---(البداية بغسل يديه وفرجه)---(وخبث بدنه إن كان) عليه خبث ثلاث شيع (ثم يتوضأ) أطلقه فانصرف إلى الكامل¹

(The Sunnah acts of bathing are) (First of all to wash hands and private part of urine) (and the impurity of the body if there is) impurity, so that it cannot spread. (Thereafter, he will perform ablution.) The author let it without condition. So, it will means complete wudu. (Al-Durrul Mukhtar on Raddul Muhtar. Chapter about Sunnah acts of bath. Vol.1 p.291, 292. Mujahid)

حَدَّثَنِي خَالَتِي، مَيْمُونَةُ قَالَتْ أَدْنَيْتُ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ غُضْلَهُ مِنَ الْجَنَابَةِ---الحديث

Ibn 'Abbas reported it on the authority of Maimuna, his mother's sister that she said: I placed water near the Messenger of Allah (ﷺ) to take a bath because of sexual intercourse. He washed the palms of his hands twice or thrice and then put his hand in the basin and poured water over his private parts and washed them with his left hand. He then struck his hand against the earth and rubbed it with force and then performed ablution for the prayer and then poured three handfuls of water on his head and then washed his whole body after which he moved aside from that place and washed his feet, and then I brought a towel (so that he may wipe his body). But he returned it. (Muslim. Book of description of ghusl in the case of janabah (sexual impurity). P.142, No.317/722. Bukhari. Book of Bathing only once.)

The injunction about making wudu before taking bath

Question: If one did not make wudu before seminal bath knowingly or erroneously and the parts of wudu got wet itself, is this bath valid or not? Can he perform Salah after taking bath without making wudu?

Answer: Rinsing mouth, sniffing out the water and pouring water on the entire body once is obligatory in bath.¹ If one did so, he can perform Salah with that bath and his Salah will be valid. Making wudu before taking bath is Sunnah.² Allah knows the best. Muhammad Usman Ghani. 24/06//1369 A.H. (Fatawa Imarat Shariah. Vol.2 p.62, 63)

Making wudu before seminal bath is not necessary

Question: (1) Can one take seminal bath before performing wudu in the state of sexual impurity and perform wudu after bath? Is making wudu before taking bath in all condition compulsory? To take an example that if Zaid began bathing after making wudu then his wudu nullified due to passing wind during bathing, is it compulsory for him to make wudu and then take bath again or can he complete bathing and then perform Salah after making wudu?

Zaid entered the bathroom attached to his room to take bath in the morning. After completing bath he returned to his room nakedly and then performed Salah after dressing. Was his wudu valid, while no one saw him, because all family members were sleeping in their rooms at that time?

¹ وفرض الغسل المضمضة و الاستنشاق وغسل سائر البدن.

The mandatory acts of bath are: Rinsing mouth, putting water in nose and blowing it out and washing the entire body. (Hidayah. Vol.1 p.29. Book of Purity)

عن محمد بن سيرين قال: سئل رسول الله صلى الله عليه وسلم المضمضة والاستنشاق في الجنابة ثلاثاً.

Narrated Muhammad ibn Sireen: Prophet (saws) described rinsing and sniffing water in nose and blowing it out as Sunnah in janabat (sexual impurity). (Al-Dara Qutni, Book of what is narrated about rinsing water and sniffing water in nose and blowing it out in the bath of sexual impurity.)

ابو حنيفة عن عثمان بن راشد عن عائشة بنت عجره قالت قال ابن عباس رضي الله عنه: اذا اغتسل الجنب ونسي المضمضة والاستنشاق فليعد الوضوء بالمضمضة والاستنشاق.

Narrated Aisha bint Ajrad: Ibn Abbas (rz) said: When Junub (sexually impure person) took bath and forgot rinsing the mouth and sniffing water in nose and blowing it out, he will repeat both in wudu. (Musnad Hafiz Talha bin Muhammad, Musnad Al-Imam Hasan bin Ziyad. And so is in Al-Jam'e Al-Masaneed. Vol.1 p.267, 268, referred to Elaas Sunan. Vol.1 p.206, 207. The obligation of rinsing mouth and sniffing water in nose and blowing it out in obligatory bath. Maktaba Yahya, Saharanpur, U.P.)

2 الخ (البداء) (وسننه) (Al-Durrul Mukhtar with Raddul Muhtar, Matters about bath. Vol.1 p.291, 292)

Answer: (1) He should make wudu before taking bath according to Sunnah way. If the wudu is discharged while taking bath, it is enough to pour water on parts of wudu only. There is no need to make wudu separately.¹

(2) His wudu did not break, even if someone saw him incidentally.¹ Allah knows the best. Narrated by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. Vol.5 p.88)

Reciting Bismillah before taking bath is correct or not

Question: Is it correct to recite Bismillah before taking bath from sexual impurity or wet dream?

Answer: It should be recited. Reciting Bismillah before every bath is regarded as Sunnah.² (Fatawa Darul Uloom. Vol.1 p.159)

Sexually impure person can recite Du'as

Question: Can sexually impure person beside Durood Shareef or not? Can he reply Azan or not? Can you read any Arabic Du'a or not? If he recited in the state of impurity, will he be sinner?

Answer: He can recite all the things mentioned in the question. If Arabic Du'as are from Qur'an, he should not recite them with the intention of Tilawat (Qur'anic recitation), but with the intention of just Du'a.

ويجب من سماع الأذان ولو جنباً - اهـ (درمختار على الشامية: ج ١/ ٢٩٢) ويجرم قراءة آية من القرآن إلا بقصد الذكر إذا اشتملت عليه لأعلى حكم أو خير - (مراقي الفلاح) - (قوله إلا بقصد الذكر) أي أو الثناء أو الدعاء إن اشتملت عليه فلا بأس به في أصح الروايات، قال في العيوض: ولو أنه قرأ الفاتحة على سبيل الدعاء أو شيئاً من الآيات التي فيها معنى الدعاء ولم يرد به القرآن فلا بأس به واختاره الحلواني وذكر في غاية البيان أنه المختار كما في البحر والنهر -

The one who listened Azan, will reply it though he is sexually impure. (Durre Mukhtar on Shami. Vol.1 p.292) It is prohibited to recite any ayah from Qur'an, but with the intention of Zikr when it includes that, not as order or information. (Maraqi Al-Falah) His

1 الخ (البداية الخ 1 (Al-Durrul Mukhtar. Vol.1 p.157. Sunnah act of bath. Saeed. And so is in Al-Nahrul Faiq. Vol.1 p.62. Sunnah of bath. Maktaba Imdadiyah, Multan. And so is in Al-Badai Al-Sanai. Vol.1 p.269. Sunnah of bath. Darul kutub Al-Ilmiyah, Beirut.)

عائشة رضي الله عنها: أُرِيتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا اغْتَسَلَ مِنَ الْجَنَابَةِ يَبْدَأُ فَيَغْسِلُ يَدَيْهِ ثُمَّ يَغْرِغُ بِيَمِينِهِ عَلَى شِمَالِهِ الْحَدِيث -

'A'isha (rz) reported: When Allah's Messenger (ﷺ) bathed because of sexual intercourse, he first washed his hands: he then poured water with his right hand on his left hand and washed his private parts. He then performed ablution as is done for prayer'. He then took some water, put his fingers, and moved them through the roots of his hair. When he found that these had been properly moistened, then poured three handfuls on his head, then poured water over his body, and subsequently washed his feet. (Six authentic books with the words of Muslim) Jamu'l Fawaid, Bath from sexual impurity. P.128, 129)

statement “but with the intention of Zikr” means praise of Allah or Du’a. If the verse includes that, there is no harm according to the most authentic narrations. Al-Auoon reads: If he read Surah Al-Fatiha or the other verses that carries the meaning of Du’a, with the intention of Du’a and did not meant the recitation of the Qu’ran, there is no harm. Al-Halwani liked it and it is reported in Ghayatul Bayan that it is the most preferable as it is mentioned in Al-Bahr and Al-Nahr. (Tahtawi: p.77) Allah knows the best.

Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan. 25/01/1400 A.H.

The answer is correct: Abdus Sattar (May Allah forgive him) President of Ifta. (Khairul Fatawa. Vol.2 p.90)

Sleeping in the state of sexual impurity

Question: I have a question to ask. A person has mature children and his house is very small. All resided in it. Sometimes, he copulates with his wife, but due to the shortage of place and thinking about waking the children, they fell shy and do not take bath. They make only Tayammum and they take bath early in the morning. What about this according to Shariah? It should be noticed that if it is not managed in this way, there is no chance of intercourse.

Answer: After having intercourse in night, you should go to bed when you have washed the obvious impurity and made wudu.¹ But you should take bath before Fajr Salah and perform it.² It is not allowed to skip the Salah. Such hesitation and shy is unlawful that leads you to skip the Salah. You can take bath in night anytime and managed time for

¹ ولا بأس للجنب أن ينام أو يعاود أهله قبل أن يتوضأ وإن توضأ فحسن.

There is nothing wrong for sexually impure person to sleep or meet his wife again before making wudu. But it is better to make wudu. (Fatawa Alamgiriya. Vol.1 p.16)

² عفيف بن الحارث أنه سأل عائشة رضي الله عنها أي الليل كان يغتسل رسول الله صلى الله عليه وسلم قالت: ربما اغتسل أول الليل وربما اغتسل آخره. قلت: الحمد لله الذي جعل في الأمر سعة.

Aseef Ibn Harith asked Aisha (rz): At what time of the night the Prophet (saws) is used to take bath. She replied: Sometimes in the early night and sometimes at last in the night. The narrator said: All praises be to Allah that made the matter easy. (Sunan Al-Nasai. Book: The description of taking bath at the early night.) Is it allowed to sleep without taking bath of sexual impurity?

Question: Is it lawful to sleep after making Tayammum when one had intercourse with his wife? Is taking bath or making wudu necessary?

Answer: It is better to take bath or make wudu. It is lawful to sleep without both but the condition is that Fajr Salah should not be skipped else he will be evil doer. (و لا بأس للجنب أن ينام أو يعاود أهله قبل أن يتوضأ وإن توضأ فحسن.) That is nothing wrong for sexually impure person to sleep or meet his wife again before making wudu. But it is better to make wudu. (Fatawa Alamgiriya. Vol.1 p.16) (Aapke Masail Aur Unka Hal. Vol.3 p.116, 117)

intercourse when children are not inside. Allah knows the best. 1st Muharramul Haram, 1397 A.H. (Fatawa Rahimiyah. Vol.4 p.263)

Eating and drinking in the state of sexual impurity

Question: Is eating and drinking lawful in the state of sexual impurity?

Answer: Eating and drinking is lawful in the state of sexual impurity.¹ Allah knows the best. (Azizul Fatawa. Vol.1 p.195)

The injunction about having food when one is sexually impure

Question: It is written in a book that having food in the state of sexual impurity is forbidden. That food curses the person and the Satan mixes urine in it which burns the hairs of that person. The person who stays impure deliberately, he will be raised impure form to grave. Is it true or not?

Answer: All are completely wrong and evil doings.² (Baqiyat Fatawa Rashidiyah: 384)

If one ate Sahri in the state of sexual impurity without taking bath, is his fast valid or not?

Question: One had wet dream at the time of Sahri in the month of Ramadan and he's certain that you can finish eating Sahri in time after taking bath, but he became lazy and ate food without taking bath. Is his fast valid or not? Will he be the sinner by eating in that state or not, is eating lawful in this condition are not, if it is, how should he eat after making wudu or without it?

Answer: Eating and drinking without washing mouth or without making wudu is not virtuous whether it is the month of Ramadan or not with condition that there should not

¹ كَانِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: إِذَا أَرَادَ أَنْ يَأْكُلَ أَوْ يَشْرِبَ: غَسَلَ يَدَيْهِ ثُمَّ يَأْكُلُ أَوْ يَشْرِبُ.

When the Prophet (saws) was intending to eat or drink, he was to his hands then he ate and drank. (Sunan Al-Nasai, Jam'ul Fawaid, Seminal bath. P.134) لا قراءة قنوت (أى لا تكره) ولا أكله وشربه بعد غسل يد وفم، ولا معاودة أهله قبل (Al-Durrul Mukhtar. Vol.1 p.29, The matters about bath.) اغتساله. There is nothing wrong to recite the Du'a of Qunoot and to eat or drink after washing hands and mouth and to meet his wife before taking bath. (Al-Durrul Mukhtar. Vol.1 p.29, The matters about bath.)

² عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: لَقِنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَنَا جُنُبٌ فَأَخَذَ بِيَدِي فَمَشَيْتُ مَعَهُ.

Narrated Abu Huraira (rz): Allah's Messenger (ﷺ) came across me and I was Junub. He took my hand and I went along with him till he sat down I slipped away, went home and took a bath. When I came back, he was still sitting there. He then said to me, "O Abu Huraira! Where have you been?" I told him about it. The Prophet (ﷺ) said, "Subhan Allah! O Abu Huraira! A believer never becomes impure."

This is the text of Bukhari. (Mishkatul Masabeeh. Book of mingling with Junub and the things that are permissible for him. P.49)

لا قراءة قنوت (أى لا تكره) ولا أكله وشربه بعد غسل يد وفم، ولا معاودة أهله قبل اغتساله.

There is nothing wrong to recite the Du'a of Qunoot and to eat or drink after washing hands and mouth and to meet his wife before taking bath. (Al-Durrul Mukhtar. Vol.1 p.29, The matters about bath.)

be any kinds of impurity on hands. It is better to take bath before taking Sahri or make wudu or at least he should wash his hands.¹ Allah knows the best.

Muhammad Kifayatullah (May Allah help him) (Kifayatul Mufti. Vol.2 p.286)

Taking food before taking bath from sexual impunity

Question: What is the injunction about eating and drinking before taking seminal bath? Did the Prophet (saws) eat or drink in this state or not?

Answer: If one needs to eat or drink he should purify his body and make wudu.² The Prophet (saws) did so. The two authentic Hadith books narrated it.³ Allah knows the best. Muhammad Abbas. 25/12/1352 A.H. (Fatawa Imarat Shariah. Vol.2 p.86)

Eating and drinking in the state of sexual impurity

Question: Is eating and drinking and slaughtering allowed animals lawful in the state of sexual impurity or not?

Answer: Eating, drinking and carrying out all the acts that do not require purification are allowed, but cleaning private parts and making wudu before eating and drinking is better. Aisha (rz) narrated that is noted in the Two Authentic Books:

كان النبي صلى الله عليه وسلم إذا كان جنباً فأراد أن يأكل أو ينام توضأ وضوءه للصلاة.

'A'isha (rz) reported: Whenever the Messenger of Allah (ﷺ) had sexual intercourse and intended to eat or sleep, he performed the ablution of prayer.' (Mishkatul Masabeeh, Book of purity, Chapter: Mingling with Junub and the things that are permissible for him, Lesson: 1 P.49)

Written by Muhammad Usuf Ludhyanawi, Bayyinat. Zul Hijj, 1399 A.H. (Fatawa Bayyinat. Vol.4 p.446)

1 عن عائشة رضي الله عنها قالت: كان رسول الله صلى الله عليه وسلم إذا كان جنباً فأراد أن يأكل أو ينام توضأ وضوءه للصلاة.

'A'isha (rz) reported: Whenever the Messenger of Allah (ﷺ) had sexual intercourse and intended to eat or sleep, he performed the ablution of prayer.'

(Muslim, Book: Sleeping is lawful for junub, wudu is recommended and he should wash his private parts when he wants to eat or drink. Vol.1 p.220)

2 It means he will wash the place of impurity and make wudu. Mujahid. There is nothing wrong for the woman during period or junub to recite Du'as, to touch, to hold it, to recall Allah Almighty, to count beads of rosary, to visit graveyards and to attend the Eid prayer field, to eat and drink after rinsing mouth and washing hands. However, these are disliked for junub before rinsing mouth and washing hand not for woman during period until she is addressed for bath. (Al-Durrul Mukhtar wth Raddul Muhtar. Book or menstrual period. Vol.1 p.488, 489)

3 (Muslim, Book: Sleeping is lawful for junub, wudu is recommended and he should wash his private parts when he wants to eat or drink. Vol.1 p.220)

Drinking water without rinsing mouth is detestable for sexually impure person

Question: Is drinking anything lawful before taking bath for sexually impure person?

Answer: Drinking water without rinsing mouth is somewhat disliked (Makrooh Tanzihi). However, eating and drinking other than water is not disliked even the first tiff, because this water is used to remove impurity of the mouth. Similarly, eating and drinking before washing hands is somewhat disliked.

قال العللاء: ويكفي الشرب عباً، لأن الميم ليس بشرط في الأصح. قال في الشامية (قوله: يكفي الشرب عباً) أي لا مصاً، فتح، وهو بالعين المهملة والمراد به هنا الشرب بجميع الفم وهذا هو المراد بما في الخلاصة إن شرب على غير وجه السنة يخرج عن الجنابة وإلا فلا وبما قيل إن كان جاهلاً جازوا إن كان عالماً فلا أي لأن الجاهل يعيب والعالم يشرب مصاً كما هو السنة (قوله لأن الميم) أي طرح الماء من الفم ليس بشرط للمضمضة خلافاً لما ذكره في الخلاصة نعم هو الأحوط من حيث الخروج عن الخلاف وبلعه إياه مكروه كما في الحلية.

Al-Ala (r) said: Drinking full mouth is enough, because sipping out is not a condition according to the most preponderant opinion. Is it described in Al-Shamiyah: (His statement "Drinking full mouth is enough." means not in the way of sipping (Fath). It means here drinking with full mouth and the same is meant in Al-Khulasah: If one drank unlike Sunnah way, he will come out from impurity else not and what is said if the person is uneducated will be lawful for him, because he drinks with full mouth, unlike an Alim, it will not be lawful for him without rinsing mouth, because he sips according to Sunnah way. (His statement "because sipping out" means throwing water out of mouth is not necessary for rinsing mouth. It is different from what is stated in Al-Khulasah, but that is better to come out from the difference. Swallowing water directly is disliked as Al-Hilyah reads. (Raddul Muhtar. Vol.1 p.14) 29 Zul Hijj, 1385 A.H. (Ahsanul Fatawa. Vol.2 p.30)

Delaying seminal bath and eating and drinking

Question: (1) In our area Imam Saheb did not take seminal bath and skipped Fajr Salah and performed it at the time of Zuhr Salah after taking bath. He was eating bread and smoking Huqqah in that duration. Is it good or bad while he was objected on his action?

Eating and drinking from sexually impure person's left

Question: (2) Does smoking his left Huqqah mandate bath for those who have taken or not?

Answer: (1) Skipping Fajr Salah and delaying it till the time of Zuhr without any Sharai cause is a major sin. Above all, what he has taken without taking bath is not forbidden.¹

¹ لا قراءة قنوت (أي لا تكره) ولا أكله وشربه بعد غسل يده وفم، ولا معاودة أهله قبل اغتساله.

(2) Bath is not mandatory for those who have eaten with him or his left.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 21/01/93 A.H.
Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. Vol.5 p.115)

Eating the food prepared by Junub

Question: What is the injection about eating the food cooked by sexually impure woman? Is it pure or impure?

Answer: The person who requires seminal bath can be called impure, but this impurity is not of such kind that can be applied for outer body. This impurity is supposedly that means he or she is impure in regard of offering Salah, entering masjid and reciting the Glorious Qur'an, but there is nothing wrong to eat the bread cooked by him.² Allah knows the best. Muhammad Kifayatullah (May Allah help him), Delhi. (Kifayatul Mufti. Vol.2 p.268)

If sexually impure person put his hand in water

Question: If sexually impure person took water putting his hand in it for taking bath, will water remain pure or not?

Answer: If his hand did not involve with obvious impurity, water will be pure, but bath will not be valid, because the water became used by putting hand in it.

That's why he should put his hand in the bucket after washing it.³ But if there is no option to take water without putting hand, water will not be considered used water because of

There is nothing wrong to recite the Du'a of Qunoot and to eat or drink after washing hands and mouth and to meet his wife before taking bath. (Al-Durrul Mukhtar. Vol.1 p.29, The matters about bath. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.16, Lesson No.2, The things that mandate bath. Rashidiyyah. And so is in Al-Halabi Al-Kabeer. P.56. Bath for four thing is Sunnah. Suhail Academy, Lahore)

سُورَةُ الْاٰدٰى طَاهِرًا بِاِلْتِفَاقٍ سَوَاءٌ كَانَتْ مُسْلِمًا اَوْ كَافِرًا اَوْ جَنْبًا اَوْ حَائِضًا اَوْ مَحْدُثًا اَلَيْسَ ۚ 1

The left of person is pure with the consent of all whether he is Muslim or non-Muslim, Junub or woman of menstrual period or minor impure person. (Al-Halabi Al-Kabeer. P.166. Lesson about things left half eaten. Suhail Academy, Lahore. And so is in Al-Badai Al-Sanai. Vol.1 p.372. Matter of left the half eaten by dog or pig. Darul Kitab Al-Ilmiyyah. Beirut)

2 (Mishkatul Masabeeh. Book of mingling with Junub and the things that are permissible for him. P.49)

لَا قِرَاءَةَ قُنُوتٍ (أَيُّ لَا تَكْرِهَ) وَلَا أَكْلَهُ وَشَرْبَهُ بَعْدَ غَسْلِ يَدَيْهِ وَغَسْلِهِ، وَلَا مُعَاوَدَةَ أَهْلِهِ قَبْلَ اغْتِسَالِهِ

There is nothing wrong to recite the Du'a of Qunoot and to eat or drink after washing hands and mouth and to meet his wife before taking bath. (Al-Durrul Mukhtar. Vol.1 p.29, The matters about bath.)

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: "إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلَا يَغْسِلُ يَدَيْهِ فِي الْإِنَاءِ حَتَّى يَغْسِلَهَا ثَلَاثًا" الْحَدِيثُ 3

Narrated Abu Huraira (rz): Allah's Messenger (ﷺ) said: "When one of you wakes up from his sleep, he must not put his hand in a utensil till he washed it three times, for he does not know where his hand was (while

this entire need. According to some Fatawa, if he entered only his fingers, water will not be considered used daughters but the reason is illogical.

اللَّهُمَّ إِلَّا أَنْ يُوَجَّهَ بِتَعْسَرِ الصُّورِ مِنْهُ قَالَ فِي شَرْحِ التَّنْوِيرِ: بَأَنْ يَغْسِلَ بَعْضَ أَعْضَائِهِ أَوْ يَدْخُلَ يَدَهُ أَوْ رِجْلَهُ فِي حَبٍّ لَغَيْرِ اعْتِرَافٍ وَنَحْوِهِ، فَإِنَّهُ يَصِيرُ مُسْتَعْمِلاً، وَفِي الشَّامِيَةِ تَحْتَ (قَوْلِهِ بَأَنْ يَغْسِلَ): فِي الْخُلَاصَةِ وَغَيْرِهَا إِنْ كَانَ أَصْبَعاً أَوْ أَكْثَرَ دُونَ الْكَفِّ لَا يَفْسُدُ، قَالَ فِي الْفَتْحِ: وَلَا يَخْلُو مَنْ حَاجَّتْهُ إِلَى تَأْمَلٍ وَجْهَهُ.

There is no excuse if it is so difficult for him to take water without putting hand. Sharah Al-Tanweer reads: He will wash some parts of the body or will enter his hand or his foot in pit without taking water in hand and the like, because it will be used water. Al-Shamiyah states under his statement (قوله بأن يغسل) Al-Khulasah and other books read: If he enters one or more finger other than calf, there will be no harm. It is reading in Al-Fath: He should ponder deeply to fulfill his need. (Raddul Muhtar. Vol.1 p.184. Matter about the used water) Allah knows the best. 1st Ziqadah, 1393 A.H. (Ahsanul Fatawa, vol.2 p.40)

If sexually impure person entered his hand in the pot which is flowing over with tap water

Question: If water overflowed in the bucket through tap water and a sexually impure person took bath entering his hand, will water be pure or not?

Answer: This water is pure and taking bath with this water is correct, because it is flowing water. Al-Hidayah reads:

والماء الجاري إذا وقعت فيه النجاسة جاز الوضوء به إذا لم يزلها أثر، وقال: والجاري ما لا يتكرر استعماله.

If the impurity got in flowing water, making wudu is lawful with that until the impurity affects the water. He further said: The flowing water means which is not used again and again.

Injunction of recalling Allah and reciting the glorious Qur'an in the state of sexual impurity

Question: Is reciting Kalimah Tayyibah, Durood and the glorious Qur'an lawful in the state of sexual impurity or not?

Answer: It is allowed to recite Kalimah Tayyibah, Durood and all kinds of Zikr, but reciting the glorious Qur'an is unlawful.¹ Allah knows the best.

he slept)". (Muslim. Chapter: It is disliked for the person who wants to perform wudu', and others, to put his hand in the vessel (containing water) before washing it three times, if he is not sure whether something impure is on his hands or not. P.136. No.278/643. Tirmizi. Book: When one of you get up from sleeping)

عن ابن عمر رضي الله عنهما عن النبي صلى الله عليه وسلم قال: "لا تقرأ الحائض ولا الجنب شيئاً من القرآن" - 1

The injunction about reciting Durood in the state of sexual impurity

Question: Can one complete the regular wazifah of durood in the state of sexual impurity?

Answer: The thing is prohibited in the state of sexual impurity is only the recitation of the glorious Qur'an.¹ However, reciting durood, recalling Allah and counting rosary is not unlawful in that state, but he is recommended to perform at least wudu for durood, recalling Allah and counting rosary. As Durre Mukhtar reads:

(ولابأس) لحائض وجنب (بقراءة أدعية ومسها وحملها وذكر الله تعالى وتسبيح) وقال الشامي: يشير إلى أن وضوء الجنب لهذه الأشياء مستحب كوضوء المحدث.

There is nothing wrong for sexually impure person and menstruating woman to recite Du'as, to recall Allah and counting rosary, to touch and to carry them. Shami said: He indicates that making ablution for junub to perform these things is recommended like the abolition of minor impure person. (Shami. Book: Menstruation. Vol. 1 p.193) Allah knows the best.

Muhammad Taqi Uthmani (May Allah forgive him) 14/03/1397 A.H. (Fatwa No.326/28B) (Fatawa Uthmani. Vol.1 362, 363)

Greeting with Salam in the state of sexual impurity

Question: Is it prohibited according to Shariah to greet with Salam, shake hands, eating and drinking and entering in stockyard in the state of sexual impurity?

Answer: Offering Salah, reciting the glorious Qur'an, touching it without cover and entering in masjid is prohibited in the state of sexual impurity, besides these all things are permissible. Similarly, in the state of menstruation all things are allowed except what

Ibn Umar (rz) narrated that: The Prophet (saws) said: "The menstruating woman does not recite - nor the Junub - anything from the Qur'an." (Tirmizi. Chapter: What has been related about the junub and the menstruating persons that they do not recite the qur'an. Sharah Ma'anil Aathar. Vol.1 p.88)

(و) يحرم به (تلاوة قرآن) ولو دون آية على المختار (يقصد) فلو قصد الدعاء أو الثناء أو افتتاح أمر أو التعليم...

It is forbidden for them to recite the glorious Qur'an though it is less than one verse with the intention of recitation according to the favourable opinion. If one recites it with the intention of Du'a, Allah's praising, beginning the work or teaching and repeats the letters one after the other, it will be lawful for four him according to the authentic opinion, even if he recites Fatiha with the intention of Allah's praising in funeral prayer, it is not disliked. (Al-Durrul Mukhtar on Raddul Muhtar. Matters about bath, The meaning of reciting Du'a which contains Allah's Prais. Vol.1 p.172. Beirut)

¹ كان رسول الله ﷺ يقرأ القرآن على كل حال إلا الجنابة

It was narrated that 'Ali (rz) said: "The Messenger of Allah (ﷺ) used to recite Qur'an in all circumstances except when he was Junub." (Narrated Nasai in Al-Sunan Al-Kubra. Vol.1 p.22. No.262. Sharah Ma'ani Al-Athar. Vol. 1 p.87)

are mentioned above, keeping fast and having intercourse.¹ Allah knows the best. 14th Rajab 1391 A.H. (Ahsanul Fatawa. Vol.2 p.33)

Recalling Allah and greeting with Salam in the state of sexual impurity

Question: Is it permissible or not to put the paper written qur'anic verse on it into the pocket, greeting with Salam, saying الله أكبر, passing near the glorious Qur'an and visiting ruins?

Answer: Reciting the glorious Qur'an, touching it and entering Masjid is prohibited when a person requires bath. Since offering Salah is also related to the Qur'an, that's why it cannot be offered in this state. However, there is no prohibition in Qur'an and hadith to recite other Azkar (remembrance of Allah). So, it is allowed to put the paper written qur'anic verse on it in the pocket, to greet with Salam, saying الله أكبر, to pass near the glorious Qur'an without touching it and to enter in any place other than Masjid.² (Kitabul Fatawa. Vol.2 p.66)

Cutting nail and hair in the state of sexual impurity

Question: Is cutting nails and hair in the state of sexual impurity somewhat disliked (makruh tanzih) or prohibitively disliked (makruh tahreemi)?

Answer: There is a statement of detestable unconditionally that often means prohibitively disliked (makruh tahrimi), but somewhat disliked is understood by other indices. Al-Hindiyah reads:

”لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَارَى حَتَّى تَعْلَمُوا مَا تَقُولُونَ وَلَا جُنْبًا إِلَّا غَيْرُ سَيِّئٍ حَتَّى تَغْتَسِلُوا“

“Do not approach prayer while you are intoxicated until you know what you are saying or in a state of janabah, except those explore [a place of prayer], until you have washed [your whole body].” (Surah Nisa: 43)

This qur'anic verse establishes that the sexually impure person neither can offer Salah nor can enter masjid.

سمعت عائشة رضي الله عنها ... فقال: ”وجهوا هذه البيوت عن المسجد فإن لأهل المسجد لحائض ولاجنب-

I listed Aisha (rz) The Prophet (saws) said: Turn the direction of these (doors) from the mosque I do not make the mosque lawful for a menstruating woman and for a person who is sexually defiled. Abudawood. Book: The sexually impure person entering the masjid. P.34 No.232) This hadith reports that the sexually impure person cannot enter masjid.

..... (ولأبأس) لحائض وجنب (بقراءة أدعية ومسها وحملها وذكر الله تعالى وتيسيم)

There is nothing wrong for sexually impure person and menstruating woman to recite Du'as, to recall Allah and counting rosary, to touch and to carry them. Shami said: He indicates that making ablution for junub to perform these things is recommended like the abolition of minor impure person. (Shami. Book: Menstruation. Vol. 1 p.193)

2 (ولأبأس) لحائض وجنب (بقراءة أدعية)

There is nothing wrong for sexually impure person and menstruating woman to recite Du'as. (Durre Mukhtar. Vol.1 p.195) And Alamgiriya reads: ويجوز للجنب و الحائض الدعوات وجواب الأذان ونحو ذلك. It is allowed to recite du'as, to reply Azan and like these things for junub and menstruating woman. (vol.1 p.24)

حلق الشعر حالة الجنابة مكروه وكذا قص الأظافر. كذا في الغرائب-

Shaving hairs in the state of sexual impurity is detestable and so is nail cutting as it is mentioned in Al-Gharaib. (Alamgiriya. Vol.5 p.358) Allah knows the best. (Ahsanul Fatawa. Vol.2 p.38)¹

Cutting hairs in the state of sexual impurity is detestable

Question: Is shaving, trimming and nail cutting permissible in the state of sexual impurity or not? Is it right to say that if they were cut before taking bath, they will remain impure and they will accuse that there were left impure?

Answer: Maulana Sa'adullah (r) has written in a booklet 'Hidayah Al-Noor' which establishes that shaving, trimming and nail cutting are detestable.² The next point is not found in any book and it is not correct obviously. Third excursus, p.16. (Imdadul Fatawa Jadeed. Vol.1, p.58)

Cooking food and breastfeeding is lawful in the state of sexual impurity

Question: Can a woman breastfeed or cook food in the state of sexual impurity when taking bath is hard due to cold?

Answer: She can breastfeed and cook food.²³

17th Ziqadah, 1394 A.H. (Ahsanul Fatawa. Vol.2 p.36)

The injunction about reciting the glorious Qur'an and touching it in the state of sexual impurity

Question: A person requires bath. Can you recite the Qur'an putting his hand on it?

1 حلق الشعر حالة الجنابة مكروه وكذا قص الأظافر. كذا في الغرائب-1

Shaving hairs in the state of sexual impurity is detestable and so is nail cutting as it is mentioned in Al-Gharaib. (Alamgiriya. Vol.5 p.358, Chapter: 13 about circumcision, dying and etc. Rasheediyah. And so is in Imdadul Fatawa. Vol.1 p.28. Book of bath, Maktabah Darul Uloom, Krachi)

2 Mufti Azizur Rahman Deobandi (r) said: Some jurists classified serving hairs, trimming and cutting nails as detestable in the state of sexual impurity. It looks detestable means here somewhat disliked that can be described as unfavourable.

Alamgiri vol.5 denotes: حلق الشعر حالة الجنابة مكروه وكذا قص الأظافر. كذا في الغرائب- Shaving hairs in the state of sexual impurity is detestable and so is nail cutting as it is mentioned in Al-Gharaib. (Fatawa Darul Uloom. Vol.1 p.23)

Allamah Ibn Taimiyah said: هما أعلم بكراهية إزالة شعر الجنب وظفره دليلاً شرعياً They know more about shaving hairs of junub and cutting his nails by shariah proof. (Fatawa Ibn Taimiyah. Vol.1 p.44, Saeed)

3 وفيه جواز مصافحة الجنب واتفقوا على طهارة عرق الجنب والحائض- it describe the permission to shake hands with sexually impure person. Fuqaha also agreed to define the sweat of junub and menstruating woman as pure. (Margin of Mishkat. Vol.1 p.49)

Answer: When bath is obligatory for a person, he is allowed neither reciting the glorious Qur'an nor touching it.¹ Only the ablution cannot wash sexual impurity. Therefore, reciting the glorious Qur'an and touching it only after ablution will not be lawful. Taking bath is compulsory for it.² Allah knows the best.

Muhammad Taqi Uthmani (May Allah forgive him) (17/12/1387 A.H. Fatwa No.1467/18, A) Authenticated by, Muhammad Ashiq Ilahi (May Allah forgive him) (Fatawa Uthmani. Vol.1 p363)

Is touching Qur'an allowed or not with its satchel in the state of sexual impurity

Question: Can one touch the glorious Qur'an or not with its satchel in the state of sexual impurity? Can one recite the glorious Qur'an and Durood without the ablution or not?

1 Fatawa Shamiyah. Vol.1 p.293. M.H. Saeed. Mishkatul Masabeeh. Vol.1 p.49, Publication: Qadimi Kutubkhanah.

عن ابن عمر رضي الله عنهما قال: قال رسول الله صلى الله عليه وسلم: "لا تقرأ الحائض ولا الجنب شيئاً من القرآن."

Narrated Umar (rz) the Prophet (saws) said: "The menstruating woman does not recite - nor the Junub - anything from the Qur'an." (Tirmizi) and Al-Mirqat reads under this hadith. Vol.2 p.160: Sharhus Sunnah states: Fuqaha agreed to not allow to recite the glorious Qur'an for Junub... to sum up Jumhoor-e-Ulama (majority of Ulama) define the prohibition, because it is due to the greatness of the glorious Qur'an. Many ahadith describe it and prove it. Though all these are poor in authentication, but coming through the difference chains makes it authentic and raises it to the class of 'Hasan Lighairihi' and it can prove the injunctions. Durre Mukhtar. Vol.1 p.172 reads: It is prohibited to recite the glorious Qur'an with the intention of recitation and touching it for the person who is sexually impure. Al-Hindiyah. Vol.1 p.38 reads: Prohibition of reciting the glorious Qur'an is out of them. "The menstruating and the woman in childbed do not recite - nor the Junub - anything from the Qur'an." The injunction of prohibition is the same for a complete verse and less than that according to the most preferable statement.

عن عبد الله بن أبي بكر عن أبيه قال: كان في كتاب النبي صلى الله عليه وسلم لعمر بن حزم: "لا تمس القرآن إلا على طهر."

Abdullah Ibn Abi Bakr narrated from his father who said: It was written in the later of the Prophet (saws) handed over to Amr Ibn Hazm (rz): "Do not recite the glorious Qur'an but when you are pure." (Al-Dara Qutni, Book: Fobiding muhdith (impure person) from touching the glorious Qur'an. Vol.1 p.128. No. 429)

Answer: Junub (sexually impure person) can touch the glorious Qur'an with cover.¹ and one can recite the glorious Qur'an and Durood without ablution.² (Fatawa Darul Uloom. Vol.1 p.170, 171)

Touching the glorious Qur'an and carrying it to other place for sexually impure person

Question: Can one touch the glorious Qur'an in the state bath is compulsory and can he carry it anywhere in hand?

Answer: One can touch and can carry the glorious Qur'an along with him when it is wrapped in cloth in the state of sexual impurity.³ But he cannot touch it without any obstruction in the state of sexual impurity and when wudu is required.⁴ The difference is that he can recite it by tongue without touching when only wudu is required⁵ and he

ولا يجوز لهم أى للجنب والحائض والنفساء من المصحف إلا بغلاف وكذا كل ما فيه آية تامة من لوح أو درهم ونحو ذلك¹

It is not allowed for Junub, menstruating and the woman in childbed to touch the glorious Qur'an but with cover and the same injunction goes for all the things that contains one complete verse of the glorious Qur'an like board, coin etc., Because the Qur'an states: "None touch it except the purified." (Ghunyatul Mustamly. P.56 Zafeer)

Hakeem Ibn Hazm said: When the Prophet (saws) sent me towards Yemen said: "Do not touch the glorious Qur'an but when you are pure." (Mustadrak on Al-Sahihain. Vol.3 p.552, No.6051. Al-Mujamul Ausat Li Al-Tabarani. Vol.3 p.327. No.3301)

Narrated Amir and Salim: The sexually impure person will not touch the coin the word of Allah's Book written on it. He said: Ata and Qasim said: He can touch it when it is wrapped in cloth. (Musannaf Ibn Abi Shaibah. Book: Sexually impure person touched the coin. Vol.1 p.107. No.1219. Musannaf Abdur Razzaque. Book: Touching the Qur'an and the coin contains qur'anic verse.)

ولا تكره قراءة القرآن للمحدث ظاهراً أى على ظهر لسانه حفظاً بالإجماع²

It is not disliked for Muhdith (person without ablution) to recite the glorious Qur'an through his tongue it means without touching with the consent of all. Ghunyatul Mustamli. P.57. Ablution is recommended for common remembrance and going against it is unpreferable. (Al-Durrul Mukhtar on Raddul Muhtar. Mattter about bath. Vol.1 p.161 Zafeer)

حرمة من المصحف: لا يجوز لهما وللجنب والمحدث من المصحف إلا بغلاف متجاف عنه كالخرقة³

The respect of touching the glorious Qur'an: It is unlawful to touch the glorious Qur'an for menstruating and the woman in childbed, for junub and for Muhdith (person without ablution), but with the cover can be separated like cloth. (Fatawa Hindiyyah. Vol.1 p.38, Rasheediyyah, Pakistan)

عن عبد الله بن أبي بكر عن أبيه قال: كان في كتاب النبي صلى الله عليه وسلم لعمرين حزمة: "لا تمس القرآن إلا على طهر"⁴

Abdullah Ibn Abi Bakr narrated from his father who said: It was written in the later of the Prophet (saws) handed over to Amr Ibn Hazm (rz): "Do not recite the glorious Qur'an but when you are pure." (Al-Dara Qutni, Book: Fobiding muhdith (impure person) from touching the glorious Qur'an. Vol.1 p.128. No. 429)

ولا تكره قراءة القرآن للمحدث ظاهراً أى على ظهر لسانه حفظاً بالإجماع⁵

It is not disliked for Muhdith (person without ablution) to recite the glorious Qur'an through his tongue it means without touching with the consent of all. (Ghunyatul Mustamli. P.57)

cannot recite it even by tongue without bathing when bath is compulsory.¹ Allah knows the best.

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur, 21/10/1385 A.H. The answer is correct. Mahmood (May Allah forgive him) (Muntakhabat Nizamul Fatawa. Vol.1 p.134)

The injunction about typing Qur'an on computer in the state of sexual impurity

Question: What is the injunction about typing Qur'an by computer or typewriter in the state of sexual impurity?

Answer: Actually, the purpose is to respect the glorious Qur'an in Islamic Shariah that's why junub is not allowed to recite the glorious Qur'an. Similarly, Fuqaha prohibited him to write it. Since, writing of the glorious Qur'an by computer or typewriter is found here in the state of sexual impurity, so it is unlawful.²

Nevertheless, the Qur'an can be written by these modern technologies without the ablution with the condition that the verses should not be not be touched.

As Al-Hindiyah reads:

والجنب لا يكتب القرآن وإن كانت الصحيفة على الأرض ولا يضع يده عليها وإن كتب مادور الآية

The sexually impure person will not write the glorious Qur'an, whether it is less than one verse nor his hand on it though the paper is on the earth. (Al-Fatawa Al-Hindiyah. Vol.1 p.39. Chapter: 4 about the injunction of menstruation.)³ (Fatawa Haqqaniyah. Vol.2 p.566)

Going to masjid holding the glorious Qur'an in hand when Bath is obligatory

Question: Can one go to the masjid holding the glorious Qur'an in hand intending that he will take bath there firstly and will recite the glorious Qur'an after performing Salah?

¹ عن ابن عمر رضي الله عنهما قال: قال رسول الله صلى الله عليه وسلم: "لا تقرأ الحائض ولا جنب شيئاً من القرآن"

Narrated Umar (rz) the Prophet (saws) said: "The menstruating woman does not recite - nor the Junub - anything from the Qur'an." (Ibn Majah. Book: What is narrated about reciting the glorious Qur'an with purity, No. 595)

² Writing the text of the Qur'an is prohibited in the case when the hand touches the paper, if it is not, there is difference about being lawful. That's why it is permitted at the time of need. However, writing the glorious Qur'an by computer or typewriter does not require to recite its words nor to touch. Therefore, it is permitted in the time of need. But it is against its respect as the text of Tahtawi declares it.

³ قال السيد أحمد الطحطاوى: "وأما كتابة القرآن فلا بأس بها إذا كانت الصحيفة على الأرض عند أبي يوسف"

Al-Sayyid Ahmad Al-Tahtawai said: However, there is nothing wrong to write the glorious Qur'an when the paper is on the earth according to the view of Abu Usuf (r), because he is not its holder, while Muhammad (r) disliked it and Mashaikh of Bukhara chose it. (Al-Tahtawi on Maraqi Al-Falah. Vol.1 p.115. Book: Menstruation.

Answer: He can carry it wrapping in cloth.¹ Allah knows the best.

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur, 21/10/1385 A.H. The answer is correct. Mahmood (May Allah forgive him) (Muntakhabat Nizamul Fatawa. Vol.1 p.155)

The injunction about touching books of interpretation of the glorious Qur'an its translation, and hadith

Question: Can junub read or touch the books of hadith and qur'anic interpretation and can he write the translation of Qur'an or read it?

Answer: It is lawful to touch and read the book of hadith and Fiqh for junun, but it is not preferable. If the texts of the interpretation are more than the texts of the glorious Qur'an in the book of qur'anic interpretation, touching is lawful, else not. However, the case of writing the glorious Qur'an is difference when it is in a way that the hand cannot touch the paper, but it is permissible at the time of need. It should be noticed that touching that paper is not allowed at all. Fuqaha apply the injunction of touching the glorious Qur'an without ablution on its translation also.

Al-Durrul Mukhtar reads:

وقد جوز أصحابنا من كتب التفسير للمحدث، ولم يفصلوا بين كون الأكثر تفسيراً أو قرآناً، ولو قيل به اعتباراً للغالب لكان حسناً، قلت: لكنه يخالف ما مر فتدبر. قال العلامة ابن عابدين (قوله فتدبر): لعله يشيره إلى أنه يمكن ادعاء تقييد إطلاق المتن بما إذا لم يكن التفسير أكثر، فلا ينافي دعوى التفصيل.

Our Fuqaha allowed to touch the book of qur'anic interpretation for the person without ablution whether the words of interpretation are more or the words of Qur'an. If it is said looking at the majority, it is good. I said: but it differs from what is mentioned above. Take into account. Allama Ibn Abideen (r) said: his statement (قوله فتدبر) perhaps indicates that the pretension is possible to restrict the main text with the condition when the interpretation is not more than qur'anic texts. Then the suit will not contradict the detail. (Al-Durrul Mukhtar with Raddul Muhtar, before the book of water, Vol.1 p.164)

Al-Durrul Mukhtar reads:

(و) لا تكره كتابة القرآن والصحيفة أو اللوح على الأرض عند الثاني (خلافاً لمحمد، وينبغي أن يقال إن وضعه على الصحيفة ما يجوز بينها وبين يده يؤخذ بقول الثاني وإلا فبقول الثالث قاله الحلبي.

¹ لا يجوز لهما وللجنب والمحدث من المصحف إلا بغلاف متجاف عنه كالخريطة.

It is unlawful to touch the glorious Qur'an for menstruating and the woman in childbed, for junub and for Muhdith (person without ablution), but with the cover can be separated like cloth. (Fatawa Hindiyyah. Vol.1 p.38, Rasheediyah)

It is not disliked to write Qur'an, heavenly Scriptures and board on the earth according to the view of second Imam that is different from the view of Muhammad (r). It is right to say that if something is put between the Scripture and his hand, it will be according to the second view else it will be according to the third, said, Al-Halabi. (Al-Durrul Mukhtar with Raddul Muhtar, before the book of water, Vol.1 p.162)

It further reads in the book of menstruation:

(وقراءة قرآن) بقصد (ومسه) ولو مكتوباً بالفارسية في الأصحـ

And the recitation of the Qur'an with its intention, and touching it though it is written in Persian language according to the most preferable statement. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.270) Allah knows the best.

29th Ziqadah, 1387 A. H. (Ahsanul Fatawa. Vol.2 p.36)

Going to masjid at the time of need in the state of sexual impurity

Question: If it is difficult to take bath with cold water for someone and there is no warm water out of masjid, can junub enter masjid or not? Similarly, if the switch of water pump is inside masjid, can junub enter to make it on?

Answer: If there is no arrangement to take bath out of masjid and there is no option except entering masjid, junub is allowed to enter after making tayammum.¹

Ibn Abideen said:

لكن لقائل أن يقول: إن مراد المبتغي أن الجنب إذا وجد ماء في المسجد وأراد دخوله للاغتسال تيمم ويدخلـ

But for someone to say: The desired person means that if junub found water inside masjid and wanted to enter to take bath, he will make tayammum then enter. (Raddul Muhtar on Al-Durrul Mkhtar. Book of Tayammum. Vol.1 p.243)² (Fatawa Haqqaniyah. Vol.2 p.538)

Entering Masjid for the Prophet (saws) in the state of sexual impurity

Question: Was it lawful to enter masjid for Prophet (saws) in the state of sexual impurity? If it was, was this this speciality of the Prophet (saws) or all are equal in this injunction?

¹ Abu Dawood, Book anout junub who enters masjid. P.34, No.232

² قال إبراهيم الحلي: "جنب وجد الماء في المسجد ولم يجده في غيره وليس معه أحد يأتيه به، تيمم لأجل الدخولـ

Ibrahim Al-Halabi (r) said: If junub did not find water except inside masjid and there is no one who can bring for him, he will make tayammum to enter masjid. (Kabeeri, Book of Tayammum. P.72)

Answer: The door of the Prophet (saws)'s house was in the masjid. Therefore, the Prophet (saws) was permitted to pass by.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him), assistant Mufti Madrasah Mazahirul Uloom Saharanpur, 26th Rajab, 1356 A.H.

Authenticated by Saeed Ahmad (May Allah forgive him) and Abdul Lateef, Madrasah Mazahirul Uloom Saharanpur, 26/07/1356 A.H. (Fatawa Mahmoodiyah. Vol.5 p.113, 114)

عن أبي بكرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَخَلَ فِي صَلَاةِ الْفَجْرِ، فَأَوْمَأَ بِيَدِهِ أَنْ مَكَانَكُمْ، ثُمَّ جَاءَ وَرَأْسَهُ يَقْطُرُ، فَصَلَّى بِهِمْ 1

Narrated AbuBakrah (rz): The Messenger of Allah (ﷺ) began to lead (the people) in the dawn prayer. He then signalled with his hand: (Stay) at your places. (Then he entered his home). He then returned while drops of water were coming down from him (from his body) and he led them in prayer.

"فكبر وقال في آخره فلما قفى الصلاة قال " إنما أنا بشر وإني كنت جنباً وعن يزيد بن هارون أخبرنا حماد بن سلمة بإسناده ومعناه وقال في أوله

This tradition has been reported by Hammad b. Salamah through the same chain of narrators and conveying a similar meaning. This version adds in the beginning:

He uttered TAKBIR (Allahu Akbar), and in the end: when he finished the prayer, he said: I am a human being; I was sexually defiled. (Sunan Abu Dawood. Vol.1 p.35. Chapter: The sexually impure person leading the prayer in a state of forgetfulness. Imdadiyah Multan.

Allama Saharanpuri said and that these Ahadeeth: Tirmizi narrated this hadith with the chain of Abu Saeed (rz) he said: The Messenger of Allah (ﷺ) said to 'Ali (rz): "O 'Ali! It is not permissible for anyone to be Junub in this Masjid except for you and me."

If it is permissible for the Messenger of Allah to pass by the masjid when he is sexually defiled, it will not be proved for others. Had it not been lawful for him (saws), Allah would not let him enter masjid in the state of sexual impurity. (Bazlul Majhood commentary on Abu Dawood. Vol.1 p.14. Chapter: The sexually impure person leading the prayer in a state of forgetfulness. Imdadiyah Multan)

And so is in Qootul Mughtazi on the margin of Al-Tirmizi. Vol.2 p.214, Chapters of virtues. Virtues of Ali (rz) Ibn Abu Talib. Saeed.

جاء رسول الله صلى الله عليه وسلم ووجوه بيوت أصحابه ----- الحديث جرة بنت دجاجة قالت سمعت عائشة [رضي الله عنها] تقول

Narrated Aisha, Ummul Mu'minin (rz): The Messenger of Allah (ﷺ) came and saw that the doors of the houses of his Companions were facing the mosque. He said: Turn the direction of the houses from the mosque. The Prophet (ﷺ) then entered (the houses or the mosque), and the people did not take any step in this regard hoping that some concession might be revealed. He (The Prophet) again came upon them and said: Turn the direction of these (doors) from the mosque I do not make the mosque lawful for a menstruating woman and for a person who is sexually defiled. (Sunan Abu Dawood. Vol.1 p.34. Chapter: The sexually impure person entering the masjid.)

It was not allowed to enter Masjid in the state of sexual impurity at that time nor this time for anyone.

ويعبر دخول المسجد بالحدث الأكبر لا صلى عيد وجنازة. الخ. It is prohibited to enter masjid in the state of major impurity, but the field of Eid Salah and the place of funeral prayer..... (Al-Durrul Mukhtar. Vol.1 p.171 Book of bath. Saeed. And so is in Badai Al-Sanai. Vol.1 p.281, Darul Kutub Al-Ilmiyah, Beirut)

The exception to pass by the masjid in the state of sexual impurity for the Prophet (saws) and for Ali (rz)

Question:

عن أبي سعيد رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم لعلي عليه السلام: "يا علي! لا يحل لأحد يجنب في هذا المسجد غيري وغيرك" وقال علي بن المنذر: قلت لضرار بن سراد: "ما معنى هذا الحديث؟" قال: "لا يحل لأحد يستطرقة جنباً غيري وغيرك" -

Narrated Abu Sa'eed: that the Messenger of Allah (ﷺ) said to 'Ali (rz): "O 'Ali! It is not permissible for anyone to be Junub in this Masjid except for you and me." Ali Ibn Munzir said: I asked Zurar bin Sarad: What does this hadith mean? He replied: "No one is permitted to pass by the masjid when he is junub except you and I." (Tirmizi with Al-Arf Al-Shazi, Book of commendable characteristics. Vol.2 p.214)

Now the question is that why the Prophet (saws) and Ali (rz) were exempted from the prohibition of entering Masjid in the state of sexual impurity even though the Prophet (saws) is also a human?

Answer: Imam Shafai (r) and other Imams agreed to allow to pass by the masjid in the state of sexual impurity. They prove it by following verse:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَارَىٰ حَتَّىٰ تَعْلَمُوا مَا تَقُولُونَ وَلَا جُنُبًا إِلَّا عَابِرِينَ سَبِيلٍ حَتَّىٰ تَغْتَسِلُوا (الآية)

O you who have believed, do not approach prayer while you are intoxicated until you know what you are saying or in a state of janabah, except those explore [a place of prayer], until you have washed [your whole body]. (Surah Al-Nisa: 43)

These Imams except to mean the actual meaning and metaphor at the time. Using metaphor, firstly, they mean by Salah the actual meaning of Salah in the state of intoxication and secondly, they mean by Salah to pass by the place of Salah (masjid) in the state of sexual impurity. They mean by the words *عَابِرِينَ سَبِيلٍ* the actual meaning 'exploring'.¹

Abu Hanifah (r) does not accept to mean actual meaning and metaphor at the time. Thus, he means by Salah the actual meaning in both matters (the state of intoxication and sexual impurity) and he applies *عَابِرِينَ سَبِيلٍ* in the state of travelling. Therefore, he allows to perform Salah after making tayammum only without taking bath in journey.

Because getting no water is an excuse in journey not at home. For normally, this condition is not occurs at home.²

¹ Ibn Rushd said in Bidayatul Mujtahid: وقوم منعوا ذلك إلا لعابر فيه لا مقيم ومنهم الشافعي. Some people forbade from entering Masjid except for the person in journey not for resident. One of them is Imam Shafai (r). (Bidayatul Mujtahid. Vol.1 p.35)

² قال في البدائع: "ولا يباح للجنب دخول المسجد وإن احتاج إلى ذلك يتيمم ويدخل سواء كان الدخول لقصد المكت أو للاجتياء عندنا..." الخ

The second example of عَابِرٌ سَبِيلٍ according to the view of Hanafi School of thought is a specific condition that is a person faced wet dream in masjid. He is allowed to come out from masjid after making tayammum. Some other Aimmah allow him to come out without tayammum.¹

However, junub is not prohibited to pass by Masjid at all that can be objected and the ahadith that establishes prohibition these are about prohibition to enter in masjid not about passing by. The hadith which is asked indicates to pass by. So, there is no apposition of School of thought. Therefore, forbidding others from entering is metaphor from opening the way for entering Masjids.

The fact is that the room of the Prophet (saws) and not only the doors of Prophet's wives were opening towards Masjid not only the door of Aisha (rz) and all cases of Muslims were solved in masjid. The council of court, education and counseling sessions was also held here. This required coming and going. That's why Imam Bukhari (r) held a separate chapter for all these matters.

Thus there is no option for Prophet (saws) to open the door but towards masjid. The Prophet (saws) made Ali (rz) his brother at the time of Muakhat and he married his

Al-badai reads: It is unlawful to enter masjid for junub if he needs, he will make tayammum and will enter without this entering is with the intention to stay there or to pass by according to the view of Hnafi schools of thought. Imam Shafai (r) said: If he is in need to pass by, he is allowed to enter without making tayammum. He proves it by the following verse:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَارَىٰ حَتَّىٰ تَعْلَمُوا مَا تَقُولُونَ وَلَا جُنُبًا إِلَّا عَابِرِينَ سَبِيلًا حَتَّىٰ تَغْتَسِلُوا (الآية)

O you who have believed, do not approach prayer while you are intoxicated until you know what you are saying or in a state of janabah, except those explore [a place of prayer], until you have washed [your whole body]. (Surah Al-Nisa: 43)

قيل: المراد من الصلوة مكانها وهو المسجد كذا روى عن ابن مسعود رضي الله عنه وعابر سبيل هو المار يقال: عبراى مَرَّ----- الخ

It is said: Salah means here its place that is masjid as narrated Ibn Masdood (rz): عابر سبيل means here passerby. It is said: عبر means passed. Junub is prohibited to enter masjid without taking bath and the passerby from masjid. The injunction of exempted is differs from the injunction of exempted from. So, it will be lawful for to enter masjid without taking bath.

Our proof is the following hadith:

عن رسول الله صلى الله عليه وسلم قال: سدوا الأبواب فإنى لا أحلها لجنب ولا خائض.

Close these (doors) from the mosque I do not make the mosque lawful for a menstruating woman and for a person who is sexually defiled.

Here the pronoun الهاء is meant by masjid which excluded the permission without any difference between passerby and other. As for the verse, Ali (rz) and Ibn Abbas (rz) narrated: Here the actual meaning of Salah is meant and عابر سبيل meanse sexually defiled traveller who did not find water and make tayammum. For it is lawful for him to offer Salah after doing tayammum that's why we say that. This interpretation is better, because here the name of Salah remains in its condition. (Badai Al-Sanai. Vol.1 p.38)

نقل العلامة الشافى: ولو أصابته جنابة في المسجد قيل: لا يباح له الخروج من المسجد من غير تيمم اعتباراً بالدخول، وقيل: يباح 1

Al-Allamah Shami referred: If the impurity got on him in masjid, it is said: He is not allowed to come out from masjid without tayammum as entering and it is also said that he is permitted. (Shami. Vol.1 p.172)

daughter Fatimah with Ali (rz) after the battle of Badr. He also had to come again and again for his needs which required to open his door in the direction masjid. Similarly, other people also made their doors towards masjid.

This hadith notifies to close these doors. The reason was that it requisite to pass by masjid in the state of sexual impurity which is unlawful.

According to the rule 'الضرورات تبيح المحظورات' (necessity permits the forbidden things) the Prophet (saws) had such needs by that it can be permitted. That's why all doors should be closed except these.¹ People turned their doors in another direction. But when they fell into difficulty for participating congregation of Salah, they asked permission for windows and they were permitted that does not requisite to pass by masjid in the state of sexual impurity.

Finally, these windows were also close to and Abu Bakr's (rz) window was permitted. Aimmah inferred his caliphate from this indication.

The injunction to respect and to save from humiliation came gradually. Thus this hadith also permits to pass by in required situations with tayammum. Aimmah inferred from the collection of ahadith that prove inductive injunction. Allah knows the best. (Maktoobat. Vol.1 p.240-242) (Fatawa Shaikhul Islalm. P.18-21)

The sexually impure person offering the prayer in a state of forgetfulness

Question: A person had wet dream in the night and unknowingly, he went to masjid and performed the dawn prayer. Will he be sinner or not?

Answer: According to the question if he perform Salah in the state of impurity, he will not be sinner,² but as soon as he came to know about impurity, it is mandatory to repeat Salah after taking bath. Allah knows the best.

Muhammad Usman Ghani. 06/12/1373 A. H. (Fatawa Imarat Shariah. Vol.2 p.60, 61)

1 Shami (r) said:

وفيه: وقد علم أن دخولَه صلى الله عليه وسلم المسجد جنباً ومكثه فيه من خواصه وكذا هو من خواص على رضى الله عنه كما ورد من طرق ثقات تدل على أن الحديث صحيح.

It is known that entering of Prophet (saws) and staying there in the state of sexual impurity was one of his specialties and the same thing was with Ali (rz) as it came from trustworthy people of chain that indicate about the authentication of hadith. (Raddul Muhtar. Vol.1 p.171)

عن أبي ذر الغفاري قال: قال رسول الله صلى الله عليه وسلم (إن الله تجوز عن أمتي الخطأ ونسيان وما استكروا عليه)²

It was narrated from Abu Dharr Al-Ghifari (rz) that the Messenger of Allah (ﷺ) said: Allah has forgiven for me my nation their mistakes and forgetfulness, and what they are forced to do." (Sunan Ibn Majah. Book: The divorce of forced and unmindful person. P.148)

What is the injunction about taking bath in the bathroom of Masjid for junub?

Question: What the respected muftis say about the person who had intercourse with his wife and took bath in the bathroom of masjid?

Answer: If the way to the bathroom of masjid is out of masjid, definitely he can go there. But the delaying bath too much it is not good at all. As Al-Badai reads:

ولا يباح للجنب دخول المسجد إن احتاج إلى ذلك تيمم ويدخل سواء كان الدخول لقصد المكث أو للاجتياز (إلى قوله) (ولنا)

ماروى عن رسول الله صلى الله عليه وسلم أنه قال: سدوا الأبواب فإنى لا أحلها لجنب ولا لحائض والهاء كناية عن المساجد- الخ

It is unlawful to enter masjid for junub if he needs, he will make tayammum and will enter without this entering is with the intention to stay there or to pass by according to the view of Hnafi schools of thought. Imam Shafai (r) said: If he is in need to pass by, he is allowed to enter without making tayammum. He proves it by the following verse:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْرَبُوا الصَّلَاةَ وَأَنْتُمْ سُكَارَى حَتَّى تَعْلَمُوا مَا تَقُولُونَ وَلَا جُنْبًا إِلَّا عَابِرِينَ سَبِيلٍ حَتَّى تَغْتَسِلُوا (الآية)

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قيل: المراد من الصلوة مكاتها وهو المسجد كذا روى عن ابن مسعود، رضي الله عنه وعابر سبيل هو المار يقال: عبراى مَرَّ----- الخ

It is said: Salah means here its place that is masjid as narrated Ibn Masdood (rz): عابر سبيل means here passerby. It is said: عبر means passed. Junub is prohibited to enter masjid without taking bath and the passerby from masjid. The injunction of exempted is differs from the injunction of exempted from. So, it will be lawful for to enter masjid without taking bath.

Our proof is the following hadith:

عن رسول الله صلى الله عليه وسلم قال: سدوا الأبواب فإنى لا أحلها لجنب ولا لحائض-

Close these (doors) from the mosque, I do not make the mosque lawful for a menstruating woman and for a person who is sexually defiled.

Here the pronoun الهاء is meant by masjid which excluded the permission without any difference between passerby and other. (vol.1 p.83) Allah knows the best. (Fatawa Darul Ifta Wa Darul Qadha Jamai Binnoriyah, Pakistan. S. No. 11404)

When will be washed impure clothes before taking bath or later?

Question: When will be washed the clothes, got impure in the state of sexual impurity, before taking seminal bath or after? Will the cloth become pure if it is washed in the state of sexual impurity?

Answer: There is nothing wrong to wash clothes in the state of sexual impurity. The tendency of people, the cloth will not be pure if it is washed in the state of sexual impurity, is wrong to the core.¹ Allah knows the best.

Muhammad Kifayatullah (May Allah had been) Delhi. (Kifayatul Mufti. Vol.2 p.276)

عن أبي هريرة رضي الله عنه قال: لقيني رسول الله صلى الله عليه وسلم وأنا جنب فأخذ بيدي فمشيت معه حتى قعد فانشلت فأتيت الرجل - الحديث¹

Abu Hurairah (rz) narrated that: the Prophet met him while he was Junub. He said: "[So I slipped away from him - meaning:] I withdrew - to perform Ghusl. Then he returned, so he said: 'Where have you been?' Or: 'Where did you go?' I replied: 'I was Junub.' So he said: 'Indeed the believer is not defiled.'" (Bukhari with the reference of Mishkatul Masabeeh. Book: Associating with junub and the things which are lawful for him.)

MISCELLANEOUS (MASAIL) OF BATH

Miscellaneous (Masail) of Bath

The injunction about the sprinkles of bath

Question: Will the water of bucket be pure if the sprinkles splashed in it?

Answer: The water will be pure and bathing is correct with it, because if the used water is less than freshwater it can purify. If the used water is more than freshwater or equal to freshwater, bath will not be correct.

Al-Alaniyah reads:

فإن المطلق أكثر من النصف جاز التطهير بالكل والإلأ.

If the freshwater is more than half, purification will be allowed else not. (Raddul Muhtar. Vol.1 p.168)¹ Allah knows the best. 1st Ziqadah, 1393 A.H. (Ahsanul Fatawa. Vol.2 p. 41)

Injunction about water when the sprinkles dropped into tub the state of sexual impurity

Question: Sprinkles drop into bucket or tub during taking seminal bath. Will this water be pure or not while he immerse his hands into the bucket or tub? Is performing wudu and bath lawful with this water or not?

Answer: If the water splashed into the bucket from the part of the body which is involved with impurity, it will impure the water.² Bath will not be lawful with it. But if the water splashed from other place that is pure into the bucket, the water of bucket will not be impure and wudu and bath will be correct with it.³ Allah knows the best.

¹ Al-Durrul Mukhtar on the margin of Raddul Muhtar.

² وكل ماء وقعت فيه نجاسة لم يجز الوضوء به قليلاً كان أو كثيراً

All the water the impurity dropped into it, wudu will not be lawful with it whether the water is little or more. (Qudoori on the margin of Al-Lubab. Vol.1 p. 44, Darul Iman, Saharanpur.)

³ (و) عن (درسمت) الخ وانتصاح غسالة لا تظهر مواقع قطرها في الإناء عفو (درمختار) وفي الفتحة: وما ترشش على الغاسل ----- الخ

The blood of fish is forgiven... and the sprinklers that are not seen their dropping place into the pot are forgiven. (Durre Mukhtar) Al-Fath reads: The washed water of dead that splashed over the person who

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur, 12/07/1385 A.H. Authenticated by Sayyid Ahmad Ali Saeed, Muhammad Jmilur Rahman, Vice Mufti Darul Uloom Deoband (Muntakhabat Nizamul Fatawa. Vol.1 p.153)

What is the injunction about water if the sprinkles dropped into water pot?

Question: Will the water become impure if the sprinkles dropped into the water pot while taking bath after washing the impure part and after making wudu?

Answer: We should be careful in this regard though the water will not be impure by a few sprinkles.¹ (Fatawa Darul Uloom. Vol.1 p. 160, 161)

The sprinkles that got on the walls of bathroom do not harm bath

Question: Do the sprinkles that got on the walls of bathroom make any harm in bath or not?

Answer: The bath is complete. There is no harm.² We should not be notional. (Fatawa Darul Uloom. Vol.1 p. 157, 158)

Taking bath in pond

Question: We take bath in pond where we have to be with non-Muslims and the sprinkles of their bodies and clothes got on us. What is the injunction in this matter?

Answer: Bath is lawful in this condition and we should not be doubtful about impurity.³ (Fatawa Darul Uloom. Vol.1 p. 153)

washes, which is impossible to prevent form it till he washes, will not impure due to common affliction.... (Raddul Muhtar, Book of impurity. The matters about doping sweat. Vol.1 p.300)

(و) عفی (در مسکت) الخ وانتضاح غسالة لا تظهر مواضع قطرها في الإناء عفو (در مختار) وفي الفتح: وما ترش على الغاسل..... الخ¹

The blood of fish is forgiven... and the sprinklers their dropping places into the pot is not seen are forgiven. (Durre Mukhtar) Al-Fath reads: The washed water of dead that splashed over the person who washes, which is impossible to prevent form it till he washes, will not impure due to common affliction.... (Raddul Muhtar, Book of impurity. The matters about doping sweat. Vol.1 p.300)

² Fuqaha have written: Difficulty brings easing. They added: Let's know that the reasons of easing in prayers and other things are seven. The sixth one of them difficulty and common affliction. The thing which is forgiven in this regard is the walls of bathroom.

And so are the bathroom when the water is poured on impurities and the walls sweated and started dropping. (Al-Ashbah Wa Al-Nazair. P. 98. Zafeer Miftahi)

³ certainty is not ended by doubt. (Al-Ashbah Wa Al-Nazair, Publication Nawal Kishor, Lucknow, Rule: 3, Zafeer)

The injunction about lower garment (Lungi) in volume with impurity after taking bath

Question: Zaid had a wet dream in the night and the impurity spread over the most of the parts of lungi. Firstly he washed the parts of his body where the impurity got on and took bath with its mandatory acts after making wudu. Now when he will wash the body again and will change his lungi, he will be pure like people change their lungi after bath normally. Will Zaid be pure in these cases are not?

Answer: According to the question when there impurity is washed the cloth became pure.¹ So, the cloth can be changed like normal condition.

Note: If the cloth is washed in a way that its impurity did not get on the body, or he washed the body if the impurity got on it and there is no impurity on the body nor on cloth, he will change the cloth without being naked. Written by Muhammad Zafar Alam Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 243)

What to do if bath became mandatory during Itikaf (staying in masjid with intention)?

Question: Assalamu Alaikum! Can a woman take bath during itikaf (staying in masjid with intention)?

Answer: If bath became mandatory during itikaf (staying in masjid with intention) by wet dream, she can take bath during itikaf otherwise not.²

Al-Durrul Mukhtar reads:

(وحرم عليه) ... (الخروج لإلحاجة الإنسان) طبعية كبول وغائط وغسل لواحترام

It is forbidden for him to exit from the place of itikaf except to fulfil the natural needs like to pass urine, defecate and take bath if he had wet dream. (Vol.2 p. 444, 445) Allah knows the best.

(Fatawa Darul Ifta Wa Darul Qadha, Jamia Binnoriyah Pakistan. Fatwa No. 43027)

¹ (ويطهر مني) أى محله التيمم (والا) يكن يابساً ... (فيغسل) كسائر النجاسات، التيمم (ويدبر) على الظاهر من المذهب.

The place of semen will be pure after scrubbing if the semen is dry and if it is wet it will be washed like other impurities.... And the body will be pure after washing according to the preferable view. (Al-Durrul Mukhtar on Raddul Muhtar. Book of impurities. Vol.1 p. 312-314)

² This injunction will be applied when it is necessary itikaf like votive itikaf. If it is Sunnah or Nafl, she can go out for taking bath.

(وحرم عليه) أى على المعتكف اعتكافاً واجباً أما النفل فله الخروج لأنه منه لا مبطـلـ

It is prohibited to go out of the place of itikaf if it is necessary itikaf, but if it is nafl, it is lawful to go out of that place, because going out does not nullify nafl itikaf. (Al-Durrul Mukhtar on Raddul Muhtar. Book of Itikaf. Vol.2 p.444, 445)

The injunction about attached bathroom and toilet

Question: Is attaching bathroom and toilet with bedroom lawful or not, because it became a fashion nowadays?

Answer: Shariah did not restrict the design of house to fix its parts in their specific places. There is no convenience in this regard as it depends on people's easiness. If they feel it feasible, there is nothing wrong, because the patients and disabled have easiness. Moreover, if the different members of a lineage are sharing the residence and a man or woman requires bath and feels shy to take bath in open space. In these conditions attached bathrooms and toilets are useful. That's why it looks good. (Kitabul Fatawa. Vol.2 p. 60, 61)

The injunction about taking bath in swimming pool

Question: Nowadays swimming pools are made to take bath in some places. These are much more than 10 x 10. What is the injunction about taking bath in them?

Answer: The pond which is 10 x 10 its water is accepted as flowing water according to fatwa. So, if the swimming pool is 10 x 10 or more than that will be in the injunction of flowing water and taking bath in it is lawful. However, taking bath in swimming pool is the habit of evildoers and non-Muslims, we should prevent from these places.

For Tahir bin Abdur Rasheed said:

الحوض الكبير مقدر بعشرة أذرع في عشرة أذرع... وعليه الفتوى -

A big pond which is equal to 10 x 10..... Fatwa is given according to it. (Khulasatul Fatawa. Vol.1 p.3. Book of purity)¹ (Fatawa Haqqaniyah. Vol.2 p. 535)

¹ التقدير بعشر في عشر هو المفتي به قال السيد أحمد الطحطاوى: (قوله هو المفتي به) هو قول عامة المشائخ (خانية) وهو قول الأكثر وبه نأخذ (نوازل) وعليه الفتوى كما في شرح الطحاوى -

The measurement of 10 x 10 is according to Fatwa, said Al-Sayyid Ahmad Al-Tahtawi (r). His statement 'it is according to Fatwa' is the view of majority of Ulama. (Khaniyah) it is the view of most Fuqaha. (Nawazil) Fatwa is according to it as it is mentioned in Sharah Al-Tahtawi. (Tahtawi in the margin of Maraqi Al-Falah. P. 21. Book of purity. The matters about the kinds of water. And so is in Al-Hindiyah. Vol.1 p. 18. Chapter: 3 about water.)

Taking bath with impure water is unlawful

Question: Taking bath with impure water is unlawful. If it is lawful in some conditions, when is it? Can one enter masjid and recite the glorious Qur'an after taking bath with impure water?

Answer: It is unlawful to take bath with impure water and bath will not be valid. He will not be pure. So, entering Masjid and reciting the glorious Qur'an is unlawful. Durre Mukhtar reads:

(يرفع الحدث) مطلقاً (بماء مطلق). قال في الشامي: فخرج المقيد والماء المتنجس والماء المستعمل، بحر.

Normally, the impurity is washed by freshwater. Shami said: The word fresh excluded restricted, impure and used water. (Bahr)¹ (Fatawa Darul Uloom. Vol.1 p.177)

Is it sufficient to pour water after applying impure soap over the impure body?

Question: Is it sufficient to pour water after applying impure soap over the impure body?

Answer: The body will be pure after washing that soap.² Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 359)

Having intercourse with a woman who is unable to take bath

Question: A person's wife is sick forever and unable to take bath. She is too weak to take bath. The husband copulated with her as he required and said to his wife to continue offering Salah after making tayammum with the intention of bath till you became able to take bath. Is it lawful to have intercourse with her and to offer Salah after making tayammum?

Answer: This method is lawful. Having intercourse with his wife is lawful for husband and offering Salah after making tayammum is also permissible. Allah knows the best. (Fatawa Darul Uloom, Imdadul Muftieen. P. 245)

¹ Raddul Muhtar. Book of water. Vol.1 p. 165, 166. Zafeer.

² ويظهر بدرك المصلي وثوبه ومكانه عن نجس مرئي بزوال عينه وإتبقى أثر يشق زواله بالماء متعلق بقوله بزوال عينه وبكل مائه طاهر مزيل كحل ونحوه وأما لم ير أثره يغسله ثلاثاً وأثره في كل مرة إن أمكن، إلخ.

The body of the worshipper, his clothes and the place will be pure after washing visible impurity, with the water and all pure liquid that can remove the impurity like acetified, though it's the effect remains that is difficult to remove. The impurity which is invisible its effect, will be washed three times along with its effect if it is possible. (Sharah Al-Wiqayah. Book of impurities. Vol.1 p 137. Zafeer)

Seminal bath in journey

Question: Bakr was travelling by train. It takes for 2-3 days to reach the destination. If bath became mandatory for him, how will he take bath and offer Salah?

Answer: The water and the place to take bath used to be there. He should take bath there. If there is no bathroom, he should pour water well in toilet then take bath.¹ Allah knows the best.

Written by Mahmood (Fatawa Mahmoodiyah. Vol.5 p. 112)

If the water is little, where it will be utilized in the bath of dead, sexually defiled or masturbating woman?

Question: Two men and one woman are imprisoned in a place where water is no more. They have only in such a quantity that one man can take bath. The woman's menstruating period ended and one man began sexually defiled while the other died. Where will this water be utilized to wash dead, in the bath of sexually defied or menstruating woman?

Answer: الحنب أُولَى بِمِباح من حائض أو محدث وميت ولو لأحدهم فهو أُولَى ولو مشتركاً ينبغي صرفه للميت.

If the water is permissible, it is better to take bath for sexually defied person then menstruating woman or minor impure person. If one of them is its owner, he is more entitled to use and if it is common, it is better to spend for dead person. (Durre Mukhtar on Shami. Vol.1 p.186)

If one of them is its owner, he is more entitled to use and if it is common, it is better to spend for dead person. If the water is permissible, it is better to take bath for sexually defied person. Allah knows the best.

Abbas Sattar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan. 13/02/1396 A.H.

¹ (وسننه) كسّن الوضوء سوى الترتيب وآدابه كآدابه (الدر المختار: ١٥٦/١، مطلب سنن الغسل، سعيد-ومن آدابه- والجلوس في مكان مرتفع تحريزاً عن الماء المستعمل لوقوع الخلاف في نجاسته ولأنه مستقذر.

The Sunnah acts etiquettes of bath are like Sunnah acts and etiquettes of wudu except order. (Al-Durrul Mukhtar. Vol.1 p.156. Matters about Sunnah acts of bath. Saeed) its etiquettes are: to sit on a high place preventing from used water which is difference in being pure and because it is unclean. (Al-Durrul Mukhtar. Vol.1 p.127. Etiquettes of wudu, Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.9. Chapter:3 about recommended acts. Rasheediyah. And so is in Imdadul Fatah the commentary of Noorul Idhah. P. 82. Chapter about etiquettes of wudu. Haqqaniyah)

Offering Salah in the state of sexual impurity is doubted infidelity

Question: What do Ulama (Shariah jurists and Islamic scholars) say in regards the following matters?

- (1) A woman offered Salah without taking bath unknowingly and later she came to know that bath was mandatory on her.
- (2) A woman for Salah without taking bath knowing that bath is mandatory on her.
- (3) A person offer Salah without making wudu.

Answer:

- (1) She should make up for Salah she has offered in the state of sexual impurity.¹
- (2) And (3) Offering Salah without purity is a grave sin. It is doubted infidelity. He should ask forgiveness immediately, be penitent and make up for that prayer.² Allah knows the best.

Written by Abdullateef (May Allah forgive him) Assistant Mufti Madrasah Qasimul Uloom, Multan. 25th Rajab, 1384 A.H. (Fatawa Mufti Mahmood. Vol.1 p.424)

¹ Al-Durrul Mukhtar reads: والقضاء فعل الواجب بعد وقته، making up for is to perform the mandatory acs after passing time. Book of Salah (prayer), Chapter: Making up for skipped prayers. Vol.2 p. 63. Publication, Maktabah Rasheediyah, Koitah. And so is in Al-Hindiyah: If one offered Zuhr Salah thinking that his wudu is valid..... then he came to know that he offered without wudu, he will repeat Zuhr specially. (Book of Salah. Chapter: 11 about making up for skipped prayers. Vol.1 p.122. publication, Baluchistan, Book depot, Koita)

² Al-Durrul Mukhtar reads: وبه ظهر أن تعمد الصلوة بلا طهر غير مكفر الخ said: It describes that offering Salah knowingly does not make atheist.... (The beginning of book of purity. Vol.1 p. 81. Publication. M.H. Saeed. Karachi) And so is in the commentary of Al-Fiqhul Akbar: Offering Salah without purity is sin. It is not good to say that this act will make him atheist unless he believed it lawful. (Matters about excusing the words that make atheist which are compiled by Al-Allama Badrur Rasheed, one of Hanafi Aimmah. Lesson: Recitation and prayer. P. 468. Publication. Darul Bashair Al-Islamia)

INJUNCTIONS OF DISABLED

Allah says:

وَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ عَلَىٰ سَفَرٍ أَوْ جَاءَ أَحَدٌ مِّنْكُم مِّنَ الْغَائِطِ أَوْ لَمَسْتُمُ
النِّسَاءَ فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا فَامْسَحُوا بِوُجُوْهِكُمْ وَ
أَيْدِيكُمْ مِنْهُ مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ وَلَٰكِنْ يُرِيدُ لِيُطَهِّرَكُمْ
وَلِيُنِيعَ نِعْمَتَهُ عَلَيْكُمْ لَعَلَّكُمْ تَشْكُرُونَ ﴿٦﴾ (سورة المائدة)

If you are sick, or on a journey, or if one of you has come after relieving himself, or you have had sexual contact with women, and you find no water, then, go for some clean dust and wipe your faces and hands with it. Allah does not like to impose a problem on you; He, rather likes to cleanse you and to complete His favour upon you, so that you may be grateful.

Surah Al-Maidah: 6

Injunctions of Disabled

From whom will the disabled person with hands and feet take help?

Question: Can disabled man or woman with hands and feet take help of others to wash after relieving, shaving pubic hair and other acts of purification? If he or she can, from whom he or she can?

Answer: If he can erase his pubic hair with eraser soap without taking help, he should do otherwise he will take help of his wife like relieving and purification. Similarly, the woman will take help of her husband. If they have none of them, man will marry a woman who will help him as well as the disabled woman. If it is not possible, for man a man will wear gloves and clean the involved parts with clod then he will wash with water. The son, grandson and maternal grandson will be preferred in the case of disabled man. Similarly, in the case of disabled woman the daughter, granddaughter and maternal granddaughter, daughter-in-law or any mahram (initiated) will help otherwise any woman can help.¹ Allah knows the best.

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur, (Muntakhabat Nizamul Fatawa. Vol.1 p.142)

How will the one whose hands are cut make wudu?

Question: A person's hands are cut till the elbow. How will he purify after relieving? Is it allowed for another person to clean and wash with his hand? If the time of Salah is about to end, what will he do? What is the way to perform wudu for him?

قوله "أصلاً سقط كمريض" في التاتارخانية: الرجل المريض إذا لم تكن له امرأة ولا أمة وله ابن وأخ وهو لا يقدر على الوضوء - البخ¹

The purification will lapsed from ill person absolutely. Al-Tatarkhaniyah reads: The sick man who is unable to perform wudu and does not have wife and maidservant, but he has son and brother, his son or his brother will help him to make wudu not purification because they cannot touch his private parts. Now the purification will lapsed. The sick woman..... there is no doubt that these details will be applied for the person whose hands paralyzed, because he is like sick. (Raddul Muhtar. Vol.1 p. 341. Chapter about purification. And so is in Al-Tatarkhaniyah. Vol.1 p. 104. Book of purity)

Answer: If he cannot use water, according to Shariah, he is not forced to make wash his private parts by others to perform Salah. His Salah will be valid without using water.²

If this helplessness he will wipe his face only by the wall anyway and despite of wudu. It will be tayammum of face. If he is unable to do this, will perform Salah without it.³ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. The answer is correct. However, his wife can perform this job if she wants.⁴ She will be rewarded and it is better for her to do. Nizamuddin (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p.40, 41)

How will the one whose hands are cut make wudu?

Question: A person's hands and feet both are cut and he is unable to perform wudu. All will he offer Salah?

Answer: He will offer Salah without wudu, but if any part of elbow or ankle remains, it will be mandatory to wash the obligatory portion.

ولو قطعت يده أو رجله فلم يبق من المرافق والكعب شيء سقط الغسل ولو بقي وجب.

If one's hand or foot is cut till the elbow or the ankle, washing will lapsed. If they exist, washing will be necessary. (Shami. Vol.1 p.69) Allah knows the best. Written by Habeebullah Al-Qasmi. (Habeebul Fatawa. Vol.4 p. 41, 42)

² Mas'alah: If once a left hand is cut completely and he is unable to purify with right hand as it is injured or he does not find anything to wipe nor water of tap or flowing water that he can use to clean nor the person who pour the water, he will not purify. Similarly, if a person's both hands are injured or cut and he has no wife or she does not have her husband who can help him for washing, the purification will lapsed. The same injunction goes to the sick man or woman who is unable to wash or wipe after relieving and the man does not have wife or the woman does not have husband who can help him for washing, the purification will lapsed. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p.104. Al-Durrul Mukhtar. Vol.1 p.314) (Taharat ke ahkam wa masail. P.224)

³ ولو قطعت يده أو رجله فلم يبق من المرافق والكعب شيء سقط الغسل ولو بقي وجب.

If one's hand or foot is cut till the elbow or the ankle, washing will lapsed. If they exist, washing will be necessary. Al-Fatawa Al-Alamgiriyyah. Vol.1 p.5. Chapter: 1 about the obligations of wudu. (Rasheediyah) The person whose hands and feet are cut and his face is injured, will perform Salah without wudu and tayammum and he will not repeat Salah. (Al-Durrul Mukhtar) His statement "وبوجهه جراحة" (his face is injured) is a condition, because if it is safe, he will wipe it over the wall with the intention of tayammum. (Raddul Muhtar. Book of purity. Vo.1 p. 80. Saeed. And so is in Al-Bahrur Raique. Vol.1 p.14. Darul M'arifah. Beirut)

⁴ قوله "أصلًا سقط كمرضى" في التاتارخانية: الرجل المريض----- الخ

The purification will lapsed from ill person absolutely. Al-Tatarkhaniyah reads: The sick man..... (Raddul Muhtar. Vol.1 p. 341. Chapter about purification. And so is in Al-Tatarkhaniyah. Vol.1 p. 104. Book of purity)

The injunction about the patient of trepidation who is unable to perform wudu and purification

Question: I am suffering from trepidation due to this I cannot purify major or minor impurity and cannot perform wudu myself well. Some parts remain dry. So, what is the injunction about performing Salah in this condition?

Answer: In the question above he should purify himself with clod, because the trepidation will resist to lift the pot of water that will not be with clod. So, he should make tayammum and despite of taking bath with condition that the questioner does not have wife or offspring nor he can afford to hire a servant or he has wife and offspring but they are not ready to serve him. If the wife is ready to make him purification and wudu, tayammum will not be lawful for him likely purifying with clod will not be lawful if the impurity crossed its place and the wife is not ready to make him purification. Al-Durrul Mukhtar reads and the chapter of tayammum:

(أو لمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم ولو بتجربة، أو لم يجد من يوضئه، فإن وجد ولو بأجرة مثل وله ذلك لا يتييم في ظاهر المذهب كما في البحر، أه قال الشامي: حاصل ما فيه أنه إن وجد خادماً: أي من تلزمه طاعته (في مثل ذلك) كعبد له وولده وأجيريه لا يتييم اتفاقاً، وإن وجد غيره ممن لو استعانت به أعانه ولو زوجته، فظاهر المذهب أنه لا يتييم أيضاً بخلاف، وقيل على قول الإمام مريتم، وعلى قولهما، لا، كاخلاف في مريض لا يقدر على الاستقبال أو التحول من الفراش النجس ووجد من يوجهه أو يحوله، الخ

(He will make tayammum) because of illness that grows or prolongs by using water most probably or a Muslim skilful doctor suggested though by the experience, or he does not have the one who make him wudu. If he finds anyone will make him wudu though by hiring with equal price, tayammum will not be lawful for him according to zahir al-mazhab as it is in Al-Bahr. Shami said: To summarize, if he finds the servant who has to obey him like his slave, son and his hired, he will not make tayammum with the consent of all. If he finds other than them who can help him if he asks to help though it is his wife, he will not make tayammum according to zahir al-mazhab without any difference and it is also said he will make tayammum according to Imam Abu Hanifah (r) and according to Shahibain (r) not, like the difference about the sick person who is unable to face Qiblah or to move from impure bed and he finds the one who can make him to face or to move. (Vol.1 p. 240)

Note: It is not allowed to take help with other than wife in purification. However, he can take help with offspring, servant and anyone to make wudu, moreover it is obligatory for this kind of disabled, but he must manage to cover the private parts in bath. Allah knows the best.

If the disabled can afford to hire the servant who make him wudu, it is necessary for him

Question: A 12 years old boy's lower parts of the body from waist is paralyzed. He is too weak to sit up and to take a glass of water himself and another person cleans his impurity. He is near to the age and he is sane. What is the intention of Salah for him? He does not keep his clothes clean nor he can make wudu himself, to sum up, he cannot carry out anything without the help of other. Is it lawful to perform Salah without making wudu for him or wudu is compulsory?

Answer: Salah will be obligatory for him after puberty. One of the family members should make him wudu or if he has any property, he should hire a servant. If this is impossible, he will perform Salah after making tayammum. To do up, if there is someone who can make him wudu at the time of Salah, wudu with the obligatory else he will make tayammum.⁵

وإن وجد غيره ممن لو استعان به أعانه ولو زوجته، فظاهر المذهب أنه لا يتيمة أيضاً بخلاف،

If he finds other than them who can help him if he asks to help though it is his wife, he will not make tayammum according to zahir al-mazhab without any difference. (Shami: vol.1 p. 215) Allah knows the best.

Abdus Sattar (May Allah forgive him) Assistant Mufti Khairul Madaris, Multan. 15/01/1381 A.H.

The answer is correct. Mohammed Abdullah (May Allah forgive him) Mufti Khairul Madaris, Multan. (Khairul Fatawa. Vol.2 p.48)

The details about validation of Salah without purity:

Question: A person is too paralysed to sit and stand-up that incapacitated him to make wudu and tayammum and there is no one to help him. How will this person perform Salah with purity or without purity?

Answer: The excused person suffering from heavenly illness is allowed to perform Salah without purity like the person who is both hands and both feet are cut and face is injured.

مقطوع اليدين والرجلين إذا كان بوجهه جراحة يصلي بغير طهارة ولا يتيمة ولا يعيد وهذا هو الأصح. كذا في الظهيرية.

⁵ Al-Tatarkhaniyah reads: If the sick man does not have wife (Raddul Muhtar. Vol.1 p. 341. Chapter about purification. And so is in Al-Tatarkhaniyah. Vol.1 p. 104. Book of purity)

The person whose hands and feet are cut and his face is injured, will perform Salah without wudu and tayammum and he will not repeat Salah. It is the right as it is in Zahiriyah. (Alamgiri. Vol.1 p.31. And so is in Noorul Idhah. Vol.46, Book of Tayammum)

For the person who is incapable to make wudu and tayammum and does not have any helper is excused according to sharia. Therefore, he can perform Salah without purity. Allah knows the best. Written by Habibullah Al-Qasmi. (Habibul Fatawa. Vol.6 p. 57)

What to do if water and soil are extinct?

Question: Zaid is on journey by train. His wudu is not valid nor he has water and the time of Salah came. There is no place to perform Salah in the train. Can he perform Salah with pointing without wudu? If his wudu is valid but there is no place to perform, can he perform Salah with pointing or not? It should also be noticed that there is doubt to over the time.

Answer: He will perform Salah in both cases as you can, but he will make up for. Allah knows the best.

6th Rabiul Awwal, 1398 A.H. (Ahsanul Fatawa. Vol.2 p.26)

The injunction about the person who does not find water and soil (Faqidut Tahirain)

Question: If one could not make wudu and tayammum because of exiting water and soil, how should he perform Salah, should he make up for later?

Answer: If someone is in this condition, he should act like other people and make up for later. It is the view of Imam Abu Hanifah (r).⁶ Allah knows the best.

Rasheed Ahmad Gangohi (May Allah forgive him) (Fatawa Rasheediyah Kamil. P. 240)

What is the definition of excused person according to shariah in regard of wudu?

Question: What is the definition of the person who is allowed to perform Salah with wudu he made presently according to Fatwa? I'm suffering from uncontrolled wind in

⁶ The person in a place where he does find water and soil is called Faqidut Tahirain. For example one is imprisoned in a place where both are extinct or he has water, but he needs it to quench his thirst. Similarly, he finds soil, but it is impure. In such condition if the time of Salah reaches, all these people will act like performing Salah without intention of Salah and without wudu and tayammum. If the earth is impure, they will perform ruku (bow) and sajdah (prostration) with pointing. Later when they find water they will repeat Salah. (Taharat ke ahkam wa masail. P. 199, 200, Anees)

such a way not a single Salah is performed without it. Is making wudu once sufficient for all times?

Answer: A person is regarded as excused according to shariah initially, when he does not find such a time in which he can perform Salah after making wudu without that excuse.

بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث النجس (وبهذا شرط) العذر (في حق الابتداء، وفي حق البقاء كفى وجوده في جزء من الوقت) ولو مرة (وفي حق الزوال يشترط) استيعاب الانقطاع تمام الوقت (حقيقة) النجس

He does not find such a time in which he can perform Salah after making wudu without that excuse. That's why 'initially' is mentioned as the condition of excuse and its occurring in any part of time though once, is enough to last, while it is necessary to be cured completely in all five time in real. (Durre Mukhtar)¹

If the definition is applied once, will be regarded as disabled and he will remain until that excuse does not extinct absolutely. Thus this disabled person will make wudu once in a time. He can perform Salah in whole time with that excuse.² Then this wudu will be invalid as the time passed. (Fatawa Darul Uloom. Vol.1 p.298, 299)

Who is disabled according to Shariah?

Question: I am suffering from piles since 12 years. I feel some wind remains after relieving from minor istinja or major istinja. I perform Salah by the way, but sometimes the wind discharge too much that makes performing 4 rakah of Salah impossible with one wudu. What should I do in this situation?

Answer: A man cannot be disabled according to shariah until he found the period of time in which he can perform Salah after wudu without that excuse. Therefore, he should make wudu again and again.³ The wind can break wudu only when it considered

¹ Al-Durrul Mukhtar on the margin of Raddul Muhtar. Matter about the injunction of disabled. Vol.1 p.28, Zafeer

² عن عائشة رضي الله عنها قالت: جاءت فاطمة بنت أبي حبيش إلى رسول الله صلى الله عليه وسلم فقالت: يا رسول الله! إني امرأة أستحاض-الحديث
It was narrated that 'Aishah (rz) said: "Fatimah bint Abi Hubaish came to the Prophet: 'O Messenger of Allah! I am a woman who bleeds continuously and never becomes pure. Should I give up prayer?' he said: 'No, that is just a vein and is not menstruation. Do not perform prayer during the days of your period, then take a bath, and perform ablution for each prayer, even if drops of blood fall on the mat.'" (Ibn Majah, Chapter: What is related about mustahadhah who counted the days of her period. p.87 No.621)

³ قال في البحر: "فالحاصل أن صاحب العذر ابتداءً من استوعب عذره تمام وقت صلوة".

probably that the wind discharged.¹ (Maktoobat. Vol.3 p. 91) (Fatawa Shaikhul Islam. P.22)

What are the conditions for disabled in regard of purity?

Question: It is mentioned in the book of Fiqh that initially the disabled according to shariah is the one who does not find such a time in which he can perform obligatory Salah after making wudu without that excuse.

Answer: If it happened that he did not find such a time in which you can perform Salah without excuse, he became disabled. After that occurring once that excuse in all Salah time is enough to be disabled.² (Fatawa Darul Uloom. Vol.1 p. 284, 285)

Urinary dropping occurs too much even in the period of four rakah

Question: If one is suffering from urinary incontinence too much that does not stop for the period of four rakah, he is permitted to complete his Salah after making wudu whether the urine drops or not. After that if it dropped with some delay, is he permitted till he cured completely or he has to renew Salah with wudu whenever it drops while performing Salah?

Answer: When he became disabled according to shariah, he is permitted. Then it will last till he cured completely. And so is in Al-Durrul Mukhtar.³ (Fatawa Darul Uloom. Vol.1 p.286, 287)

It is said in Al-Bahr: In short, initially the disabled person is the one whose excuse lasts the complete time of a Salah. (Al-Bahrur Raique. Vol.1 p.217. And so using Al-Maraqi Al-Falah with Tahtawi. P.81. Alamgiri. Vol.1 p. 40)

¹ ولو أيقن بالطهارة وشك بالحدث أو بالعكس أخذ باليقين.

If he is certain about purity and doubt about impurity or it's opposite, certainty will be accepted. (Al-Durrul Mukhtar, The things that invalidate wudu. vol.1 p. 150)

خالياً عن (وصاحب عذر من به سلس) بول (إلى قوله) (إب استوعب عذره تمام وقت صلوة مفروضة) بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه ² الحدث (إلى قوله) (وهذا... في حق الابتداء وفي حق البقاء كمن وجوده في جزء من الوقت) ولو مرةً ثم

The excused person is the one who is suffering from urinary incontinence (till his statement) with the condition that the excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse (till his statement) That's why 'initially' is mentioned as the condition of excuse and its occurring in any part of time though once, is enough to last. (Al-Durrul Mukhtar on Raddul Muhtar. Matter about the injunctions of disabled. Vol.1 p.281. Zafeer)

³ (إب استوعب عذره تمام وقت صلوة مفروضة) بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي خالياً عن الحدث (ولو حكماً) - إنهم

The person whose wudu lasts till 20 rakat is not excused

Question: The patient of urinary incontinence, epistaxis or wind whose wudu does not lasts more than 12-20 rakah and he does not find time more than that the whole day. Can he touch the glorious Quran to recite or to teach the students after making tayammum? Can he perform prostration of recitation (Sajdah Tilawat) after listening or reciting?

Answer: He is not disabled according to shariah.¹ (Fatawa Darul Uloom. Vol.1 p287)

The easy way to know that the injunction of disabled will be applied or not

Question: What do the Ulama (Shariah Jurists and Scholars) say in regards the following matter. A person is suffering from dysentery and uncontrolled wind. Should this person make wudu for Salah once or every time when he discharges wind? I asked Darul Uloom Landhi the same question. They replied: "If one complete period of Salah passed with that excuse, he is unable to stop the wind and that state of excuse lasts after that period, this kind of person is disabled according to shariah. He will make wudu for other Salah whenever its time comes." But I'm not finding the time in which I can be regarded disabled according to shariah in the light of answer above. Doesn't the dysentery enough for disability according to shariah?

I have to make wudu 5-6 times for one Salah. That's why the congregation it skipped mostly. Sometimes I do not find the time to make wudu again and again. If this condition occurred at the time of Isha Salah, till when I have to wait to offer complete Salah after wudu? How can I wake up the whole night, because I have to go for work at the

If his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse though supposedly, because stopping in a little period related to end. That's why 'initially' is mentioned as the condition of excuse and its occurring in any part of time though once, is enough to last. Its intention is about wudu (not about washing the clothes and other things) form every obligatory Salah. (Al-Durrul Mukhtar on Raddul Muhtar, Book of menstruation. Matter about the injunctions of disabled. Vol.1 p.281. Zafeer)

وشرط ثبوت العذر ابتداءً أن يستوعب استمراره وقت الصلوة كاملاً كالانقطاع لا يثبت ما لم يستوعب الوقت كله¹

The condition to prove the disability at the outset is the excuse should cover the time of Salah completely and continuously like the extinction of cause will not be proved unless it covered the whole time. (Alamgiri. Vol.1 p.38) He is not allowed to touch the glorious Quran or to perform the prostration of recitation without wudu. ويجب بسبب تلاوة آية ، الخ. The prostration is obligatory because of reciting the verse of prostration.... With mentioned conditions of Salah, (Durre Mukhtar) that's why it is unlawful to perform it with tayammum except when one does not find water. (Raddul Muhtar. Book: The prostration of recitation. Vol.1 p.718. Zafeer)

morning. I feel hesitation also in making wudu many times, even people laugh at me. Nearly this happens in every Salah.

Answer: You have to select a shortest period of Salah and you are free at that time. The period of Maghrib Salah is shortest. According to my map the ending the sunglow is the end of Maghrib period. Now you have to try to find a period of time in the duration of Maghrib in which you can perform only obligatory Salah except wudu and Sunnah Salah. If you cannot find this time too, you came under the definition of disabled. Now, it is not necessary for you to wait the whole time, but discharging wind once in the whole duration is enough. You will be disabled this situation lasts. You have to make wudu for each time of Salah.¹ You can perform Salah whatever you wants in that duration. You wudu will not break by the excuse,² but other nullifier and ending the time of Salah will break. But if he made wudu in the state of exiting the excuse and did not occur till the end of time, wudu will not break by ending the time of Salah. Nevertheless, whenever the excuse occurred, wudu will break at the time. However, you have to act on this formula in one time. If the excuse is proved, there will be no doubt to be disabled later. Now you have to notice that whether it occurs once in the duration of every Salah or not. If it did not, the disability will end. It should also be noticed after ending the disability that the time of Salah which passed without excuse while he made wudu at previous time in the state of disability, but the excuse ended before completing Salah and the time of next Salah also passed without excuse, it is obligatory to make up for Salah of first time. For example, he made wudu at the time of Zuhr in a state of excuse, but the excuse ended before starting Salah or during Salah before completing Salah and the time of Asr also passed without excuse, he will make up for Zuhr Salah. But if the excuse ended after completing Salah of Zuhr, making up for Zuhr Salah is not obligatory. In the case when Zuhr Salah is to make up for, Asr Salah of Sahibe Tarteef (the person who did not skip even one Salah after puberty) will be valid, because he came to know the invalidity of Zuhr Salah after Asr Salah.

¹ عن عائشة رضي الله عنها قالت: جاءت فاطمة بنت أبي حبيش إلى رسول الله صلى الله عليه وسلم فقالت: يا رسول الله! إني امرأة أستحاض- الحديث

It was narrated that 'Aishah (rz) said: "Fatimah bint Abi Hubaish came to the Prophet: 'O Messenger of Allah! I am a woman who bleeds continuously and never becomes pure. Should I give up prayer?' he said: 'No, that is just a vein and is not menstruation. Do not perform prayer during the days of your period, then take a bath, and perform ablution for each prayer, even if drops of blood fall on the mat.'"

(Ibn Majah, Chapter: What is related about mustahadhah who counted the days of her period. p.87 No.621)

² Its injection is to make wudu for every obligatory Salah. Then he will perform obligatory and supererogatory Salah with that wudu in the time. Thus the same rule goes to Wajib Salah. When the time ended, his wudu will break. That means the previous impurity will appear. (Al-Durrul Mukhtar on Raddul Muhtar, Book of menstruation. Matter about the injunctions of disabled. Vol.1 p.305, 306)

If you found the chance to offer Maghrib salah with wudu, you should apply this in other time. For the time of Isha is too long to examine that may be more difficult, but it will be better because its duration is longer than the other salah as it includes Witr salah also. The duration between white afterglow of nightfall and dawn is the time of Isha Salah. White afterglow of nightfall is mention under the time of Isha Salah. You should try to make wudu as fast as you can, wash four parts of the body which are obligatory to be washed, skip Sunnah acts of wudu and perform four rakah obligatory and three rakah of Witr skipping all Sunnah acts. To go in detail: Skip (Thana) the Praise of Allah, A'uzu billah and Bismillah, Ameen after Surah Al-Fatiha. Then recite some verses of the glorious Quran that contains 30 words. Say tasbeeh (glorification of Allah) in ruku (kneeling) once. Skip ربنا لك الحمد when you raised your head from ruku, Surah Al-Fatiha in the last two rakah of obligate salah rather after standing till one can say سبحان ربى الأعلى once then go in ruku. Finally, you should complete salah, saying salam after reciting tashahhud and is keeping Durood and Du'a. You should recite رب اغفر لي or ربنا آتنا الخ in spite of Masnoon Du'a of Qunoot.

If the injunction of excused does not go for you, you should start salah after making wudu. If it breaks in between unintentionally, you should resume salah after renewing wudu, but you should put the condition of resuming salah into your account. (That conditions are mentioned in Ahsanul Fatawa: Book of nullifiers of salah in detail) Allah knows the best. 25th Sha'ban, 1391 A.H. (Ahsanul Fatawa. Vol.2 p. 76-78)

What is the injunction of disabled person's wudu?

Question: A person is suffering from fistula. It discharges fluid that drops what the cloth and dries. This disease is forever. Can this person perform Maghrib salah with the wudu of Asr? Is it lawful to wear that clothes and lead the salah?

Answer: He is disabled and he cannot lead salah of healthy people as Durre Mukhtar reads: 'ولا طاهر بمعذور' the disabled with purity.¹ The disabled can offer salah with excuse. Here is an explanation about cloth: If he thinks that if he washes it, will be impure before performing Salah, it is right not to wash. If he thinks that it will not be impure more than one coin before completing Salah, he should wash.² Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 295, 296)

¹ Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p.54

² (وحكمه (أى صاحب العذر) (الوضوء) لا غسل ثوبه ونحوه (لكل فرض) الخ.

The injunction of the person with excuse is to make wudu not to wash his clothes and other things to perform every obligate prayer, (till his statement) if the filth dropped over his clothes more than one coin,

Can the disabled make wudu before time of Salah?

Question: A person is suffering from urinary incontinence. Since, he makes new wudu for every salah, but in a time of Maghrib salah one or two rakah are ledged behind the congregation. Can he make wudu before time of Salah in this situation?

Answer: For, he is disabled, it is not allowed to make wudu before time of Salah for him.¹ He should make wudu after arriving the time though all rakah of congregation are skipped.² (Fatawa Darul Uloom. Vol.1 p. 287, 288)

Can the disabled perform Zuhr salah with the wudu of Ishraque?

Question: A disabled person performed Fajr salah after making wudu. Then he performed Ishraque after sunrise with new wudu. After some time he performed chasht salah with that wudu. Is it right and salah is valid?

Answer: The Salah of chasht is correct and he can perform Zuhr Salah with that wudu, because wudu of disabled breaks by passing the time.³ So, he can perform obligatory and supererogatory salah and so on before passing the time of Zuhr Salah.

Al-Tanweer reads:

ثم يصلى فيه فرضاً ونفلًا فإذا خرج الوقت بطل، وفي الشرح: وأفاد أنه لو توضأ بعد الطلوع ولولعيد أوضى لم يبطل إلا بخروج وقت الظهر-

Then he can perform obligatory and supererogatory salah. When the time will pass, his wudu will break. And Al-Sharah reads: It came into account that if he made wudu after sunrise though for Eid prayer or Salah of forenoon, it will not break but when the time

he is allowed not to wash it. If he has washed, it will turn impure before completing Salah and then it will not be lawful to leave its washing. It is the most preferable fatwa. (Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p.38, Zafeer)

¹ For, the wudu of disabled breaks by ending the time of Salah, here, his wudu will break by ending the time of Asr salah if he makes wudu before Maghrib salah. So, he is not allowed to make wudu before time.

² (وصاحب عذر) (إلى قوله) (وحكمه الوضوء... (لكل فرض) اللام للوقت كما في "لدلوك الشمس" البئر

The person with excuse, (till his statement) his injunction is to make wudu.....for every obligatory Salah. The Arabic letter "ل" indicates the time as it indicates in the verse "لدلوك الشمس".

³ Note: For, because wudu of disabled breaks by passing the time of obligatory salah. Here, no time off obligatory salah passed before Zuhr, rather a free time is passing. So, if he made wudu, it will be valid until the time of Zuhr passed. As Allamah Shami describes:

(قوله وأفاد) أى بقوله فإذا خرج الوقت بطل، فإن المراد به وقت الفرض لا المهيمل-

It is understood by the statement، فإذا خرج الوقت بطل، that it means the time of obligatory salah is not free time. (Raddul Muhtar, Book of menstruation. Matter about the injunctions of disabled. Vol.1 p.306, Beirut)

of Zuhr Salah passed. (Al-Durrul Mukhtar on the margin of Raddul Muhtar, Matter about the injunctions of excused person, Vol.1 p. 282) Allah knows the best.

20th Rabiul Akhar, 1394 A.H. (Ahsanul Fatawa.2 p. 78)

The injunction of excused person's Salah and the way to wash his clothes

Question: A person is much excused that he does not find the time of four rakah without excuse. There are two reasons: 1- He may be suffering from urinary incontinence. If he has too lungi (lower cloth), even he is helpless and if he keeps separate one lungi for every four rakah, he feels too much tension. Will he wash the cloth which became impure every time? 2- He may be suffering from uncontrolled wind. Will he renew the wudu after every four rakah, if it occurs in every four rakah?

Answer: The excuse the person who cannot perform four rakah without excuse, he should make wudu for every time of Salah. Now he can perform Salah with that wudu as much as you can though the excuse is occurring continuously. The person who is suffering from uncontrolled wind and does not find the time of four rakah, he is disabled according to Shariah. He has not to make wudu after every four rakah. The person who is suffering from urinary incontinence will do the same. If he finds the time to perform salah after making wudu without excuse, is not excuse the person according to shariah. However, the matter of washing clothes carries some details: If washing clothes is useful that if he watches and performs salah it does not get impure again, then it is necessary to wash and if it is not so, washing is not necessary.

It is mentioned in the margin of Maraqqi Al-Falah:

وفي النوازل: إن كان لو غسل تنجس ثانياً قبل الفراغ من الصلوة جازاً أن لا يغسله وإلا فلا قال هو المختار.

Nawazil reads: If he washes, it gets impure again before completing salah, it is lawful for him not to wash, else not. He said: it is the preferable. (p. 86) But when the impurity compiled, it should be washed once or twice a day.

23rd Shaban, 1342 A.H. (Imdadul Ahkam. Vol.1 p. 372)

Wudu and salah of disabled person

Question: If one washed minor impurity, but less than one drop discharged after purification, can he perform salah in this condition and will his wudu be valid?

Answer: It is better to wash that portion. However, if the drop of urine is as little as you mentioned and you performed salah with wudu before purification again, the salah will

be valid. Because if the impurity is less than one dirham (coin), it is not necessary to wash it according to the view of Imam Abu Hanifah (r) and Abu Usuf (r). So is mentioned in Al-Badai Al-Sanai. Vol.1 p.4)

The person who is suffering from this disease, he should stand up before using water or act such a way that the drops of urine discharged completely. Then he should use water. (Kitabul Fatawa. Vol.2 p.46, 47)

The injunction about remaining the wudu of is about person and performing current and passed salah with that wudu

Question: Zaid has to make up for too much salah and his wudu does not last longer. He is deceased by breaking wudu. Can you perform 4-5 salah at a time or not?

Answer: His wudu will remain unless the time of any salah passed. He can perform past salah as much as he can.¹ (Imdadul Fatawa Jadeed. Vol.1 p.34)

The shortest salah for disabled people

Question: I am suffering from everlasting abdominal pain. The wind discharges regularly. If I stop the wind to complete salah, I feel abdominal pain that goes towards heart. If the wind is not stopped, wudu breaks again and again that causes to repeat salah again and again. This situation is very painning. Am I disabled according to shariah or not?

Answer: If you can perform only or obligatory rakah after making wudu without excuse, you will not be excused person according to shariah though you stopped the wind in between. You should perform obligatory rakah in a way that you should carry out only obligatory and necessary acts without sunnah and recommended acts. By this way these rakah will be short.

For example: Recite Surah Al-Fatiha and Surah Al-Kauthar or Ikhlas in Qiyam. Glorify one-one time in Ruku and Sujood. Recite very short durood like **اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَعَلَى آلِ** and short Du'a like **اللَّهُمَّ اغْفِرْ لِي** after Tahiyat. Say three times **سبحان الله** in Qiyam of last two rakah even do not recite Surah Al-Fatiha. I hope you can perform salah in this

¹ (وصاحب عذر) (إلى قوله) (وحكمه الموضوع...) (لكل فرض) (اللام للوقت كما في "بدلوك الشمس" التبر 1

The person with excuse, (till his statement) his injunction is to make wudu.....for every obligatory Salah. The Arabic letter "ل" indicates the time as it indicates in the verse "بدلوك الشمس". Then he can perform obligatory and supererogatory salah. When the time will pass, his wudu will break. (Al-Durrul Mukhtar on the margin of Raddul Muhtar, Matter about the injunctions of excused person, Vol.1 p. 280)

way. If you feel some problem even in this way, you can get the answer after sending your matter in detail. Allah knows the best.

Abdus Sattar (May Allah forgive him) Assistant Mufti Khairul Madaris, Multan. 24/08/1388 A.H. (Khairul Fatawa. Vol.2 p.63)

The injunction about performing salah at the end of the time for disabled person

Question: If one got injury or a pimple broke and the blood begin to discharge and later it continued with little liquid, how did he perform salah while the duration of Magrib salah is too short?

Answer: Durre Mukhtar reads under the injunction of disabled:

ولو عرض بعد دخول وقت فرض انتظر إلى آخره فإن لم ينقطع يتوضأ ويصلي ثم إن انقطع في أثناء الوقت الثاني يعيد تلك الصلوة وإن استوعب الوقت الثاني لا يعيد للثبوت العذر حينئذ من وقت العروض اهـ

If the excuse occurred after coming the duration of obligatory salah, he will wait till the end of the time. If it did not stopped, he will perform Salah after making wudu. Later if the excuse exited in between of the time of second salah, he will repeat that Salah, but if it covered the whole time of second Salah, he will not repeat Salah, because the excuse is found till now from the time when it stroke.

This text describes that if he performed the salah at the end of the time and the excuse stopped at the time of Isha till its end, he will repeat Maghrib salah.

4th Rabiul Awwal, 1333 A.H. Third excursus: 23 (Imdadul Fatawa. Vol. 1 p. 56)

What is to do if epistaxis began during performance salah?

Question: If one's epistaxis broke out when the time of salah came and it lasted till the end of the time, how will he perform salah?

Answer: If one faced epistaxis after becoming the time of salah, he will wait till the end of the time. If the epistaxis continued, he will perform Salah after making wudu in the same condition. If this excuse covered the whole time of next salah, he will not repeat Salah otherwise he will do. Shami.¹ (Fatawa Darul Uloom. Vol.1 p. 285, 286)

¹ ولو عرض بعد دخول وقت فرض انتظر إلى آخره فإن لم ينقطع يتوضأ ويصلي ثم إن انقطع في أثناء الوقت الثاني يعيد تلك الصلوة

If the excuse occurred after coming the duration of obligatory salah, he will wait till the end of the time. If it did not stopped, he will perform Salah after making wudu. Later if the excuse exited in between of the

Question: I am 73 years old and suffers from urinary incontinence. I drink one and half glass of water for medication that causes urine again and again. If I would not drink water, I feel the possibility of pain in bonds. It has been lasting for many years. If I pass through the path which is lower than the street, the drop of urine discharges. I doubts about discharging any drop when I sleep at night which makes me to wake up many a times to wash discharging drops. I have been washing the lower parts of the body at early morning for many years. Then I perform salah after making wudu. I have to make wudu many a times to perform supererogatory salah and other glorification. The urine comes with breaking. Is it obligatory to make wudu due to this disease and urinary incontinence?

Answer: It is better wear loincloth that does not let the drops to come out of the urethra. If it discharges anytime, changing clothes will be sufficient and he will not need to wash the lower parts of the body except private part. But he can make wudu hastily if he finds time without skipping any obligatory acts in wudu. Allah knows the best. Muhammad Anwar (May Allah forgive him) 06/06/1406 A.H. The answer is correct.

Abdus Sattar (May Allah forgive him). (Khairul Fatawa. Vol.2 p.64, 65)

The injection about the drops emitted after walking some steps

Question: If the drops of urine omitted by walking some steps after purification and got on the trouser, is offering salah and leading Tarawih salah lawful or not?

Answer: With the Grace of Allah! When the disease of dropping urine is not everlasting, you should walk some steps after passing urine and putting clod at the entrance of urine putting right leg on the left pressing it. By this way the drops broke into the urethra will come out. When you got satisfaction, you should wash with water. Now you can offer salah and lead it after making wudu.

If this method is of no use, the drops of urine continue and you doubt to end the time, you should purify the body, wear pure clothes and perform salah. You should not skip it, but you are not permitted to lead salah. You can lead for the people who are disabled like you only.

time of second salah, he will repeat that Salah, but if it covered the whole time of second Salah, he will not repeat Salah, because the excuse is found till now from the time when it stroke. (Raddul Muhtar, Matter about the injunctions of disabled. Vol.1 p.281. Zafeer)

ولا يصلي الطاهر خلف من هو في معنى المستحاضة كمن به سلس البول (إلى قوله) ويجوز اقتداء معذور بمثله إذا اتحد عذرهما لا إن اختلف

The pure person cannot perform Salah behind the one who is in the meaning of Mustahadha like the person suffering from urinary incontinence (till his statement), but the disabled person can follow in salah the person like him if both are suffering from same disease. (Fatahul Qadeer. Vol.1 p. 259, 260)

If this condition continues forever, you need to ask the detail, because the injunctions differ in this condition. Allah knows the best. (Fatawa Rahimiyah. Vol.8 p. 95, 96)

When will be considered disabled the person who is suffering from urinary incontinence

Question: With no exaggeration, it takes 30-40 minutes and sometimes 45 minutes to finish the purification. I discharge the drops with all means standing, sitting, walking etc. Only sometimes it takes 15-20 minutes. Sometimes I forget to put cotton. Am I disabled in this condition or not?

Answer: You are not disabled only by this excuse. However, if the whole duration of one salah passed in this condition dropping the urine continuously and you did not find any time that you can perform Salah after making wudu without that excuse, now you will be excused the person. But it is not so, you get satisfaction after 30-40 minutes and the drops stop, you will not be excused person.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p. 216, 217)

Discharging urine drops

Question: A person is suffering from urine disease. When he passes urine, some drops used to come out. A Molvi Saheb told him to pass urine before one hour of salah and offer salah after changing lungi (lower cloth). If it is right, will he wash the drops discharged after making wudu or will he perform salah after changing lungi only?

¹ إن استوعب عذره تمام وقت صلاة مفروضة (بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث

If his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse. (Al-Durr Al-Mukhtar with Raddul Muhtar. Vol.1 p.305, Matter about the intentions of disabled. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p. 104. And so is in Al-Majma Al-Anhur. Vol.1 p. 84. Darul Kutub Al-Ilmiyyah, Beirut. And so is in Maraqqi Al-Falah.p. 149. Book of menstruation and nifas. Qadeemi)

Answer: If that person is disabled according to shariah, he does not need to wash the private part again even changing lungi which is only to decrease the impurity. If he is not disabled according to shariah, it will be obligatory to wash the private part and repeat wudu. Changing lungi will not be enough.¹ Allah knows the best.

Nizam, June, 1964. A.H. (Fatawa Mahmoodiyah. Vol.5 p. 217, 218)

How will perform salah the person who is suffering from urine drops?

Question: Zaid suffers from too much urine drops, even it comes during offering salah. How will he perform salah?

Answer: He should make wudu for salah of every time and he should put one cloth that can absorb the urine. He should replace it with pure cloth at the time of making wudu and perform salah. If the drops come out after wudu or during salah, neither his salah will nullify nor his wudu until the time of that Salah passed. For example: He made wudu after Zawal. It will remain till the time of Zuhr salah will remain. You should understand other times the same.² Allah knows the best.

Muhammad Uthman Ghani. 03/06/1371 A.H. (Fatawa Imarat Shariah. Vol.2 p. 72, 73)

Doubt about urine drop after purification

Question: A person has been suffering from urine drops for four years. Form some days he feels doubt about discharging drop during salah with slight movement and when he checks, he finds nothing. He rarely finds once or twice only out of 15-20 times, else he

¹ المستحاضة ومن به سلس بول أو استطلاق بطن أو انفلات ريج أو رعا ف دائر أو جرح لا يرقاً، يتوضوؤ لوقت كل صلوة¹

Mustahadha and the person who is suffering from urinary incontinence or lose motion or uncontrolled wind or everlasting epistaxis or the injury which is not stopping its dripping, will make wudu for every obligatory salah. That means they can perform salah whatever they want like obligatory and supererogatory. His wudu will break by passing the time salah only..... The excuse the person is the one who does not find the time of an obligatory salah, but he faces the excuse. (Multaqa Abhur with the text of Majma Al-Anhur. Vol.1 p. 84, Darul Kutub Al-Ilmiyah, Beirut)

² This intention will be applied if Zaid is disabled according to shariah. Mujahid.

(وَصَاحِبُ عُذْرٍ عَنْ يَسْرَسَ) بُولٍ لَا يُكْبِتُهُ إِسَاءَتُهُ (أَوْ اسْتِطْلَاقُ بَطْنٍ أَوْ انْفِلَاتُ رِجٍّ أَوْ اسْتِحَاضَةٌ) الْخ.

The excused person is the one who is suffering from urinary incontinence which is out of control or lose motion or uncontrolled wind or istihadha..... If his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse. His injunction is to make wudu.....for every obligatory Salah. Then he can perform obligatory and supererogatory salah. When the time will pass, his wudu will break. (Al-Durrul Mukhtar on the margin of Raddul Muhtar: Matter about the injunctions of disabled person. Vol.1 p. 504, 505)

has doubt only. I want to ask that in the condition it rarely happens, is it obligatory to notice or not?

Answer: Al Khulasah reads:

ومن توضأ ثم رأى الببل سائلاً من ذكره أعاد الوضوء فإن كان الشيطان يريه كثيراً أو لا يعلم أنه بول أو ماء مضى على صلواته وينبغي أن ينضج فرجه وإزاره بالماء إذا توضأ قطعاً للوسوسة لكن هذه الحيلة إنما تنفع إذا كان قريب العهد من الوضوء أما إذا كان بعيداً وجف عضوه لا ينفعه هذا، وهذا إذا لم يستيقن أنه بول فإن تيقن لا تنفعه الحيلة.

A person made wudu then he saw some wet discharging from his penis, he will repeat his wudu. If the Satan shows it much or the person does not know if it is urine or water, he will complete his salah. It is better for him this sprinkle water over his private part and trouser at the time of wudu to abolish the doubts, but this method will be useful only when the just completed wudu. If his parts of wudu dried and a period of time passed, this sprinkling will be of no use. All these will be with the condition that he is not certain about urine. If he is certain about being urine, this method will not be helpful. (Vol.1 p.18)

Al-Alamgiriyyah reads:

شك أنه كبر للافتتاح أولاً أو هل أحدث أولاً أو هل أصابت النجاسة ثوبه أولاً أو مسح رأسه أولاً استقبل إن كان أول مرة وإلا مضى (في صلواته) ولا يلزم الوضوء ولا غسل ثوبه كذا في فتح القدير،

A person doubted if he said الله أكبر in the beginning of salah or not, or he doubted if his wudu is valid or not, or the impunity got on his clothes or not, or he doubted if he wiped his head or not, he will restart if it is first time else he will complete his salah. Wudu and washing clothes will not be necessary for him as it is in Fatahul Qadeer. (vol.1 p.84)

Al-Khulasah reads:

وعلى هذا (لا يجب عليه الإعادة) إذا ظهرت النداءة على رأس الإحليل بعد الفراغ من الصلوة ولم يعلم أنها ظهرت في الصلوة وهذا إذا لم يشك في الصلوة أما إذا شك في الصلوة وتيقن بالنداءة بعد الفراغ من الصلوة يجب عليه إعادة الصلوة.

That's why it will not be obligatory to repeat salah if the wet is seen on the head of penis after completing salah and he does not know that it came out during Salah, it is only when he does not have doubt during Salah. If he has doubt during Salah and became sure about wet after completing Salah, it will be obligatory to repeat Salah. (vol.1 p.77)

In the matter asked above, if he has doubt probably, it cannot break wudu nor harm salah. It requires that seeing also is not obligatory. However, if he doubted with most

probable that the drop came out, it will be obligated to see. He can see it by touching with hand during salah, and by any way according to his convenience out of Salah. If he doubted about drop during Salah, without probable, he should see after completing salah instantly. If he became certain about wet, it'd be obligatory to repeat salah.¹ Such kind of diseased person should wet his private part and his lungi and he should think that it is wet of water whenever he doubts until he became certain about the drop of urine. He can do it until his clothed dried. Allah knows the best. (Imdadul Ahkam. Vol.1 p. 349, 350)

If it is doubted about the emission of urine drop, will wudu be valid or not?

Question: If one doubted about the emission of urine drop before salah or during seller, what should he in both cases? Will his wudu be valid or he will renew it? It should be noted that he does not know certainly about the emission of drop and he cannot see at that time.

Answer: If this person is not excused according to shariah, wudu and salah will invalid by the emission of drop. When the drop came out, he should terminate his intention.² It is only when he is certain about coming drop, if it is not, his salah will not be invalid nor his wudu.³ The remedy of doubt is to sprinkle the parts of his clothes that are around the private part with water, but you should know that if the drop came out, wudu and salah will be invalid and that clothes that are around the private part will be impure.

The person with the excuse is the one who suffers from such excuse that invalidates his wudu. If a complete period of salah passed in which he was able to perform wudu and salah and the excuse covered the whole time, he will be excused person according to

¹ He went to wash minor impurity. Later when he sat for wudu, he felt some wet on his clothes and he doubts that the drop of urine in emits again and again, but is not certain if it is the effect of water or urine, he should not ponder on it, and he should make wudu. However, if you came to know that the urine drop came out, he will watch it and if it is during wudu, he will renew his wudu. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 146) (Tharat ke ahkam wa masail. P. 38, Anees)

² الخ. (منه) ... (نفس) كل خارج (نفس) ... (منه) الخ. wudu will break if any impure thing came out from private part.... (Raddul Muhtar. Vol.1 p.134, 135, The things that breaks wudu)

³ Shariah recommended to act on certainty, but the doubt is also considered only in regard of prayers. Hence, it is taken into account in a prayer like wudu. However, the certainty will be preferred. For example: He made wudu and the certain to be valid then he has doubt if any nullifier is found or not, this doubt cannot break his wudu. (Raddul Muhtar) However, if it is most probable to find the impurity, it is better to repeat wudu in this case. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 145) (Tharat ke ahkam wa masail. P. 136, 137)

ولو أيقن بالطهارة وشك بالحدث أو بالعكس أخذ باليقين. if one is sure about his purity, but doubts of having minor filth or vice versa, the surety shall be taken into the consideration. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 150, The things that breaks wudu)

shariah. Then it is necessary to occur once or twice in every period of salah. If it is not found once or twice in the whole period of Salah, he will not be excused person. The intention of excused person is to make wudu for every time of Salah. It is unlawful to perform Salah of two times with one wudu.⁴ Allah knows the best.

Written by Mahmood (May Allah forgive him) Assistant Mufti Madrasah Mzahir Uloom Saharanpur. 16/03/1355 A.H. (Fatawa Mahmoodiyah. Vol.5 p. 220, 221)

What to do if the drops come out only sometimes

Question: I am suffering from urine drops. Sometimes it continues two months regularly and sometimes it stops 2-3 months. Sometimes I perform salah with perfect wudu and I do not doubt about drops, but it come out during Salah. What should I do in this condition? Whether should I terminate the intention, make wudu and attend congregation or continue in the same condition? Should I wash clothes after Salah?

Answer: If you are not excused person according to shariah, the drop will nullify your salah.⁵ You should terminate your intention and go for wudu; the clothes should be washed too. If you are excused to person according to shariah your salah will be valid.⁶ You can consult 'Bahishti Zewar' vol.1 to know the definition and injunctions of excused the person.⁷ Allah knows the best.

Written by Mahmood (May Allah forgive him) Assistant Mufti Madrasah Mzahir Uloom Saharanpur. 18/03/1355 A.H. The answer is correct. Saeed Ahmad (May Allah forgive him) Authenticated by Abdul Lateef, Madrasah Mzahir Uloom Saharanpur. 18/03/1355 A.H. (Fatawa Mahmoodiyah. Vol.5 p.221)

What should one do if he has doubt about coming drop?

Question: Sometimes I feel during salah that drop of urine coming out, but I cannot be sure by anyway, because there is no chance to notice during salah. Because of this reason, should he go for new wudu and if he keeps on performing, will his salah valid or not?

⁴ الخ. Mustahadha and the person who is suffering from urinary incontinence..... (Multaqal Abhur with the text of Majma Al-Anhur. Vol.1 p. 84, Darul Kutub Al-Ilmiyah, Beirut)

⁵ الخ. (منه) الخ. (وينقضه خروج) كل خارج (نجس) ... الخ. (Raddul Muhtar. Vol.1 p.134, 135, The things that breaks wudu)

⁶ الخ. Mustahadha and the person who is suffering from urinary incontinence..... (Multaqal Abhur with the text of Majma Al-Anhur, Vol.1 p. 84, Darul Kutub Al-Ilmiyah, Beirut)

⁷ Bahishti Zewar. P. 74, The injections of excuse person. Maktaba Madaniyah, Lahore.

Answer: If it is examined before that it is merely thoughts and there is no drop at all, he does not need to break his salah. If he faced it before and really it is drop, he should break his salah and resume after making wudu.⁸ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 01/08/1400 A.H. (Fatawa Mahmoodiyah. Vol.5 p.221, 222)

Is it obligatory to wash the urinating part after coming drop?

Question: (1) If the drop came out after passing urine and doing istinja (washing after relieving), is it obligated to wash the penis because of one or two drops? Or can we perform salah after making wudu in the same condition?

- (2) A person has the excuse of emitting drops too much that he puts a piece of cotton in the entrance of penis to be safe side. After half an hour urine drops stop, but some drops appears on the piece of cotton. He is in such condition that when he washes the penis after removing cotton, the drops begin because of the effect of wet. Is this person allowed to wash the penis, make wudu and perform salah though the drops appear on the cotton? Because when he washes, the drops begin otherwise not.

Answer: (1) If the drop did not get on his body, it is better to purify it with water and if it got on his body, it is ordered to wash with water.⁹

- (2) This person should not wash with water. Allah knows the best.

⁸ (وينقذه خروج كل خارج نجس)... (منه أي من المتوضئ الحي معتاداً أولاً من السبيلين أولاً (إلى ما يطهر) الخ.

Wudu will break if any impure thing came out as a habit or not, from the two private parts or any part of alive person-making wudu towards the place that is to be washed.... Then coming from the two private parts means merely appearing (Raddul Muhtar) Ibn Abideen (r) said: His statement مجرد الظهور means which appeared and did not flow. If the urine came down in the vein of penis, wudu will not invalid, because it did not appear. (Raddul Muhtar Vol.1 p.134, 135, The things that breaks wudu, Saeed. And so is in Al-Nahrul Faique. Vol.1 p.5, The things that nullify wudu, Imdadiyah. And so is in Tabyeen Al-Haqaiq. Vol.1 p.45, The things that nullify wudu) Darul Kutub Al-Ilmiyah, Beirut) if one is sure about his purity, but doubts of having minor filth or vice versa, the surety shall be taken into the consideration. (Al-Durrul Mukhtar with Raddul Muhtar, Vol.1 p. 150, The things that breaks wudu)

⁹ يطهر بدن المصلى وثوبه من النجس الحقيقي بالماء وبكل مانع طاهر مزيل النجس The body and cloth of the person performing salah become pure from real impurity by washing with water and pure liquid which can remove the impurity. (Majma Al-Anhur. Vol.1 p. 86, Book of impurities. Darul Kitab Al-Ilmiyah, Beirut. And so is in Al-Hidayah. Vol.1 p. 71, Book of impurities and purifying them. Maktabah Sharikah Ilmiyah, Multan)

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. Vol.5 p.222, 223)

What should one do if he doubts his cloth about getting impure before completing salah?

Question: A person is excused due to coming drops. When he intended to perform salah, washed his cloth, but it gets impure later. Is it compulsory to wash it again?

Answer: If he is in such a condition that if he washes cloth, it will get impure before completing salah, he does not need to wash it this time,¹⁰ but he should wash it for another time. (Fatawa Darul Uloom. Vol.1 p. 287, 288)

Till when the clothes of excused person remain pure

Question: Durre Mukhtar mentioned a matter about excused persons as it reads:

(وحكمه الوضوء) لا غسل ثوبه ونحوه الخ Its injunction is to make wudu not to wash clothes and its similar. Now it creates doubt that did when the clothes will not be washed, and till when the clothes of excused persons will be in the injunction of pure clothes?

Answer: You asked about the tax of Durre Mukhtar (وحكمه الوضوء) لا غسل ثوبه ونحوه الخ that is till when the clothes should not be washed? There are three statements: (1) If there is no doubt about getting in pure after washing once, it is necessary to wash and if is doubted to be impure again, it is not necessary to wash. (2) If he can find the chance to offer salah after washing i.e. he can complete salah before its getting impure again, it is necessary to wash else not. (3) If there is no doubt about getting impure in the time of salah after washing, it is necessary to wash else not. Durre Mukhtar preferred the second statement for fatwa. It is interpreted after five lines from (و حكمه الوضوء) which begins with (وإن سال على ثوبه الخ)¹¹ Allah knows the best.

¹⁰ (وإن سال على ثوبه) فوق الدرهم (جازه أن لا يغسله إن كان لو غسله تتجس قبل الفراغ منها) أى الصلوة If the impurity smeared on his cloth more than a dirham (coin), it is allowed not to wash it on the condition that when he washes, it gets impure before completing salah and if it does not get impure before completing salah, it will not be allowed to leave washing. It is preferred to give fatwa. (Al-Durrul Mukhtar with Raddul Muhtar. Matter about the injections of excuse the person. Vol.1 p. 282)

¹¹ (وإن سال على ثوبه) فوق الدرهم (جازه أن لا يغسله إن كان لو غسله تتجس قبل الفراغ منها) أى الصلوة If the impurity smeared on his cloth more than a dirham (coin), it is allowed not to wash it on the condition that when he washes, it gets impure before completing salah and if it does not get impure before completing salah, it will not be allowed to leave washing. It is preferred to give fatwa. (Al-Durrul Mukhtar with Raddul Muhtar. Matter about the injections of excuse the person. Vol.1 p. 282)

The easy way to make wudu for the person who is excused with drops

Question: If the drops of urine do not stop by walking or stepping down, what should to do? Will it affect salah or not?

Answer: There is no condition of walking. Mostly, the purification is got by this way. Actually, the purpose is to be satisfied from dropping urine. Beginning with wudu will not be correct until he became satisfied. The person who drops a long time, he should pass urine before the time or insert some cotton or similar to it inside the entrance of penis that its inside can absorb the urine and its outside does not get wet.

Sharah Al-Tanwir reads:

يجب الاستبراء بمشي أو تنحيت أو نوم على شقه الأيسر. ويختلف بطباء الناس. وقال في الشامية: أما نفس الاستبراء حتى يطمئن قلبه بزوال الرش فهو فرض وهو المراد بالوجوب. ولذا قال الشرنبلالي: يلزم الرجل الاستبراء حتى يزول أثر البول ويطمئن قلبه وقال: عبرت بالضرورة لكونه أقوى من الواجب لأن هذا يفوت الجواز لقوته فلا يصح له الشروع في الوضوء حتى يطمئن بزوال الرش. آه، قلت: ومن كان بطئ الاستبراء فليقتل نحو ورقة مثل الشعيرة ويحتش بها في الإحليل فإنها تشرب ما بقي من أثر الرطوبة التي يخاف خروجها. وينبغي أن يغيبها في المحل لئلا تذهب الرطوبة إلى طرفها الخارج.

Istibra (complete satisfied purification) is necessary by walking, coughing or sleeping on right side. It is different according to the habits of people. Al-Shamiyah reads: Merely complete purification is obligatory which is meant by Wujoob (necessary) till his heart satisfied from sprinkles. That's why Al-Shurumbulali said: Complete purification is compulsory until the effect of urine is washed and his heart satisfied. He added: I said compulsory because it is stronger than necessary. The reason is that it will turn unlawful if it is skipped and then beginning wudu will not correct until his heart satisfied from sprinkles. I said: The one was purification delays he should twist the paper like barley and stuff it into urethra, because it will absorb the remaining wet which is doubted to come out. It is better to insert it inside so that the wet cannot affect the outside. (Raddul Muhtar. Vol.1 p. 319) Allah knows the best.

28th Safar, 1391 A.H. (Ahsanul Fatawa. Vol.2 p. 73)

Is the person afflicted with urine drops regarded as excused person or not?

Question: Is the person afflicted with urine drop whether it comes with delay or instant, regarded as excused person are not? Can he perform one salah with one wudu?

Answer: When he afflicted with excuse and went under the injection of excused person according to shariah, he can perform all obligatory and supererogatory salah in one time of salah regardless the drop comes out the delay or instant.¹² (Fatawa Darul Uloom. Vol.1 p. 288)

What is the injunction about the state of affliction with urine drop

Question: A person is afflicted with urine or sperm drop. What is the injunction about this person? Should he repeat wudu and wash clothes?

Answer: If the discharging of urine drops does not come under the criteria of shariah excuse, it is necessary to make wudu when its discharging is sure.¹³ If it comes under the criteria of shariah excuse i.e. he does not find the time to perform salah after making wudu without afflicting with drop. Such a person is excused according to shariah. His injunction is to make one wudu for one time and perform salah whatever he wants in this time, but when the time of salah will pass his wudu will break. So is mentioned in Durre Mukhtar and other books.¹⁴ (Fatawa Darul Uloom. Vol.1 p. 285)

The injunction about coming drops of urine continuously

Question: I am afflicted with drops of urine for six years. Mostly, it comes out immediately after passing or after sometimes. It comes out during performing salah or wudu. If I go for making wudu, the congregation will finish. What should I do in this situation? Sometimes the quantity of urine crosses the quantity of dirham (coin). I face it during class time while wudu is compulsory this time. If I go for making wudu, the lesson will be skipped. What should I do in this situation?

¹² (إب استوعب عذره تمام وقت صلوة مفروضة) الخ. (وحكمه الوضوء) لا غسل ثوبه ونحوه (لكل فرض)

If the excuse covered all the time of one obligatory Salah..... His injunction is to make wudu.....for every obligatory Salah. The Arabic letter "ل" indicates the time as it indicates in the verse "الذلوک الشمس". Then he can perform obligatory and supererogatory salah. The wajib is a first to be included. When the time will pass, his wudu will break. (Al-Durrul Mukhtar on Raddul Muhtar, Book of menstruation. Matter about injunctions of excused person. Vol.1 p.281. Zafeer)

¹³ (وينقضه خروج كل خارج نجس)... (منه) أي من المتوضئ الحي معتاداً كالأولاء من السيلين أولاً

Wudu will break if any impure thing came out as a habit or not, from the two private parts or any part of alive person-making wudu. (Durre Mukhtar) His statement معتاداً (as a habit) like urine and stool. (Raddul Muhtar. The things that notify wudu. Vol.1 p. 124. Zafeer)

¹⁴ (وصاحب عذر من به سلس) بول الخ (إب استوعب عذره تمام وقت صلوة مفروضة)

The excused person is the one who is suffering from urinary incontinence (till his statement) with the condition that the excuse covered all the time of one obligatory Salah. (Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Matter about the injunctions of disabled. Vol.1 p.280, 281 Zafeer)

Currently, I am using a cloth and wash it before salah. I make wudu after passing urine regardless the drop comes out or not. Is my salah correct or not? Do I have to make up for or am I excused person?

Answer: When you are not excused person, you have to repeat all salah that you have performed in the state of urine drop, or after dropping without making wudu in impure clothes that is impure more than forgiven portion.¹⁵ Coming drop is nullifier for your wudu. You should put a piece of cloth for dropping and separate it at the time of salah or keep a separate lungi for salah. If it gets impure, wash and purify it.

Purifying oneself is not necessary for lesson. However, do not touch the glorious Quran without wudu and if you need, catch it with cloth, but catching without wudu is permissible for books. If you are cautious about books, hold them with cloth.¹⁶ If it bothers you at the time of lesson and you do not understand the book without wudu, you can make tayammum. You should not worry too much. Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. Vol.5 p.219, 220)

The injunction of wudu for the person afflicted with urine drop

Question: I have doubt about coming drop of urine for a long time after passing urine. For example I sat to make wudu before one hour from passing urine. During making wudu I felt wet on the entrance of penis. I went to examine it if it really came out or not. So, I examined it with clod. Sometimes I found wetness on the clod and sometimes not. Therefore, I have to pass urine before one or two hours from the time of salah to prevent from this doubt whether I get smeared with urine or not. So that I can perform salah in peace. If I did not do so by chance, I have to stop urine till I complete salah.

¹⁵ ولو صلى مع هذا الغوب صلوات ثم ظهر أن النجاسة في الطرف الآخر، يجب عليه إعادة الصلوات التي صلى مع هذا الغوب، انظر

If He performed some salah in impure clothes then he came to know that other side of cloth was involved with impurity, it is necessary to repeat all salah that he performed in this cloth. (Khulasatul Fatawa. Vol.1 p.40. Chapter:6 about washing cloth, oil and its similar. Amjad Academy, Lahore. And so is in Al-Nahrul Faique. Vol.1 p. 142, Book of impurities. Imdadiyah)

¹⁶ قال الشيخ إبراهيم الحلبي: ويكره أيضاً للمحدث ونحوه من تفسير القرآن وكتب الفقه وكذا كتب السنن ولأنها لا تخلو عن آيات

Shaikh Ibrahim Halabi (r) said: It is disliked for the person with minor impurity to touch the interpretation of the glorious Quran, books of fiqh and hadith, because they include the verses. This reason forbids to touch the interpretation of Nahw also. More correctly, it is not disliked according to the view of Imam Abu Hanifah (r). (Al-Kabiri.p.56. The end of book of bath)

To sum up, I am disturbed by this dropping. Please kindly reply that should I repeat wudu whenever I doubt about dropping or I have to notice it or I should not pay attention to it at all? What is the injection of shariah in this regard? Please advise me if there is any easy way. It should be noticed that I get smeared with urine before one or two hours. If I forgot and only one hour or one hour and 15 minutes are remaining for the time of congregation, I face too much problems.

Answer: Maraqi Al-Falah reads:

يلزم الرجل الاستبراء والمراد طلب براءة المخرج عن أثر الرشح حتى يزول أثر البول بزوال البول الذي يظهر على الحجر بوضعه على المخرج وحينئذ يطمئن قلبه على حسب عادته إما بالمشي أو بالتنحنج أو الاضطجاع على شقه الأيسر أو غيره بنقل أقدامه ورخص وعصر ذكره برفق لاختلاف عادات الناس فلا يقيد بشيء، آه وفي حاشيته للطحاوي عن المصنفات: ومتى وقع في قلبه أنه صار طاهراً جاز له أن يستنجي (ويتوضأ) لأن كل أحد أعلم بحاله (ص: ٢١) وقال في الدرر: يستحب للرجل أن رابه الشيطان أن يحتشي ويجب أن لا ينقطع إلا به قدر ما يصل.

Complete purification is necessary for a person. It is meant here cleansing discharging place from the effect of sprinkles until the effect of urine elapsed with the impact of wet that appears on the stone when it is put on discharging place. Then his heart will satisfy according to his habit by walking, coughing or sleeping on left side or any other way like transforming feet, pricking or squeezing the penis gently according to the diversity in people's habits. It should not be fixed. Hashiyah Al-Tahtawi refers to Al-Mudhmarat: When his heart satisfied to be pure, it is allowed to do istinja and wudu, because everyone knows himself well. (p. 26) Al-Durrul Mukhtar reads: If the Satan carried him in doubt, is recommended to stuff and if the drop does not terminate but as long as he performed salah, it is necessary. (Vol.1 p. 155) Shami said: We found it more beneficial to terminate the drops.

Therefore, the injunction of the case asked is that if he did istinja before making wudu, he should choose the method according to his convenience to prevent from urine drops and to satisfy his heart. Then he should make wudu. If he is still doubtful about coming drop, he should notice by hand. If he feels wet, he should repeat wudu else not. If he gets smeared with urine shortly before salah, and he fears from harm in suppressing urine, he should not do it. He should pass urine and think the idea to prevent from drop. Walk for sometimes then make wudu and perform salah. If he feels drop, he will examine by hand. If the wet is felt, he should repeat wudu otherwise continue praying. A useful idea for the person who mostly faces waswas is that he should put some cotton

in the whole of his penis. It will absorb the drops. They should not put the cotton equal to the whole but some inside. Now his wudu will not be nullified if the cotton got wet unless the wet came to the entrance. If the cotton is just on the entrance, wudu will be invalid when the outside got wet. As it is mentioned in Durre Mukhtar. Vol.1 p. 154)

18th Safar, 1344 A.H. (Imdadul Ahkam.vol.1 p. 372-374)

The injunction about the person who is afflicted with sperm incontinence

Question: Zaid's sperm emits every time. Earlier it was not emitting in all times of salah, but now it happens in all times. Its emission does not cover the whole time. It emits in some period and stops another time. Sometimes one or more time of salah pass without emission, but there is doubt too. It rarely happens. What is the injunction about this person? Will this person be regarded as excused according to shariah are not? Can this person perform salah in the same state without repeating wudu?

Answer: This person is not excused in this condition according to shariah. Emission of sperm will nullify his wudu. He should purify the body, put some court and inside and perform salah. His wudu will not invalid until the wet appeared on the cotton.¹⁷ Allah knows the best. Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p. 217)

The injunction of bath for the person afflicted with spermatorrhoea

Question: I am afflicted with severe spermatorrhoea. I made treatment too much, but it was of no use. The sperm emits during salah also. What is the injunction for me?

Answer: If the sperm emits without sexual desire, it is a disease. It does not mandate bath but wudu. If it flows too much to perform Salah, you should perform wudu when the time of any salah comes and you can keep performing Salah until the time of other Salah came though the sperm emits.

The separation of sperm from its place with sexual desire is taken into account according to the view of Imam Abu Hanifah (r) and Imam Muhammad (r). The margin writer said:

¹⁷ يتقض (لوحشا إحليلة بقطنه وابتل الطرف الطاهر) هذا لو القطنه عالية أو محاذية... وإرت متسفلة عنه لا يتقض.

Wudu will invalid if he stuffed the cotton in the whole of penis and its outside got wet. It is when if the cotton is high or equal. If it is lower than it, his wudu will not nullify. (Al-Durrul Mukhtar. Vol.1 p.148, 149. The nullifiers of wudu. And so is in Al-Muheet Al-Burhani. Vol.1 p 56, Matter of third rule. Ghaffariyah. And so is in Khulasatul Fatawa.vol.1 p.17)

It is proved that bath is not obligatory for the person who discharged the sperm without sexual desire.¹⁸ (Kitabul Fatawa. Vol.2 p. 58, 59)

How to perform Salah if clothes are no longer pure due to sperm incontinence too much

Question: I am afflicted with sperm incontinence and my clothes are involved with impurity all the times. It is also hard to remain pure after taking bath. Kindly advise me, how to perform Salah?

Answer: you should offer Salah in the same condition after making wudu and you don't need to take bath. This flowing is not sperm rather it is mazi or something else. Only wudu is necessary. You should keep one separate cloth for Salah. If the drop emits during Salah, continue your Salah. Later, if trouser got with that drop, wash and use it for other Salah. You can keep on performing Salah in the same condition and Salah will be correct.¹⁹ (Fatawa Darul Uloom. Vol.1 p. 289)

Is the person having wet dream too much regarded as excused

Question: Zaid is afflicted with having too much wet dream. Nearly, he has every day. He is lean and a week. It is very hard to take bath daily in winter. If he performs Salah without taking bath, feels detestable. Will the injunction of shariah excuse person go for him or not?

Kashful Hajah translation of Mala Budda Minhu reads:

If a person's body and clothes performing salah are impure and he is unable to use water. Is he allowed to perform salah in this impure condition if he does not have pure clothes to cover his private parts? P.19. (Mala Budda Minhu. P.28, Book of purity. Chapter about tayammum. Meer Muhammad Kutub Khana, Karachi) What does this text mean?

Answer: The summary of the matter explained in Mala Budda Minhu is that a person is afflicted with the disease of dysentery or he got an injury that always discharges

¹⁸ Al-Hidayah. Vol.1 p.31

¹⁹ (وَصَاحِبُ عُدْرَةٍ مِنْ يَدِهِ سَلَسٌ) بَيِّنُ لَا يُعْكِنُهُ إِهْسَاكُهُ (أَوْ اسْتِظْلَافُ بَطْنِي أَوْ انْفِلَاتُ رِيحٍ أَوْ اسْتِحْضَاءٌ) الْغَبَرِ

The excused person is the one who is suffering from urinary incontinence which is out of control or lose motion or uncontrolled wind or istihadha..... If his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse. His injunction is to make wudu.....for every obligatory Salah. (Al-Durrul Mukhtar on Raddul Muhtar: Matter about the injunctions of disabled person. Vol.1 p. 280)

moisture. Neither he can wash his clothes himself nor he can make wudu and he is bedridden. He should perform salah in this condition¹ or he should keep one separate lungi to use for salah when all clothes are impure and do not use it except for salah. You should wash wet dream got on the body.²

If bathing makes ill or prolongs illness, he should perform salah after making tayammum.³ He should not pay attention on physical disgust. Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. Vol.5 p. 225, 226)

The injunction of wudu and salah due to discharging wind frequently

Question: Sometimes Zaid discharges the wind to frequently to complete wudu with satisfaction let alone salah. Sometimes he performs two or three rakah after making wudu without discharging the wind. Is it lawful to continue salah in afore condition or there is any other injunction? Can he recite the glorious Quran, any Du'a or durood or teach with that wudu or he has to make new wudu for every activity?

Answer: He is under the injunction of excused person. He will make separate wudu for every time of salah and can perform obligatory, Sunnah and supererogatory salah, prostration of recitation, reciting the glorious Quran touching it.⁴ He can recite سبحان

¹ ثم قال: مريض مجروح تحته ثياب نجسة، إن كان مجال لا يسط تحته شيء إلا تنجس من ساعته إلخ

Then he said: The wounded patient, there is impurity under his clothes, if it is in such a way that whatever is spread, gets impure. He is allowed to perform salah in the same condition. And the same matter is when it does not get impure but his illness prolongs. (Al-Bahrur Raiq. Book of prayer. Book of patient's salah. Vol.2 p.202. Rasheediyah)

² يجب تطهير ما أصابته النجاسة من بدن وثوب أو مكان لقوله تعالى: {وَيُطَيِّرُكَ فُطْرُكَ} إلخ

It is necessary to wash the impurity got on body, cloth and place. As Allah Almighty said: {وَيُطَيِّرُكَ فُطْرُكَ} (And your clothing purify) (Al-Fiqhul Islami Wa Adillatuhu. Vol.1 p.240. Second topic, The conditions that mandate purification. Rasheediyah. And so is in Al-Muheetul Burhani. Vol.1 p.220. Washing impurities. Ghifariyah. And so is in Tatarkhaniyah. Vol.1 p.305. Lesson: 8 about washing impurities. Idaratul Quran)

³ من عجز عن استعمال الماء لبعده أو لمرض يشتد أو يمتد بغلبة الظن أو قول حاذق مسلم ولو بتجربة تيمر لهذه الأعذار كله إلخ

The person who is unable to use water because of distance, severe illness or it lasts probably, a skilful and experienced Muslim person advised him or not finding the one who help him to make wudu..... he will make tayammum because of these excuses. (Al-Durrul Mukhtar. Vol.1 p. 232. Book of tayammum. Saeed. And so is in Al-Fiqhul Islami Wa Adillahtuhu. Vol.1 p. 573. In less and its healing with delay. Rasheediyah. And so is in Al-Nahrul Faiq. Vol.1 p.98. Book of tayammum. Imdadiyah)

⁴ (وحكمه الموضوع) ... (لكل فرض) أى لوقت كل صلاة إلخ (ثم صلى) به (فيه فرضاً ونفلاً) إلخ

لا إِلَهَ إِلَّا اللَّهُ، اللَّهُ، الْحَمْدُ لِلَّهِ and glorious durood without wudu.¹ (Fatawa Darul Uloom. Vol.1 p. 297, 298)

The injunction of wudu and salah for the person afflicted with discharging wind

Question: A person is afflicted with discharging wind for 17-18 years. His wudu breaks immediately after making it or during salah. If you controls the wind, it may lead to other diseases. There is no benefit to repeat wudu in this condition, because it breaks after some time. Usually, Magrib and Isha salah cannot be performed with one wudu and repeating wudu again and again disturbs etiquettes and frequency of salah. Can you perform all salah with one wudu in this condition? Will the breaking wudu in the time be forgiven or not?

Answer: If your disease of discharging wind is in such a condition that you cannot find a time of salah that can be sufficient for salah and wudu, you are excused according to shariah. Discharging once or twice in the time of an obligatory salah is enough to exist the excuse. Now you have to make wudu once for one time of salah that will not break by discharging wind. You can perform obligatory, Sunnah and supererogatory salah as you wish, but the other nullifier of wudu will break his wudu if it is found except discharging wind. When one time of salah passed and other time of salah reached, you have to renew your wudu regardless the wind discharged after making wudu or not, because reaching time of salah and its passing is as nullifier for excused person. For example, if you made wudu before sunset, it will be in a time of Asr salah which will valid till the time of Asr. Later when the sun set, the time of Asr also passed along with its wudu. You have to make new wudu for the time of Maghrib salah. Now you can perform salah whatever you want till the time of Isha salah. You can touch the glorious Quran also.² Allah knows the best. (Muntakhabat Nizamul Fatawa. Vol.1 p. 147, 148)

His injunction is to make wudu.....for every obligatory Salah. Then he can perform obligatory and supererogatory salah. The wajib is a first to be included. When the time will pass, his wudu will break. (Al-Durrul Mukhtar)

¹ قالوا: لعلنا نذكر من دواب وتركه خلاف الأولى وهو مرجع كراهة التزيم

Was is recommended for common zikr and is keeping it is against etiquette that means somewhat disliked. (Al-Durrul Mukhtar on Raddul Muhtar. Matters about bath. Vol.1 p. 161)

² ومن به عذر كلس بول أو استطلاق بطن وانفلات ريح ورعاف دائر وجرح لا يرقأ ولا يمكن حبسه بحشون غير مشقة ولا يجلس التيم

The person who is suffering from urinary incontinence or lose motion or uncontrolled wind or everlasting epistaxis or the injury which is not stopping its dripping even with packing without difficulty, sitting and pointing out in salah, will make wudu for every obligatory salah. That means they can perform salah whatever they want like obligatory and supererogatory. (Maraqi Al-Falah .p 27, Darul Kutub Al-Arabia Al-Kubra in Egypt)

Is the person afflicted with discharging wind regarded excused or not?

Question: Zaid discharges wind too much continuously. Sometimes he passes complete time of salah without passing wind. Is he excused person according to shariah or not? Can he perform salah at the time of trial with one wudu?

Answer: A person is regarded as excused according to shariah initially, when he does not find such a time in which he can perform Salah after making wudu without that excuse. If such time came once that he did not find chance to perform cell after making wudu without excuse, he became excused person according to shariah. Now he can perform a obligatory and supererogatory salah in the whole time of salah. When the time will pass, his wudu also will break. This person will be excused until he finds one complete time of salah without excuse. Al-Durrul Mukhtar reads:

إن استوعب عذره تمام وقت صلوة مفروضة) بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث الثم (وبذا شرط العذر) (في حق الابتداء ، وفي) حق (البقاء كفى وجوده في جزء من الوقت) ولو مرة (وفي) حق الزوال يشترط (استيعاب الانقطاع) تمام الوقت (حقيقة) الثم -

If his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse though supposedly, because stopping in a little period related to end. That's why 'initially' is mentioned as the condition of excuse and its occurring in any part of time though once, is enough to last and covering the whole time of salah absolutely, is condition for the healing from excuse.(Al-Durrul Mukhtar)¹ (Fatawa Darul Uloom. Vol.1 p. 290, 291)

What does Hafize Quran do if he is afflicted with passing wind?

Question: I am Hafiz e Quran and I pass wind many a times. I pass 5-6 in a day during leading tarawih. If I break my intention, it will cause my humiliation among people. There is no one to lead except me. I lead complete tarawih in the same condition with one wudu, while it cannot be stopped more than 5-10 minutes. If I will not do so, the glorious Quran will remain incomplete. I am so disturbed what to do. I want to ask that should I continue to lead or should I stop it?

Answer: According to the above-mentioned case you are not such excused person who is allowed to perform salah in its complete time whether he passes wind or not.

¹ (Al-Durrul Mukhtar on Raddul Muhtar, Matter about the injunctions of excused person, Vol.1 p. 280)

The people who followed you after you passed wind, their salah are not correct. You must stop leading salah and announce among people to repeat the salah they offered after your discharging otherwise you will carry their sins.¹ Allah knows the best. this

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband. Saharanpur. Authenticated by Sayyid Ahmad Ali Saeed. (Muntakhabat Nizamlul Fatawa. Vol.1 p. 149)

How to make wudu if one suffers from spasm of passing wind

Question: I feel the disease of passing wind due to abdominal weakness. I pass wind during salah most of the time and I suffer from spasm. I have to make wudu 4-5 times during the days of spasm. What is the injunction of shariah in this condition?

Answer: It is enough to make wudu once for time of one salah during the days of spasm. It is permissible to perform obligatory, Sunnah and supererogatory salah.² (Fatawa Darul Uloom. Vol.1 p. 298)

Does sleeping of the person afflicted with uncontrolled wind breaks wudu?

Question: If a person is afflicted with uncontrolled wind, does his sleeping break his wudu or not?

Answer: If a person is afflicted with uncontrolled wind, does his sleeping break his wudu or not? It is of two kinds:

Shami regarded that it will not break and it is correct.³ (Fatawa Darul Uloom. Vol.1 p. 133, 134)

The intention about salah of the person who passes wind every time

Question: If a person is afflicted with incontinence wind e.g. wind piles that causes him to pass wind all times, can you perform obligatory and Sunnah salah with one wudu or not? What is the intention of his wudu?

¹ Mraqi Al-Falah. P.27, Darul Kutub Al-Arabia Al-Kubra Egypt.

² (وصاحب عذر من به سلس) بول الخ -

The excused person is the one who is suffering from urinary incontinence. (Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Matter about the injunctions of disabled. Vol.1 p.280, 281 Zafeer)

³ الخ أقول: ينبغي الخ ³ (و) ينقضه حكماً (نوم...) (درمختار) أقول: ينبغي الخ (Durre Mukhtar) I say: it is good... (Raddul Muhtar. The things that nullify wudu. Vol.1 p. 130, 131. Zafeer Siddiqi)

Answer: The person who is afflicted with such disease that breaks wudu, he should make wudu in the time of salah he wants to perform. He can perform obligatory, Sunnah and supererogatory salah till the time of that salah remains. His wudu for Fajr salah will be valid from dawn to sunrise that means the whole time of Fajr salah. His wudu will be invalid as the sun rises. Therefore, he cannot perform supererogatory salah or recitation after sunrise with wudu he made for Fajr salah.¹ Allah knows the best.

Muhammda Uthman Ghani. 11/11/1375 A.H. (Fatawa Imarat Shariah. Vol.2 p. 71, 72)

Wudu of the person afflicted with passing wind does not break by sleeping

Question: If the person afflicted with passing wind slipped after performing Isha, can you perform Tahajjud and Fajr salah?

Answer: Raddul Muhtar reads:

والأحسن ما في فتاوى ابن الشلي حيث قال: سئلت عن شخص به انفلات ريح هل ينقض وضوءه بالنوم؟ فأجبت بعدم النقض بناءً على ما هو الصحيح من أن النوم نفسه ليس بناقض وإنما الناقض ما يخرج ومن ذهب إلى أن النوم نفسه ناقض لزمه النقض.

This text tells us that the person afflicted with uncontrolled wind and he is excused according to shariah, his sleeping will not break his wudu, because the reason of breaking wudu is passing wind² which cannot affect in the time of salah for this person. So, he can perform Tahajjud with wudu of Isha, but he cannot perform Fajr salah with that wudu. Allah knows the best. 22nd Zil Hijj, 1385 A.H. (Ahsanul Fatawa. Vol.2 p. 78, 79)

¹ This injunction will be applied when the wind discharges all the times and he cannot perform salah during the whole time of obligatory salah without passing wind. Mujahid. (Al-Durrul Mukhtar on the margin of Raddul Muhtar: Matter about the injunctions of disabled person. Vol.1 p. 504, 505)

² **Washing the new loophole of impurity**

If a loophole is created by operation other than anus and penis and urine and stool began to come out from that, it is of two kind:

1. If urine and stool come out through it every times, this person will go under the injunction of the person suffering from urinary incontinence. It will be necessary to wash once before making a wudu.
2. If you are in any stool come out through it at a fixed time, it will be necessary to wash it every time with water and only wiping out with clod will not be sufficient. (Al-Mausuah Al-Fiqhiyah. Vol.4 p. 117. Referring to Al-Zakhirah. Vol.1 p. 203, Al-Mughni. Vol.1 p. 118)

This is Imam Ahmad's School of thought. This matter is not mentioned in Hanafi School of thought.

If urine and stool come out through a pipe and the impurity gathers in a plastic bag, it is not necessary to wash, because the impurity did not get on it. (Taharat ke ahkam wa masail. P. 225, Aneesur Rahman)

Does the patient having doubt about purity after operation perform salah or not?

Question: Zaid's urine stopped. The doctor intubated a rubber tube over the navel by operation through which the urine passes. This tube full of urine is put on his belly. The entrance of tube is closed by a thread and is opened when he needs to pass urine. Can this person perform salah in this situation or not?

Answer: Salah is not forgiven even in this condition. So, it is obligated to perform. If he has doubt, he can repeat it later. If he cannot perform sitting, he will perform laying pointing out, but he is not allowed to leave salah. Allah knows the best. (Fatawa Rahimiyah. Vol.4 p. 265)

Is the ulcerated person regarded as excused according to shariah?

Question: Is the person afflicted with ulcer regarded as excused according to shariah or not?

Answer: If the ulcer is running with sticky liquid, the suffering person will be excused according to shariah.¹ (Fatawa Darul Uloom. Vol.1 p.288)

Can the ulcerated person perform Maghrib salah with wudu of Asr salah?

Question: A person is afflicted with ulcer and the sticky water drops and absorbed in cloth. This disease is long lasting. Can this person perform Maghrib salah with wudu of Asr salah or not? Is it correct to perform salah or to lead salah in the same cloth or not?

Answer: He is excused person according to shariah and such person cannot lead salah of the cured people as Al-Durrul Mukhtar reads: “ولا طاهر بمعذور” the disabled with purity.²

The excused person can offer salah with excuse. Here is an explanation about cloth: If he thinks that if he washes it, will be impure before performing Salah, it is right not to wash. If he thinks that it will not be impure more than one coin before completing Salah, he should wash.³ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 286)

¹ وهذا إذا لم يفيض عليه وقت فرض إلا وثلث الحدث يوجد فيه الخ

This injunction will be applied when a complete time of salah does not pass without occurring that excuse. In short, initially the excused person is the one whose excuse covered complete time of a Salah though supposedly. (Al-Bahrur Raique. Vol.1 p.217. And so using Al-Maraqi Al-Falah with Tahtawi. P.81. Alamgiri. Vol.1 p. 40)

² Al-Durrul Mukhtar on Raddul Muhtar. Book of leading salah. Vol.1 p.541 Zafeer

³ (وان سال على ثوبه) فوق الدرهم ---- الخ

The injunction about sticky piles

Question: What is the way to perform salah in case of suffering from hemorrhoid that is moisture all the times and is uncontrolled?

Answer: If the moisture of hemorrhoid does not stop anytime, this person will be excused. The injunction about this person is to make wudu once for one time of obligatory salah then he can perform salah whatever he wishes and can recite the glorious Quran, though the running of moisture continues and gets on cloth. But if the time of other salah came, the wudu will not valid. He has to make wudu again as it is mentioned in Al-Hidayah and Al-Durrul Mukhtar etc. Allah knows the best.¹ (Imdadul Muftiyeen. P.246)

If there is no one to wash the cloth of the person afflicted with piles

Question: A person is suffering from piles and its emerods come out every time. He makes them inside with finger. He also had a wart on testicle that broke. Now there are two holes one is lower and other is upper and both are running all the times. When the wind passes it came out through the lower hole also. He has to perform salah after changing lungi yet some impurity gets on his clothes. If there is no one who can wash his clothes all the times, how will this person perform salah?

Answer: If the person does not have anyone who can wash his impurity, he should purify himself as much as he can then he should relay on the forgiveness from Allah in the remaining.² Muhammad Kifayatullah (May Allah help him) (Kifayatul Mufti. Vol.2 p.272)

What is the injunction about the person who underwent to have wound due to disease and it continues dripping the whole time of salah?

If the sticky liquid dropped on his cloth more than dirham (coin) (Al-Durrul Mukhtar on Raddul Muhtar, Book of menstruation, Matter about the injunction of excused person. Vol.1 p.282. Zafeer)

¹ (وصاحب عذر من به سلس) بول لا يمكن إمساكه ----- الخ - الخ

The excused person is the one who is suffering from uncontrolled urinary incontinence. (Al-Durrul Mukhtar on Raddul Muhtar. Matter about the injunctions of disabled. Vol.1 p.280)

² في التاتارخانية: الرجل المريض إذا لم تكن له امرأة ولا أمة وله ابن وأخ وهو لا يقدر على الوضوء - الخ

Al-Tatarkhaniyah reads: The sick man who is unable to perform wudu and does not have wife and maidservant, but he has son and brother, his son or his brother will help him to make wudu not purification because they cannot touch his private parts. Now the purification will lapsed. The sick woman..... there is no doubt that these details will be applied for the person whose hands paralyzed, because he is like sick. (Raddul Muhtar. Vol.1 p. 341. Chapter about purification. And so is in Al-Tatarkhaniyah. Vol.1 p. 104. Book of purity)

Question: A person underwent to have wound in his calf for leeching infected blood. So, it began dripping and it continues one complete time of salah. He put a piece of neem wood over it to make it fresh and wrapped with two or four folded tampon. Due to this sometimes blood and pus discharge from it. Sometimes it stops till two or three times of salah and sometimes it discharges two or three times during one time of salah. Will this person be considered as excused according to shariah?

Answer: Durre Mukhtar reads:

(وصاحب عذر) الخ (إن استوعب عذره تمام وقت صلوة مفروضة) بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث --- (وبذا شرط) العذر (في حق الابتداء، وفي حق البقاء كفى وجوده في جزء من الوقت) ولو مرةً (وفي حق الزوال يشترط) (استيعاب الانقطاع) تمام الوقت (حقيقه) الخ¹

This text declared all that was related to excuse the person. If it continues dripping initially one complete time of salah, he became excused to person. Now he will remain excused until it really stopped the whole time. The excuse the person cannot lead salah of healthy people.² (Fatawa Darul Uloom. Vol.1 p. 294)

Is it allowed to perform Asr salah with wudu of Zuhr salah if the pus of wound continues discharging

Question: I got a wart on my calf that discharged pus through a hole which is still remaining and thin pus is discharging through it. It is not like injury only wet soil is plastered at the morning and evening. I make wudu for Zuhr, Asr and Maghrib salah after plastering the soil and at the time of Isah and Fajr tampon is wrapped what it. Can I perform Asr salah with wudu of Zuhr salah or Maghrib salah with wudu of Asr salah without opening bandage?

Answer: If some pus continues discharging every time through that hole, the person will be excused according to shariah and he is not allowed to perform salah of next time with previous wudu. His wudu breaks along with passing the time. He should make fresh wudu for next time. Durre Mukhtar reads : (لكل فرض) الخ (فإذا خرج الوقت : (وحكمه الوضوء) ...

¹ Al-Durrul Mukhtar on Raddul Muhtar. Matter about the injunctions of excuse to person. Vol.1 p.281 Zafeer

² (Al-Durrul Mukhtar on Raddul Muhtar. Book of leading salah. Vol.1 p.541 Zafeer) ولا طاهر بمعذور.

His injunction is to make wudu.....for every obligatory Salah. When the time will pass, his wudu will break.¹

The definition of excused the person is that discharging of pus did not stop for the period in which he can perform salah after making wudu.

Durre Mukhtar reads:

(وصاحب عذر من به سلس) بول الخ أو يعينه رمد الخ (أي ويسيل منه الدمع، شامي) (إن استوعب عذره تمام وقت صلاة مفروضة) بأب لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث الخ (وبذا) ... (في حق الابتداء، وفي) حق (البقاء كفي وجوده في جزء من الوقت) ولو مرةً الخ۔

The excused person is the one who is suffering from urinary incontinence or he is sore-eyed and the tear flows out. If the excuse covered all the time of one obligatory Salah, that means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse (till his statement) That's why 'initially' is mentioned as the condition of excuse and its occurring in any part of time though once, is enough to last.² (Fatawa Darul Uloom. Vol.1 p. 294, 295)

The injunction about dripping blood from wound

Question: The blood and pus drip from a person that causes him to be impure. Can he perform salah in this condition? Doctors advise that its treatment is operation, but he cannot bear operation due to his weakness.

Answer: When the time of salah reached, he should make wudu and perform salah and he should perform all salah of that time though the blood and pus continue dripping.³

If there is injury on the part of wudu and the water is harmful, it should be bandaged and wiped over it.⁴ And all the remaining parts should be washed with water.

¹ (Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Matter about the injunctions of excused. Vol.1 p.280, 281 Zafeer)

² (Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Matter about the injunctions of excused. Vol.1 p.280, 281 Zafeer)

³ (ومن به سلس بول) وهو من لا يقدر على إمساكه (والرغاف) الدم الخارج من الأنف (والجرح الذي لا يرقأ) أي لا يسكن دمه الخ۔

The excused person is the one who is suffering from uncontrolled urinary incontinence, everlasting epistaxis and the injury which is not stopping its dripping. Actually, his wudu will valid for every obligatory salah not for every salah as the Prophet (saws) said: Mustahadha woman will make wudu for every time of salah. (Al-Bahrur Raiq. Vol.1 p.373)

⁴ (ويمسح) نحو (مفتصد وجريح على كل عصابة) مع فرجتها في الأصح (إن ضربه) الماء (أو حلها)۔

(Fatawa Nadwatul Ulama. Vol.1 p.219)

The injunction about removing stacked drug over the wound

Question: (1) Sometimes the drug stacked around the wound and it is very difficult to remove it at the time of wudu without exaggeration i.e. it required knife that causes some abrasion on the skin that may harm the wound or the water may effect it. Is it necessary to remove frozen blood and pus from cure body?

(2) The bandage covered the wound more than a coin and the blood or pus of wound appeared over the bandage. Is it necessary to remove that bandage or not?

Answer: (1) If the drug which prevents the water to reach the skin stacked over the near parts of wound and there is no harm in removing it, it is necessary to remove is not. But you should prevent from exaggeration.

(2) If it is considered with most probably that the bond will last long, it will not be necessary to remove the bandage and if the wound got healing, the bandage should be removed.¹ Allah was the best. (Khairul Fatawa. Vol.2 p.131, 132)

It is correct to perform salah with blooded plaster due to excuse

Question: I broke the bone of my leg up to the ankles in an accident. I was hospitalised in Khaibar Hospital where the blood did not appear at all. Therefore, I used to perform salah with tayammum. Later on when some problem happened, I was intoxicated, a steel rod is attached and it is plastered. A large quantity of blood flew that froze over the plaster. Therefore, I was excused to perform salah with that frozen blood. I want to ask that if I have to make up for salah which I have skipped in that situation after getting cure or opening plaster or can I perform salah with frozen blood over the plaster.

The person who got venesection and the wounded will wipe over the bandage along with its opening, if the water is harmful else they will open it. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 471. Book of wiping over socks, wiping over bandage. The meaning of word 'كل')

قال العلامة ابن عابدين: فإن ضره الحل والغسل مسح الكل تبعاً وإلا فلا بل يغسل ماحول الجراحة ويمسح عليها لأعلى الخرقه ما لم يضره النجس¹

Allama Ibn Abideen said: If its opening and washing harm him he will wipe over all accordingly, otherwise he will wash the around area of wound and will wipe over wound not over the bandage until its wiping harms him, he will like work the bandage and will wash its around and the extra area under the bandage, because the thing which is proved to fulfil need is limited till need only as it is described in Al-Bahr referring to Al-Muheet and Al-Fath. (Raddul Muhtar on Al-Durrul Mukhtar. Vol.1 p.205)

Answer: The impurity stacked over the plaster and bandage is forgiven, because it is difficult to wash or it may harm. You can perform salah in the same condition.¹ (Fatawa Deoband Pakistan known as Fatawa Faridiyah. Vol.2 p. 112)

If wudu breaks when he sits and prostrate, he will perform salah with pointing out

Question: A person is afflicted with piles. Whenever he sits in q'adah and prostrate, the stool discharges. But it does not happen when he keeps standing. How will you perform salah in this condition? Can you perform standing?

Answer: If there is any other position to sit in which the stool does not discharge, he will perform sitting and will do ruku and sajdah with pointing out. If it is impossible, he will perform standing with pointing out. If he can stop the stool by inserting the piece of cloth inside and the impurity does not affect outside, he will perform in this way.² Allah knows the best. 29th Jumadal Uoola, 1398 A.H. (Ahsanul Fatawa. Vol.2 p.80)

How to perform salah if wudu breaks in Q'adah and prostration

Question: What do Ulama (Shariah jurists and Islamic scholars) say with regards the matter follows: If a person's wudu breaks in Q'adah and prostration and he is incapable to do ruku and sujood, what is the injunction about him? Should he perform salah standing with pointing out or laying down or is he excused?

Answer: This kind of patient should perform salah standing with pointing out, but it will not be allowed in laying down, because pointing out is relevant for ruku and prostration in a standing position. Ibn Abideen (r) said:

قال العلامة ابن عابدين: فإن ضربه الجل والغسل مسح الكل تبعاً وإلا فلا بل يغسل ما حول الجراحة ويسمح عليها لأعلى الخرقه ما لم يضره الخ¹

Allama Ibn Abideen said: If its opening and washing harm him he will wipe over all accordingly, otherwise he will wash the around area of wound and will wipe over wound not over the bandage until its wiping harms him, he will like work the bandage and will wash its around and the extra area under the bandage, because the thing which is proved to fulfil need is limited till need only as it is described in Al-Bahr referring to Al-Muheet and Al-Fath. (Raddul Muhtar on Al-Durrul Mukhtar. Vol.1 p.205)

² يجب رد عذره أو تخفيفه بقدر قدرته ولو بصلوته مؤمياً، الخ وفي الشافى: وكذا لو سأل عند القيام يصلى قاعداً، الخ

It is necessary to remove the impurity or to shorten it as much as he can do it requires performing salah pointing out. Al-Shamiyah reads: Similarly, when it flows in standing position, he will perform salah sitting. (Raddul Muhtar. Matters about the injunctions of excused person. Vol.1 p.283) One of them is standing in obligatory salah for the one who is able to stand and to prostrate. If he is able to stand not to prostrate, he recommended to perform sitting pointing out. Similarly, the person whose wound is dripping in prostration. Performing sitting is certain for the one whose wound is dripping when he stands or he is suffering from urinary incontinence. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 415. Book of feature of salah.)

إنه لو لم يقدر على الإيماء قاعداً كما لو كان بحال لو صلى قاعداً يسيل بوله وجرحه ولو مستلقياً لا، صلى قائماً بركوع وسجود لأن الاستلقاء لا يجوز بلا عذر كالصلوة مع الحدث فيترجم ما فيه الإتيان بالأركان كما في المنية وشرحها-

If he is incapable to point out sitting -as he is in a condition that if he performs salah sitting, his urine discharges or his wound drips while it does not happen in laying down position- he will perform salah standing with ruku and sujood, because performing laying down is not allowed without excuse like salah with impunity. So, the position will be preferred in which one can perform arkan of salah as it is described in Al-Muniyah and its explanation. (Raddul Muhtar. Vol.1 p.709)

Ibn Nujaim said:

قوله (وخير إن طهر أقل من ربعة) يعني بين أن يصلى فيه وهو الأفضل لما فيه من الإتيان بالركوع والسجود وستر العورة الغليظة وبين أن يصلى عرياناً قاعداً يؤمى بالركوع والسجود وهو يلى الأول في الفضل لما فيه من ستر العورة الغليظة وبين أن يصلى قائماً عرياناً بركوع وسجود وهو دونهما في الفضل- وفي ملتي البحار: إن شاء صلى عرياناً بالركوع والسجود أو مؤمياً بهما إما قاعداً وإما قائماً فهذا نص على جواز الإيماء قائماً-

His statement (وخير إن طهر أقل من ربعة) means if less than one fourth of his clothes is pure, he can perform in them and it is better because it offers to perform ruku and sujood and hiding anterior and posterior private parts. He can also perform naked sitting with pointing out for ruku and sujood, but it is lesser than the first in regard of priority. He can also perform sitting naked with ruku and sujood, but it is less than the first two in preference. Multaqal Bihar reads: He can perform salah naked with ruku and sujood or pointing out in sitting position or standing. It clearly proves that pointing out in standing position is allowed. (Bahr. Vol.1 p. 273) Allah knows the best. (Ahsanul Fatawa. Vol.2 p. 80, 81)

The matter about performing salah sitting in case of urine drop

Question: I am suffering from urine drops and I get it 20-25 times in a day and my trouser gets wet. That's why my wudu does not remain. I make new wudu at the time of salah, but the drop discharge is when I sit and stand up during salah. It happens in all Rakah. So I perform salah sitting to prevent from drop. In this position that belly touches the thigh and the fingers of feet do not face Qibla, because I feel relax to sit spreading both legs and I suffers so much pain in sitting with raising right foot. Is this salah correct or not?

Answer: Durre Mukhtar reads:

يجب رد عذره أو تقليله بقدر قدرته ولو بصلوته مؤمياً، الخ وفي الشاى: وكذا لوسال عند القيام يصلى قاعداً، الخ

It is necessary to remove the impurity or to shorten it as much as he can do it requires performing salah pointing out. Al-Shamiyah reads: Similarly, when it flows in standing position, he will perform salah sitting.¹

So, it is better to perform salah sitting if the drop stops for you in the case mentioned above. If the fingers of feet not face Qibla in prostration, there is nothing wrong. You should perform as per your convenience that the drop stops.² (Fatawa Darul Uloom. Vol.1 p. 289, 290)

In case of urine drop salah should be performed sitting

Question: If a person perform salah standing, the urine drops and it does not happen in sitting. How will this person perform salah standing or sitting?

Answer: This person should perform salah sitting.³ (Fatawa Sirajiyah. P.19) Allah knows the best. (Fatawa Rahimiyah. Vol.1 p.95)

The injunction of performing salah sitting if wind passes in ruku and prostration

Question: I suffer a very severe pain for passing wind. When I perform ruku and prostration, my stomach is compressed that causes to break wudu. How will I perform salah? I am very concerned about it. Please guide me.

Answer: You should perform salah in a way that does not compress the stomach and you can save your wudu preventing from passing wind. If your wudu breaks by doing ruku and prostration, you should perform salah sitting pointing out in ruku and prostration.⁴ The inflection of prostration should be more than the one of ruku.

¹ (Raddul Muhtar. Matters about the injunctions of excused person. Vol.1 p.283)

² (ومنها القيام)----(في فرض)----(لقد ارعاه) وعلى السجود فلو قدر عليه دون السجود نذب إيماء قاعداً وكذا من يسيل جرحه الخ

One of them is standing in obligatory salah for the one who is able to stand and to prostrate. If he is able to stand not to prostrate, he recommended to perform sitting pointing out, similarly, the person whose wound is dripping in prostration. Performing sitting is certain for the one whose wound is dripping when he stands or he is suffering from urinary incontinence. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 415. Book of feature of salah.)

³ يجب رد عذره أو تقليله بقدر قدرته ولو بصلوته مؤمياً، الخ وفي الشاى: وكذا لوسال عند القيام يصلى قاعداً، الخ

It is necessary to remove the impurity or to shorten it as much as he can do it requires performing salah pointing out. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.415. Book of features of salah)

⁴ The previous footnote. No.2

Durre Mukhtar reads:

(ومنها القيام)----(في فرض)----(لقادر عليه)وعلى السجود فلو قدر عليه دون السجود ندب إيماءه قاعداً وكذا من يسيل جرحه
لوسجد وقد يتحتم القعود كمن يسيل جرحه إذا قام أو يسلس بوله----الخ-

One of them is standing in obligatory salah for the one who is able to stand and to prostrate. If he is able to stand not to prostrate, he recommended to perform sitting pointing out, similarly, the person whose wound is dripping in prostration. Performing sitting is certain for the one whose wound is dripping when he stands or he is suffering from urinary incontinence. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 415. Book of feature of salah.)

Tahtawi on Maraqui Al-Falah reads:

قال في الفتح: رجل مجلقه جراح لا يقدر على السجود ويقدر على غيره من الأفعال يصلي قاعداً بالإيماء ولو قام وقرء وركع ثم قعد وأوما
للسجود جاز والأول أولى-

It is mentioned in Al-Fath: A person has injury in his throat and he can perform all acts of salah except ruku and prostration, he will perform sitting pointing out. If he stood up, recited the glorious Quran and did ruku then he sit and pointed for prostration, it will be allowed, but the first one is better. (P.235. Book of patient's salah) Allah knows the best. (Fatawa Rahimiyah. Vol.8 p. 214)

What is the intention about performing salah laying down pointing out in the state of urine drops?

Question: If one performs salah standing or sitting, the urine drops and it does not happen if he performs laying down. How will he perform salah?

Answer: He is not allowed to perform salah laying down with pointing out. He should perform standing.⁵ (Naf'ul Mufti Was Sail. P.98) (Fatawa Rahimiyah. Vol.1 p.195)

If it is hard to change clothes for patient, he will perform salah in the same

قال ابن عابدين رحمه الله تعالى: إنه لو لم يقدر على الإيماء قاعداً كما لو كان مجالاً لو صلى قاعداً يسيل بوله وجرحه ولو مستلقياً لا، صلى قائماً الخ-⁵

If he is incapable to point out sitting -as he is in a condition that if he performs salah sitting, his urine discharges or his wound drips while it does not happen in laying down position- he will perform salah standing with ruku and sujud, because performing laying down is not allowed without excuse like salah with impunity. So, the position will be preferred in which one can perform arkan of salah as it is described in Al-Munyah and its explanation. (Raddul Muhtar. Vol.1 p.709)

Question: It is certain that the body and clothes does not remain pure in hospitals sometimes and with doubt occasionally. Should he perform salah this condition by any mean or skip?

Answer: This patient should perform salah in the same condition.

مريض تحته ثياب نجسة وكلما بسط شيئاً تنجس من ساعته صلى على حاله وكذا لو لم ينجس إلا أنه يلحقه مشقة بتحريكه.

If there are impure clothes under the patient and whenever something is spread it gets impure immediately, he will perform salah in the same condition and similarly when it is not getting impure but he suffers problem to move. (Raddul Muhtar. Vol.1 p.563) Allah knows the best. 24th Muharram, 1395 A.H. (Ahsanul Fatawa. Vol.2 p.75)

Can a person perform salah in the state of excuse?

Question: A person is suffering from spermatorrhoea and the energy is being spent. Can he carry out the injunctions of Islam like salah in this condition?

Answer: He will do all works in that condition. The matter of excused person is mention in Fiqh. So the excused person can perform salah in time with one wudu. He can also recite the glorious Quran, Durood, tasbeeh and so on. When the time will pass, is wudu will be invalidated.⁶ (Fatawa Darul Uloom. Vol.1 p. 292)

The injunction of salah for the excused person whose clothes are impure

Question: I am suffering from fever, cough and catarrh (cold and flu) for one week. I have a five months old child who makes my body impure in night by urinating. In spite of attention and care, it is hard to prevent from his impurity. I used to wash daily the impure parts of the body with warm water before my illness and perform salah after changing clothes, but since I got ill, I am unable to purify my body. I washed one or two days in this condition, the illness prolonged and the baby also got ill. Now I want to ask that is tayammum allowed or not in this state? If it is allowed, how to make it whether it will be enough to rub the impure parts of the body by hands after typing them on soil or I will make tayammum of bath and wudu? I have been skipping salah for many days in this suspicion that is confusing me so much. I have nothing to say much more.

⁶ (إن استوعب عذره تمام وقت صلاة مفروضة) بأب لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث الثمر

If his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse. His injunction is to make wudu.....for every obligatory Salah. (Al-Durrul Mukhtar on Raddul Muhtar, Book of menstruation. Matter about injunctions of excused person. Vol.1 p.281. Zafeer)

Answer: You should never skip salah in this condition, but you should be very careful to prevent from impurity and bind a piece of cloth over the baby's private parts. Now the impurity will not get on the mother. Above all, if some impurity got on, wash with warm water provided that it does not harm. If it harms, perform salah in that state, it will be correct. You should manage a separate cloth for salah to use for performing salah specially. If it is also impossible, perform salah with the impurity of clothes if its washing and the wet harm.

قال في شرح المنية: إن الرجل (وفي حكمه المرأة) إذا كان على جسده نجاسة وهو مسافر فربط به باعتبار الغالب وإلا فلا فرق بين المسافر وغيره وليس معه ماء أو مائعة مزيل أو كان معه وهو يخاف العطش (وفي حكمه ازدياد المرض) حالاً أو مائلاً على نفسه أو على من تلزمه مؤنته فإنه لا يلزمه إزالة عين النجاسة ويجوز له أن يصلي بها.

It is written in Sharah Al-Muniyah: If there is impurity on the body of a man or woman and he is on journey, it is bounded with most probable otherwise there is no difference between traveller and others, and he has neither water nor any liquid that can wash or he has water, but he fears from thirst of his own or of the person who is in his observation presently or finally, it will not be necessary to remove the impurity and he is permitted to perform salah with impurity. (p. 195) Allah knows the best.

2nd Shaban, 1345 A.H. (Imdadul Ahkam. Vol.1 p.374, 375)

How will perform salah the person applies oil as the treatment of impotence and the doctor forbids him from using water.

Question: A person applies oil as the treatment of importance and looseness and the doctor forbids him from using water. Moreover, he advises to wash penis with wine. He is unable to get purification and taking bath of wet dream. How will he perform salah?

Answer: The treatment with forbidden or impure things is allowed only when a skilful Muslim doctor describes that it carries healing and there is no its allowed substitute.

Al-Nihayah reads:

وفي التهذيب: يجوز للعليل شرب البول والدم والميتة للتداوى إذا أخبره طبيب مسلم أن فيه شفاء ولم يجد من المباح ما يقوم مقامه، إلخ.

It is mentioned in Al-Tahzeeb: The ill person is permitted to drink urine and blood, and to eat dead for treatment on condition that a skilful Muslim doctor advised him that it carries healing and he does not find its allowed substitute.⁷

So, use of wine is correct for treatment with above condition and salah is also correct in that state else not. (Fatawa Darul Uloom. Vol.1p. 293, 294)

The injunction of wudu and salah for the person whose ear is running

Question: Zaid's ear is always running. Will his salah be correct or not?

Answer: The person who is suffering from running ear all the times, he should make new wudu for every time of salah. His wudu will not break by running ear until the time of salah passed.⁸ Allah knows the best. Muhammad Usman Ghani. 25/09/1371 A.H.

(Fatawa Imarat Shariah. Vol.2 p. 71)

⁷ Raddul Muhtar. Book of miscellaneous in the chapter of transaction. Vol.4 p. 298, Zafeer

⁸ (وَصَاحِبُ عُذْرٍ مَنْ يَدْرُسُ) بُولٍ لَا يُمْكِنُهُ إِهْسَاكُهُ (أَوْ اسْتِظْلَافُ بَطْنٍ أَوْ انْفِلَافُ رِيحٍ أَوْ اسْتِخَاَصَةُ الْحِمْلِ)

The excused person is the one who is suffering from urinary incontinence which is out of control or lose motion or uncontrolled wind or istihadhah or his incineration or egilops and all that discharges with pain though from wound, breast or navel, if his excuse covered all the time of one obligatory Salah. That means he does not find a period of time, out of all five times of Salah, he can perform Salah after making wudu without that excuse. His injunction is to make wudu.....for every obligatory Salah. Then he can perform obligatory and supererogatory salah. When the time will pass, his wudu will break. (Al-Durrul Mukhtar on the margin of Raddul Muhtar: Matter about the injunctions of disabled person. Vol.1 p. 504, 505)

INJUNCTIONS OF WIPING FOR EXCUSED PERSON

Injunctions of wiping for excused person

Wiping over the bandage

Question: Zaid got injury in his thumb its half. He put the bandage with ointments what it be for three hours of juma salah. The bandage covered it completely. Zaid made wudu at the time of juma salah, but he neither opened the bandage nor washed the around area with water and he moistened it with water only. In short, the complete thumb remained dry. If Zaid would open the bandage, moisten the remaining portion, and wipe over the wound, it would have not harm.

Answer: It is not necessary to open the bandage or to moisten it in wudu. Wiping over the bandage is sufficient.¹ Allah knows the best.

عن جابر بن عبد الله قال: خرجنا في سفر - - - - - يتيمروا يعصر أو يعصب - شت موسى - على جرحه خرقه ثم يمسح عليها ويغسل ساثر جسده - ¹

Jabir (rz) said: We set out on a journey. One of our people was hurt by a stone that injured his head. He then had a sexual dream. He asked his fellow travelers: Do you find a concession for me to perform tayammum? They said: We do not find any concession for you while you can use water. He took a bath and died. When we came to the Prophet (ﷺ), the incident was reported to him. He said: They killed him, may Allah kill them! Could they not ask when they did not know? The cure for ignorance is inquiry. It was enough for him to perform tayammum and to pour some drops of water or bind a bandage over the wound (the narrator Musa was doubtful); then he should have wiped over it and washed the rest of his body. (Abu Dawood. Book: The person infected with smallpox will make tayammum)

عن علي بن أبي طالب قال: انكسرت إحدى زندي فسألت النبي صلى الله عليه وسلم فأمرني أن أمسح على الجبائر

Narrated `Ali (rz): One of my forearms was broken. Then I consulted Allah's Messenger (Peace be upon him) and he ordered me to wipe over the bandages. (Ibn Majah. Book of wiping over bandages. P.93, No.657. Al-Dara Qutni. Book of permissibility to wipe over bandages)

It is necessary to wash the parts of wudu in correct wudu. Tayammum or wiping is allowed when he is unable to use water or it harms him. Wiping overhead is permitted, because the water harms the head and it causes too much problems. It is clear that the rule of shariah reads: 'الخرج مدفوع' (the difficulty is mitigated). If there is any injury or cut in any parts of wudu and its washing harms in it, it is enough to wipe over it. If wiping hurts it, it is forgiven also.

The kinds of wiping and taking bath after wrapping bandage

1. If opening bandage harms him or he is unable to wrap it again himself nor he finds anyone to bind it, it is enough to wipe over the bandage. There is no need to open it.

Injunction of wiping over a piece of soft cloth

Question: Zaid got pimple on his face and he put a soft piece of medicated cloth on it. Should he wash after pulling it out or without if its pulling out is paining, because it stacked on the skin?

Answer: If water harms the wound or he feels pain and pulling out the piece of cloth, he should wipe over it without pulling out the piece of clothing. Al-Tanwir reads:

2. If opening the bandage does not make any harm, it is necessary to open and wash the parts where the water does not harm. The parts where the water and harms and wiping does not harm, it is necessary to wipe over it, because that thing which is proved in need, will be used in need only.
3. If washing and wiping over the wound after opening the bandage harms, there is no need to open the bandage. It is enough to wipe over it.
4. If wiping over the wound harms, but washing around it does not harm, it is necessary to wash the area around. After washing, wrap the bandage and wipe over it.

In the question above it is clear that if Zaid wipe over the wound after opening the bandage and washes the around area, it does not harm the wound but he neither wipe over the wound nor washed the remaining parts and performed salah after making wudu. Therefore, neither his wudu is valid nor his salah is correct. (Mujahid)

والحاصل لزوم غسل المحل ولو بماء حار، فإن ضرر مسحه، فإن ضرر مسحها، فإن ضرر سقط أصلًا (ويصح) نحو (مفتصد وجريح على كل عصابة) مع فرجتها في الأصح (إن ضره) الماء (أو حلقها) ومنه أن لا يمكنه ربطها بنفسه ولا يجد من يربطها.

In short, it is necessary to wash the infected area though with warm water. If washing harms, he will wipe over it. If it also harms, he will wipe over the bandage. If it also harms, it will be forgiven. The one who is veneseted or wounded, will wipe over complete bandage and its opening according to the authentic statement. If water or opening bandage harms him or he is unable to wrap it again himself nor he finds anyone to bind it, it is enough to wipe over the bandage. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.470, 471)

(قوله أو حلقها) أي ولو كان بعد البرء بأن التصقت بالمحل بحيث يعسر نزعها ط، لكن حينئذ يمسح على الملتصق ويغسل ما قدر على غسله من الجوانب كما مر. ثم المسئلة رباعية كما أشار إليه في الخزان، لأنه إن ضره الحل يمسح سواء ضره أيضاً المسح على ماتحتها أولاً، وإن لم يضره الحل، فإما أن لا يضره المسح أيضاً فيحلقها ويغسل ما لا يضره ويمسح ما يضره، وإما أن يضره المسح فيحلقها ويغسل كذلك ثم يمسح الجرح على العصابة، إذ الثابت بالضرورة يتقدر بقدرها.

(His statement (أو حلقها) means that if the bandage stacked over the wound after healing and it is difficult to pull it out, he will wipe over the stacked part and will wash the around area if it is possible as it is mentioned above. Then this matter is of four kinds as it is directed in Al-Khazain, because if its opening harms him, he will wipe over it whether wiping over the wound and inside the bandage harms him or not. If its opening does not harm, the wiping over the wound may not harm also, he will open it, wash the area that does not harm and wipe what the area that harms. If wiping over it harms him, he will open the bandage and wash the around area. Then he will wipe over the bandage, because the thing which is proved to fulfil need is limited till need only. (Raddul Muhtar. Vol.1 p. 47)

وحكم مسح جبيرة وخرقة قرحة وموضع فصد ونحو ذلك كغسل لما تحتها۔

It is said to wipe over the bandage, the piece of cloth on the canker and the place venesection and what is similar to it like washing inside the bandage. (Raddul Muhtar. Vol.1 p.257) Allah knows the best. 8th Rabiul Awwal 1391 A.H. (Ahsanul Fatawa. Vol.2 p. 64)

The injunction of wiping over the plaster

Question: The doctors attach plaster over the fractured hands, feet etc. to join them. Is it allowed to wipe over it or not?

Answer: Plaster is used to join the fractured parts of the body. Though its opening does not harm without doctor's permission, but its opening and binding again and again leads financial loss. Therefore, it is not necessary to wash inside part. It is enough to wipe over it as Al-Haskafi (r) said:

(ويمسح) نحو (مفتصد وجريح على كل عصابة) مع فرجتها في الأصح. قال ابن عابدين: (قوله على كل عصابة) أى على كل فرد من أفرادها سواء كانت عصابة تحتها جراحة وهى بقدرها أو زائدة عليها كعصابة المفتصد. أو لم يكن تحتها جراحة أصلاً بل كسر أو كى. وهذا معنى قول الكنز: كان تحتها جراحة أو لا. لكن إذا كانت زائدة على قدر الجراحة. فإن ضره الحل والغسل مسح الكل تبعاً وإلا فلا۔

The person who got venesection and the wounded will wipe over the bandage along with its opening. Allama Ibn Abideen said: His statement *مسح على كل عصابة* means over its each and every individuals whether the bandage hides the wound and it is equal to the wound or more than it like the bandage of venisected person or there is no wound under the bandage at all except breaking and branding. It is the meaning of what is said in Al-Kanz: Whether there is wound and that the bandage of not, but if the bandage is more than the wound and its opening and washing harm him he will wipe over all accordingly, else not. (Raddul Muhtar. Vol.1 p.280. Book of socks. Matters about the word *كل* when it comes to before *منكر* or *معروف*)¹ (Fatawa Haqqaniyah. Vol.2 p. 619)²

¹ قال إبراهيم الحلبي رحمه الله: جاز له المسح على كل الجبيرة ما تحتها جراحة وما ليس تحتها تبعاً لموضع الجراحة۔

Ibrahim Al-Halabi (r) said: Wiping over all kinds of bandages over the wounds and its around area is allowed depending on the place of wound. (Kabeeri. P. 117) Book of wiping over the socks. And so is in Maraql Al-Falah on Al-Tahtawi. P. 107 Chapter about bandages and its like)

² **The injunction of wiping over the plaster**

Question: A person got wound on his foot and he put plaster over it. Then he made wudu for performing salah but he did not remove the plaster. Is his wudu valid or not? Similarly, he put plaster over his calf and he required seminal bath. When he took bath, he did not remove the plaster. Is his bath complete or not?

If removing the bandage again and again harms the wound, it should not be removed

Question: If the wound will not be harmed by washing or wiping, it will be necessary to remove the bandage and wash or wipe over the wound. Here both do not harm, but the healing will be delayed by removing the bandage again and again. Is it permissible not to remove the bandage and medicine from the wound or not?

Answer: Fuqaha considered healing with delay as the acceptable cause and actual harm to allow tayammum. (Hindiyah. Vol.1 p.15)

We think that this excuse will also be accepted to allow wiping over bandage. Therefore, wiping over it is permissible without removing the bandage.

In short, when there is fear that the wound will increase or the healing will be delayed by removing the bandage, wiping will be permissible in these cases; the severe pain is also included. Wiping is not allowed only in the case of slight pain. Allah knows the best.

Muhammad Anwar (May Allah forgive him) (Khairul Fatawa. Vol.2 p. 130)

What to do if the bandage fell down after wiping over it

Question: One wiped over the bandage and it fell down. Does he has to wipe over that he changed?

Answer: If it is possible to wash the around area after removing the plaster and the wound can be wiped over with wet hands, it is not allowed to wipe over the plaster rather wiping should be over the wound and around area should be washed.

It is not possible to remove the plaster, but the around area can be washed, it should be washed after removing the plaster and wipe over the place of wound over the plaster. If it is not possible also, wipe what the whole plaster. Wudu and bath will be correct. Shami. Vol.1 p. 258 reads:

” (ويسمى) نحو (مفتصد وجريح على كل عصابة) (درمختار) أى على كل فرد من أفرادها سواء كانت عصابة تحتها جراحة وهي بقدرها أوزاندة عليها

كعصابة المفتصد أو لم يكن تحتها جراحة أصلاً بل كسر أوئى، وهذا معنى قول الكنزاكات تحتها جراحة أولاً، لكن إذا كانت زائدة على قدر الجراحة

فإن ضره الحل والغسل مسح الكل تبعاً وإلا فلا.

The person who got venesection will wipe over the bandage. It means over its each and every individuals whether the bandage hides the wound and it is equal to the wound or more than it like the bandage of venisected person or there is no wound under the bandage at all except breaking and branding. It is the meaning of what is said in Al-Kanz: Whether there is wound and that the bandage of not, but if the bandage is more than the wound and its opening and washing harm him he will wipe over all accordingly, else not. Allah knows the best.

Muhammad Anwar (May Allah forgive him) 24/06/1397 A.H. The answer is correct. Abdus Sattar (May Allah forgive him) (Khairul Fatawa. Vol.2 p. 127, 128)

Answer: Al-Tanweer reads: والمسح يبطله سقوطها عن برء وإلا لا- Wiping over it will be invalidated by its falling after healing, otherwise not. (Raddul Muhtar. Vol.1 p. 259)

This text states that wiping over will not be invalidated by its falling, but if it fell down after healing, the previous wiping will be invalidated and it will be necessary to wash. Allah knows the best. 23rd Safar, 1387 A.H. (Ahsanul Fatawa. Vol.2 p. 63)

If the upper bandage fell down, wiping over the lower again is not necessary

Question: Is it necessary to wipe over the lower bandage again, if the upper one fell down?

Answer: Wiping over the lower bandage is not necessary, but it is recommended.

Al-Ala' (r) said:

ولو بدلها بأخرى أو سقطت العليا لم يجب إعادة المسح بل يندب، وفي الشامية: (قوله لم يجب) وعن الثاني أنه يجب المسح على العصاة الباقية-

If he changed the bandage or it fell down, wiping again will not be necessary, but the recommended. Al-Shamiyah reads: (لم يجب) and from the second, wiping will be necessary over the remaining bandage. (Raddul Muhtar. Vol.1 p. 258) Allah knows the best.

23rd Safar, 1387 A.H. (Ahsanul Fatawa. Vol.2 p. 63, 64)

Till when does wiping over the bandage remain?

Question: Till when does wiping over the bandage remain and in which situations is it invalidated?

Answer: Wiping over the bandage is invalidated in two states:

- (1) After pulling it out or falling down by healing, because the reason did not remain by which wiping is permitted.
- (2) By minor impunity i.e. wiping over the bandage will be invalidated if wudu is invalidated.

As Al-Shaikh Wahabah Al-Zuhaili (r) said:

يبطل المسح على الجبيرة في حالتين، هما (١) نزعها وسقوطها، قال الحنفية: يبطل المسح على الجبيرة إن سقطت عن برء لزوال العذر --- (٢) الحدث يبطل المسح على الجبيرة بالاتفاق بالحدث.

Wiping over the bandage will be invalidated in two cases:

- (1) After pulling it out or falling down. Hanafiyah said: Wiping over the bandage will be invalidated, if it fell down by healing, because the reason did not remain....
- (2) The minor impurity invalidate wiping over the bandage with the consent of all.

(Al-Fiqhul Islami Wa Adillatuhu. Vol.1 p.356. The things that invalidate wiping over the bandage)¹ (Fatawa Haqqaniyah. Vol.1 p. 618)

Wiping should be what the wound only or what the whole part

Question: If there is wound on any part of the body on its whole or more than half for example if there is bound on foot, should wiping be on the whole foot or only the place of wound? If he wiped what the whole foot, will salah be correct or not? Someone said: Wiping should be only over the place of wound and the remaining should be washed. In the case of bandage, wiping should be only over the bandage, and the remaining should be washed, is it correct?

Answer: In all the mentioned cases, wiping should be only over the portion of wound and the other healing places should be washed, but if the water reaches what the wound and harms, wiping over the whole will be correct.² So, that person is correct who said: Wiping should be only were the place where the wound is, and the remaining portion should be washed. Therefore, if one from the salah without fearing from what is mentioned above, his salah will not be correct. In the case of wiping over the bandage, it should be only what the bandage and the healing part should be washed. There is

¹ قال العلامة أبو بكر الكاساني: فسقوط الجبائر عن برء ينقض المسح.

Al-Allamah Abu Bakr Al-Kasani (r) said: Falling down the bandages will invalidate wiping. (Badai Al-Sanai Fi Tarteeb Al-Sharai. Vol.1 p. 14. Matter about the things that invalidate wiping over the bandage)

² عن علي بن أبي طالب قال: سألت رسول الله صلى الله عليه وسلم عن الجبائر كيكون على الكسير، كيف يتوضأ صاحبها الحديث

Ali (rz) narrated: He said: I asked the Messenger of Allah (saws) about the splints on fractures. How will the person having it perform wudu and take bath when he became sexually impure? He replied: They will wipe over it with water in the case of wudu and sexual impurity. I asked: If he is in winter and fears for himself when he takes bath? He replied: He will wipe over his body. Then he recited (لَا تَقْتُلُوا أَنْفُسَكُمْ، إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا) (And do not kill yourselves [or one another]. Indeed, Allah is to you ever Merciful.) And he will make tayammum if he fears for himself. (Al-Dara Qutni. Book: Allowing wiping over splints. P.233. No. 865)

some concession in this case that if there is some openings between the bandages, wiping will be valid or it and the portion covered by the bandage.

Durre Mukhtar reads:

(ويسح) نحو (مفتصد وجريح على كل عصابة) مع فرجتها في الأصح النحر.

The one who is veneseted or wounded, will wipe over complete bandage and its opening according to the most authentic statement.³ (Fatawa Darul Uloom. Vol.1 p. 276, 277)

If the parts of wudu injured

Question: A person got blain in his feet. The doctor advised that the water should not touch it. Is tayammum allowed in this case for performing salah and reciting the glorious Quran?

Answer: If blain is harmed by reaching water only not parts, making tayammum is not sufficient. He should wash face, hands, wipe over the head and wash the other foot if only one is injured. If the wound is in some area of foot and the remaining area is not harmed by water, it should be washed also. If there is no harm in wiping over the wound, he should wipe over it only and if it is covered with bandage, wiping should be on the bandage. If there is no bandage and the doctor forbade him even from wiping over the wound, he will leave it as it is. Allahmah Kasani (r) writes:

ومن شرط جواز المسح على الجبيرة أيضاً أن يكون المسح على عين الجراحة مما يضر بها، فإن كان لا يضر بها لا يجوز المسح إلا على نفس الجراحة ولا يجوز على الجبيرة.

One of the conditions to wipe over splints is that wiping harms if it is over the wound. If it does not harm, wiping will not be permissible except over the wound itself not on the bandage also.⁴ (Kitabul Fatawa. Vol.2 p. 56, 57)

How to wipe if hands and feet are injured

Question: One has injured in his hand and he fears that it will increase by reaching water. How will he wipe what it? Surely, there will remain some dried area around the wound. If he has put a piece of soft cloth, can he wipe over it? If there is fear of reaching water

³ Al-Durrul Mukhtar on Raddul Muhtar. Book of wiping over the socks. vol.1 p.258

⁴ (Badai Al-Sanai. Vol.1 p. 90. Talking about wiping over the bandage)

inside it, can he wipe over around area and how to wipe? What should we do if he requires seminal bath?

Answer: If there is fear of increasing wound, it is correct to wipe over it. Wiping over is to apply with water on that place. If there is no fear in applying hand without cover, he should do it. There is nothing wrong if the around area remained dry. He should apply his hand the whole place though some got wet and some not. He will do the same in the case of seminal bath that he should wipe over the place of wound as it mentioned above and wash the left parts of the body.¹ (Fatawa Darul Uloom. Vol.1 p. 296, 297)

The matter of wiping over the wound

Question: If wiping over the wound causes pain, what should to do?

Answer: If wiping over the open wound is paining, he should wipe over the bandage. If it also causes severe pain, it is permissible to leave it in the state of difficulty.

As Al-Shaikh Wahabah Al-Zuhaili (r) said:

وإذا رمد وأمره طبيب مسلم ألا يغسل عينه أو أنكسر ظفره أو حصل به داء وجعل عليه دوائاً، جازله المسح للضرورة وإن ضره المسح تركه لأب الضرورة تقدر بقدرها۔

If one afflicted with sore-eyed and a Muslim doctor advised him not to wash it, or his nail broke or it affected and he put medicine over it, wiping over it will be permissible due to need. If wiping or it harms, he will leave it, because the need is limited still need only. (Al-Fiqhul Islami Wa Adillatuhu. Vol.1 p.255. The things that invalidate wiping over the bandage)² (Fatawa Haqqaniyah. Vol.2 p. 618, 619)

¹ (ويسمى) نحو (مفتصد وجريح على كل عصابة) مع فرجتها في الأصح (إن ضره) الماء (أو حلها) الثبر۔

The one who is veneseted or wounded, will wipe over complete bandage and its opening according to the authentic statement. If water or opening bandage harms him or he is unable to wrap it again himself nor he finds anyone to bind it, it is enough to wipe over the bandage.

If one's nail broke and he put medicine on it or in the openings of his heels, he will pour water over it if he can otherwise you will wipe over it else will leave. (Al-Durrul Mukhtar, Muhtabai. Vol.1 p.50. Book of wiping over the socks) But if the bandage is more than the wound and its opening and washing harm him he will wipe over all accordingly. (Raddul Muhtar. Vol.1 p. 259, Zafeer)

² قال الحصكفي: (أنكسر ظفره فجعل عليه دوائاً أو وضعه على شقوق رجله أجرى الماء عليه) وإن قدر وإلا مسح ولا تركه۔

Al-Haskafi (r) said: If one's nail broke and he put medicine on it or in the openings of his heels, he will pour water over it if he can otherwise you will wipe over it else will leave. (Al-Durrul Mukhtar

How to wipe over feet?

Question: I am afflicted with eczema on the back of my feet. It is itching and it makes pus. The doctor advised that water is harmful. I cannot prevent it from water when I wash other area during wudu, because it is in the middle. Is it permissible not to wash the feet? Some people say to wipe, but I do not know how to wipe over?

Answer: The area which is harmed by water should be wiped applying wet hand and the remaining is to be washed preventing from water.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 30/06/1388 A.H.

Corrected by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. 30/06/1388 A.H. (Fatawa Mahmoodiyyah. Vol.5 p.45, 46)

The feet should be washed if one has most possibility of illness by washing

Question: A person is suffering from whistling. When he makes wudu, he suffers cold and cough. If he wipes for his feet in wudu, is his salah correct or not?

Answer: If it is suffering too much and there is no option to escape from it, he should wipe over the feet and was the remaining parts as usual. As it is mentioned in Al-Sharhul Kabir Lil Munyah:

وكذلك إذا كان على أعضاء الوضوء كلها أو على أكثرها جراحة يتيمة ولا يجب غسل الصحيح والتميم لأجل الحرج وإن كان على أقله أي أقل بدنه أو أعضاء وضوئه جراحة وأكثر أي أكثر البدن أو أعضاء الوضوء صحيح فإنه يغسل الموضع الصحيح ويمسح على المجروح

on Raddul Muhtar. Vol.1 p.281. Book of wiping over socks. And so is in Maraqqi Al-Falah on Al-Tahtawi. P. 109 Chapter about wiping over the bandages)

¹ في أعضاء شقاق غسله إن قدر ولا مسح ولا تركه ولو بيده، ولا يقدر على الماء تيمم، ولو قطعه من المرفق غسل محل القطع.

If there are schisms in his parts, he will wash them if it is possible otherwise he will leave it. If he has it in his hand and he is unable to use water, he will make tayammum. If his hand is cut up to the elbows, he will wash the places from where they are cut. (Al-Durrul Mukhtar. Vol.1 p. 102. Talking about mandatory acts of wudu. Saeed)

Shamsul Aimmah Al-Hulwani (r) said: If there are schisms in his parts and he is unable to wash them, the obligation of washing will be dropped and it will be necessary to pour water on it. If he is unable to do so, he will buy for it only and if he unable to wipe, it will be dropped also. So, the around area will be washed and the main place will be left. So is in Al-Zakhirah. (Al-Fatawa Al-Hindiyah. Vol.1 p.5. Chapter: 1 about obligatory acts of wudu. Rasheediyah)

إن لم يضر (إلى قوله) ثم الكثرة في الأعضاء قيل تعتبر من حيث العدد حتى لو كانت المراحة في رأسه ووجهه ويديه ولم تكن في رجله
يباح له التيمم (إلى) وعلى عكسه لا يباح-

If one's all or some parts of wudu injured, he will make tayammum and it is not necessary to wash the healing area. Tayammum is done due to harm. If the wound is on his least body or parts of wudu and the most of the body or most parts of wudu are correct, he will wash the correct places and by over the wounded places, if it is not harmed by wiping over. (Till his statement) then it is said that its richness of parts of the body will be considered according to the number. If he got injury on his head, face and hands not in feet, tayammum will be allowed for him. If the matter is opposite of it, tayammum will not be allowed. (Kabeeri. P. 64, Kanpuri) Allah knows the best. Written by Muhammad Shafi (May Allah forgive him). The answer is correct. If it is harmed by cold water, he should wash it with warm water and make dry instantly. If all of above methods are of no use, he should wipe over in winter. (Asghar Ahmad. May Allah forgive him) (Imdadul Muftien. P. 242)

Wiping over the feet, if there are swelling in fingers

Question: In winter my fingers and feet swell and I feel suffering by using water. Is it correct to wipe over such feet?

Answer: If it is harmed by using cold water, he should wash it with warm water and if he does not have warm water or it harms also, wiping or it will be sufficient. Nevertheless, if It is not harmed by wiping under the splints, he will wipe over the skin. If it is harmed or feared to increase the illness, he will wipe over the splints only. Ibn Nujaim said:

وفي شرح الجامعة الصغير لقاضي خا: والمسح على الجبائر على وجوه: إن كان لا يضره غسل ما تحته يلزمه الغسل، وإن كان يضره
الغسل بالماء البارد ولا يضره الغسل بالماء الحارّ يلزمه الغسل بالماء الحار. وإن كان يضره الغسل ولا يضره المسح يمسح ما تحت
الجبيرة ولا يمسح فوقها-

Sharah Al-Jame' Sagheer Li Qadhikhan reads: Wiping over the splints are of some kinds: If it is not harmed by washing under the splints, he will was it necessarily and if it is harmed by washing with cold water and it is not harmed with warm water, he is obligated to wash with warm water. If it is harmed by washing not by wiping over, he will wipe under the splints not on the splints. (Al-Bahrur Raiq. Book of wiping over the

Wiping over the feet due to eczema

Question: An Imam of Masjid is suffering from eczema and he is not making wudu because of that for nearly 4 months and leading salah after making tayammum. He makes tayammum on the cemented plastered wall. Is it correct and salah followers is complete or not?

Answer: Eczema does not drop wudu. Tayammum is not allowed in this condition. At most he can wipe over the feet if it is harmed by water. So salah performed behind that Imam with tayammum, all should be repeated. Allah knows the best.

Muhammad Anwar (May Allah forgive him) 15/05/1400 A.H.

Corrected by Abdus Sattar (May Allah forgive him) President of Darul Ifta. (Khairul Fatawa. Vol.2 p.66)

Wiping over the feet is not allowed due to difficulty only

Question: A person is too weak and he suffers so much in making wudu. If he makes wudu standing, he feels easiness, but it is difficult to wash feet. If it is allowed to wipe over feet, it will be easy for him. Is it allowed?

Answer: Wiping over the feet is not allowed due to difficulty only according to shariah. If he makes wudu and bears the difficulty, he will be rewarded for that from Allah.

Written by Muhammad Zafar Alam Nadawi. Authenticated by Nasir Ali Nadawi.

(Fatawa Nadwatul Ulama. Vol.2 p.202, 203)

It is enough to pour the water over the medicine in illness

Question: A person's hands and feet are split, he put melting wax over them and performed salah after making wudu. Are his wudu and salah valid or not?

¹ And so is in Al-Hindiyah. Book of wiping. Vol.1 p. 35.

Answer: His wudu and salah are valid.² (Fatawa Darul Uloom. Vol.1 p. 141)

The injunction of applying impure medicine on the wound if it is harmed by using water

Question: If the medicine appeared with pus, blood etc. is applied and he made tayammum after making wudu to perform salah, is it allowed? Or is there any other way, because using water removes the effect of medicine?

Answer: The medicine prepared with pig fat is not allowed until a Muslim skilful doctor advised that the patient will get healing only by that medicine.³ If it is harmed by washing, he will take off the impurity and wipe over it. If it harms also, he will wipe over the bandage and apply wet hand over it. This wiping will be valid until that part got healing. It is better for him to renew wiping when he changes the bandage. If this part is one of the parts of wudu, it will be necessary to wipe over it in every wudu.⁴ Making tayammum after wudu is of no use and it is not required. If the healing does not depends only on that medicine, its use is not permissible and he should use the medicine prepared with pure materials. Allah knows the best.

25th Rajab, 1345 A.H. (Imdadul Ahkam. Vol.1 p. 346)

² في أعضائه شقاق غسله إن قدر ولا مسحه وإلا تركه ولو بيده ولا يقدر على الماء تيمم

If there are schisms in his parts, he will wash them if it is possible otherwise he will leave it. If he has it in his hand and he is unable to use water, he will make tayammum. If the schism is in his feet and he put medicine in it, it is enough to pour water over it not wiping. (Raddul Muhtar. Book of purity. The obligatory acts of wudu. vol.1 p. 95)

Kabeeri explains that if it is not harmed by reaching water, wudu will not be allowed in that way, but if it is harmed, was will be allowed.

There are schisms in his foot and he put fat in it. If it is not harmed by reaching water, wudu and bath will not be allowed, and if it is harmed, both will be allowed when he poured the water over its surface. (Ghunyatul Mustamli. P. 48, Zafeer)

³ قال في النهاية: وفي التهذيب: يجوز للعليل شرب البول والدم والميتة للتداوى إذا أخبره طبيب مسلم أن

Al-Nihayah reads: It is written in Al-Tahzeed: It is allowed to drink urine, blood and to eat dead as medicine, if a Muslim skilful doctor advised that he can be cured only by that and there is nothing that can be used in that place. (Raddul Muhtar. Book of miscellaneous under the chapter of business. Vol.4 p.298)

⁴ قال ابن نجيم: وفي شرح الجامعة الصغير لقاضي خازن: إن كان لا يضره غسل ما تحته يلزمه الغسل، ثم

Ibn Nujaim (r) said: Sharah Al-Jame' Sagheer Li Qadhikhan reads: Wiping over the splints are of some kinds: If it is not harmed by washing under the splints, he will was it necessarily and if it is harmed by washing with cold water and it is not harmed with warm water, he is obligated to wash with warm water. If it is harmed by washing not by wiping over, he will wipe under the splints not on the splints. (Al-Bahrur Raiq. Book of wiping over the socks. vol.1 p.187)

There are schisms in his foot and he put fat in it. (Ghunyatul Mustamli. P. 48)

Can the person suffering from cancer wipe over, if water harms him

Question: A person is suffering from cancer and the doctor forbade him to apply water on face. How will he perform salah in this condition?

Answer: This person will put a tick cloth on his face and wipe over that cloth and perform salah. There is no need to apply water. However, if water is harmful for other parts also, he will make tayammum. Shami reads:

(تيمم لو كان أكثره) الخ (مجروحاً) أوبه جدرى اعتباراً للأكثر (وبعكسه يغسل) الصحيح ويمسح الجريح (قوله وبعكسه) وهو ما لو كان أكثر الأجزاء صحيحاً يغسل الخ لكن إذا كان يمكنه غسل الصحيح بدون إصابة الجريح وإلا تيمم - حلية - الخ (قوله ويمسح الجريح) أى إن لم يضره وإلا عصبها بخرقعة ومسح فوقها، خانية وغيرها، ومفاده كما قال ط أنه يلزمه شد الخرقعة إن لم تكن موضوعة -

If one's most of the parts are injured or he is afflicted with smallpox, he will make tayammum considering most of the parts. If it is opposite, he will wash the healing parts and wipe over the wounded parts. His statement 'وبعكسه' means that if most of the parts are cured, he will wash when it is possible without harming the wound otherwise he will make tayammum. Hilyah. His statement 'ويمسح الجريح' means that if wiping does not harm else he will put a piece of cloth on it and wipe over it. Khaniyah and the like. It benefited that it will be necessary to fasten with cloth, if it is not put. (Shami. Vol.1 p. 257. And so is in Hashiyah Al-Tahtawi on Maraqi Al-Falah. P.67) Allah knows the best. (Fatawa Darul Uloom Zakariyya. Vol.1 p. 519, 520)

MATTERS OF TAYAMMUM (DRY ABLUTION)

Matters of Tayammum (dry ablution)

When is tayammum permissible?¹

¹ Allah says in the glorious Quran:

”وَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ عَلَىٰ سَفَرٍ أَوْ جَاءَ أَحَدٌ مِنْكُم مِّنَ الْغَائِطِ أَوْ لَمْ يَمْسَسْهُ الْمَاءُ فَلْيُغْسِلْ بِمَاءٍ فَاتَمِّمُوا-----لَعَلَّكُمْ تَشْكُرُونَ“

And if you are ill or you are on a journey, or any of you comes from the privy or you have an intercourse with women and in these conditions you do not get water, then be take yourselves to clean earth and wipe therewith your faces and your hands. Allah desires not that He should place you in any difficulty, yes, He desires to purify you well and to complete His favour upon you so that you may be grateful. (Surah Al-Maidah:06)

Allah revealed this Divine Verses of tayammum when the Messenger of Allah (saws) set out for the Battle Banu Mustalique in 5 A.H. accompanied by his wife mother of believers Aisha Siddiqah (rz) and other Companions (rz). It was a coincidence that Aisha (rz)'s necklace was lost which she borrowed from her sister Asma (rz). When all went ahead, she felt that the necklace is lost. When the Messenger of Allah came to know this, stayed there to search. Neither they have water with them nor was it at that place. They searched the necklace too long. When the time of salah reached, the people worried and they came to Abu Bakr Siddique (rz) and said: "Don't you see what Aisha has done? Looking at people's problem, he went to Aisha (rz) and said: "You have detained Allah's Messenger (ﷺ) and the people where there is no water and they have no water with them. So, he admonished me and said what Allah wished him to say. On this occasion, Allah (swt) revealed the Divine Verses of tayammum. Then Usaid Bin Hudhair (rz) came and said: "O the family of Abu Bakr! This is not the first blessing of yours." (Allah blessed too much by you) We are permitted to make tayammum. (Bukhari, Muslim, Abu Dawood and the like. Book of tayammum) (Taharat ke ahkam wa masail. P. 178, 179. Authored by Aneesur Rahman Qasmi)

Abu Dharr (rz) narrated that: Allah's Messenger said: "Pure clean earth is a purifier for the Muslim; even if he did not find water for ten years. Then if he finds water, then let him use it (for purification) on his skin. For, that is better."

The Prophet (saws) described purification as half Iman. This purification from minor or major impurity is gained by water, but human's conditions differ. Sometimes he is healthy and sometimes he gets ill severely that the use of water harms him very much. Sometimes, there is no water where he is. That's why as to ease for His slaves in all these conditions, Allah prescribed the soil in the place of water. The Prophet (saws) said: The earth has been made for me (and for my followers) a place for praying and a thing to perform tayammum. (Bukhari & Muslim. Book of tayammum)

The wisdom in tayammum

The wisdom of describing soil as a source of application is that it is available everywhere and it is regarded as a source to purify something in spite of water. For example, if the shoes or sandals got impurity, they can be purified by rubbing on the soil. That's why it was quite matching to stand the soil in the place of water. Because rubbing dust on the face and both hands is an action of humility and veneration of Allah, submission to Him and humbling oneself before Allah, which is one of the most beloved of acts of worship which is the

Question: Zaid is unable to make wudu for five times of salah due to his illness. He makes complete wudu in the morning, but other times he suffers so much pain when he washes his face and feet. The thing to ask is that:

- (1) How will Zaid perform salah in this condition? Is it allowed to make tayammum for him or not?
- (2) In other times, he can wash his hands only. Will he wipe over face and feet or make tayammum? Please explain it.

Answer: The permission of tayammum depends on excuse. If the illness or excuse are harmed by using water or he is unable to use water at all, tayammum is allowed according to shariah.¹

So, in the question asked the above, when he is able to make wudu, it is obligatory to do. Wiping or tayammum is not allowed. When he feels severe headache due to wash face and feet and it is proved by experience or in all probability, wash your feet and wipe over the remaining parts to perform salah. Tayammum is not allowed in this condition. As Al-Fatawa Al-Hindiyah reads:

ولو كان يجد الماء إلا أنه مريض يخاف إن استعمل الماء اشتد مرضه أو أبطأ بركه، (إلى قوله) ويعرف ذلك الخوف إما بغلبة الظن عن أما رة أو تجربة أو خبر طبيب حاذق مسلم غير ظاهر الفسق، كذا في شرح منية المصلي لإبراهيم الحلبي (إلى قوله) ولا يجمع بين الغسل و التيمم -

One has water, but he is ill and he fears of increasing illness or delayed healing by using water. (Till his statement) This fear is known by in all probability or skill or experience or the advice of a skillful Muslim doctor who does not look evil doer. So is mentioned in

condition of seeking forgiveness and Allah's blessings. So, this way is regarded as a source of purification. (Hujjatullah Al-Balighah. Vol.1 p. 180) (Taharat ke ahkam wa masail. P. 176, 177. Anees)

¹ Tayammum for the following worships

The facility of tayammum to purify is regarded for those who do not have water or they are unable to use water due to illness or excuse. They are:

- 1- Tayammum is obligatory for those worships which require wudu and it is wajib (necessary) for those worships which need wudu. It is Sunnah or recommended for those worships in which wudu is Sunnah or recommended. The same injunction goes for bathing.
- 2- Therefore, making tayammum is obligatory for obligatory, necessary, Sunnah and supererogatory salah when water is not found. If one made tayammum with the intention of salah, he can perform obligatory, necessary, sunnah and supererogatory, past salah including salah of solar and lunar eclipse, Eidain, funeral and salah of Invoking Allah for rain until a nullifier of tayammum and minor or major impurity did not occur. Similarly, it is allowed to touch, recite and write the glorious Quran, to form prostration of recitation and all those warships which require purity, even those warships are also allowed for whom purity is recommended or sunnah. (Raddul Muhtar.vol.1 p.241, 242. Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 258) (Taharat ke ahkam wa masail. P. 195. Anees)

Sharah Al-Muniyah authored by Ibrahim Al-Halabi. (Till his statement) He will not combine washing and tayammum. (Vol.1 p. 28. So is in Al-Hidayah, Noorul Idhah and so on.)

Al-Badai reads:

ولنا قوله تعالى مطلقاً من غير فصل بين مرض ومرض إلا أن المرض الذي لا يضرعه استعمال الماء ليس بمراد فبقي المرض الذي يضرعه استعمال الماء.

We prove it by Allah's saying putting it without separation between one and other illness, but the disease that does not hurt him to use water is not meant here. So, only the disease remained which is harmed by using water. (Vol.1 p. 48)

Al-Nawadir reads:

وإن استوى الصحيح والسقيم لم يذكر في ظاهر الرواية، وذكر في النوادر: أنه يغسل الصحيح ويربط الجائر على السقيم ويسح عليها وليس هذا جمع بين الغسل والمسح لأن المسح على الجائر كالغسل لما تحتها.

If healthy parts and affected parts are equal, it is not mentioned in Zahir Al-Riwayah and it is mentioned in Al-Nawadir, he will wash the healthy parts and will put splints on affected parts and will wipe over the splints. It is not combining washing and wiping, because wiping over the splints is like washing under the splints. (Badai Al-Sanai. Vol.1 p. 51, Publication: Pakistan) Allah knows the best.

Written by Habibullah Al-Qasmi. (Habibul Fatawa. Vol.6 p. 55-57)

Intention of tayammum

Question: How to make intention of tayammum? If one did not memorize it in Arabic, what is the injunction about doing it in native language? What are Arabic words for intention?

Answer: Intention is mean by thinking in heart. If one has it in heart, this intention is enough to make tayammum. However, it is better to do it with tongue. If he did not memorize it in Arabic, he should say its meaning in his language. Here are the Arabic words of intention: نويت أن أتيمم لرفع الحدث ولاستباحة الصلوة. (I have intended to make tayammum to be pure from impurity and to allow salah.)¹ But he should think in his heart when he is speaking the word of intention to combine the thinking of heart with speaking words.

¹ It is enough to say: 'إني أتيمم لاستباحة الصلوة' or 'إني أتيمم لرفع الحدث'. 'نويت' It is not necessary to say 'نويت'.

Hasan Ibn Ammar (r) said:

التيمم: وهو لغة: القصد، وشرعاً: مسح الوجه واليدين عن صعيد مطهر أو القصد شرط له (وبعد أسطر) يشترط لصحة نية التيمم للصلوة به أحد ثلاثة أشياء إما نية الطهارة من الحدث القائم به أو نية استباحة الصلوة أو نية عبادة مقصودة لا تصح بدون طهارة

Tayammum according to dictionary means to intend or to go for a specified destination and according to shariah it means to wipe over the face and both hands with pure dust. Intention is as condition for it. (After some lines) three things are regarded as condition to correct the intention of tayammum for salah. 1- Intention to purify from impurity which got on him or to allow salah or to perform main worship which is not correct but with purity. (Maraqi Al-Falah. Book of tayammum. vol.1 p. 60)¹

¹ وفي الهندية: منها النية وكيفيتها أرب يتوى عبادة مقصودة لا تصح إلا بالطهارة أو نية الطهارة أو استباحة الصلوة تقوم مقام إرادة الصلوة¹

Al-Hindiyyah reads: Out of them is intention. The way to do it is that he will intend for main worship which is not correct but with purity, or intention of purification or to allow salah which takes place to intend for salah. (Al-Hindiyyah.vol.1 p. 25, 26. Book of tayammum. And so is in Tabyeenul Haqaiq. Vol.1 p. 39, 40. Book of tayammum)

(فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا) means if you do not get water, then be take yourselves to clean earth i.e. intend to make tayammum with pure dust. That's why intention is compulsory for tayammum.

Sufyan (r) said:

إذا علّمت الرجل التيمم فلا يجزيك ذلك التيمم أرب تصلي به إلا إرب نويت به أنك تيمم لنفسك وإذا علّمتها لوضوء أجزالت-

If you teach someone how to make tayammum, it will not be enough for you to perform salah until you intend that you are making it for yourself and when you teach someone how to make wudu, it will be enough for you. (Musannaf Ibn Abdur Razzaq. Book of the person who teaches tayammum, will it be enough for him?)

How to make intention in tayammum?

Question: When we go in Tablighi Jamat, it is said during discuss of masail that intention is obligatory in tayammum. What does it mean? Does it mean that I'm intending to make tayammum or something else?

Answer: The intention means to intend that I am making this tayammum to perform salah or to get purification or to remove the impurity. The intention to make tayammum only will not valid. Al-Bahr reads: Its condition is to intend for main worship or purification or to allow salah or to remove minor or major impurity. So, the intention to make tayammum only will not be correct according to mazhab. (Shami. Vol.1 p. 188) Allah knows the best. Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan. 07/07 1409 A.H. (Khairul Fatawa. Vol.2 p. 125)

The method of tayammum

First of all, intention is necessary for tayammum. Intention is related to the heart. Before doing tayammum (before the striking hands on the earth) one should intend that he is doing tayammum for purification and worship, whether this tayammum is from wudu or bath. When he did this, he will recite "بسم الله" and will slightly strike his both palms on pure dust, the fingers will be wide open. Then he will shed the dust and wipe the entire face along with the beard completely with them. Then he will strike both palms as he did first and wipe over right-hand with left and then the left with right-hand. If there is ring in finger, it should be put off so that not a portion can be skipped. The same tayammum is for wudu and bath and one tayammum is enough for both on condition that he intended for both. (Taharat ke ahkam wa masail. P. 181, 182 Anees)

Is it correct if someone help other to make tayammum and who will intend?

Question: If one cannot make tayammum himself because one or both of his hands paralysed. Is it correct if someone helps him to make tayammum? Who will intend in this case?

Answer: If he is helpless and other person helped him to do tayammum, it will be correct, but the helpless person should intend himself. The intention of help is not valid.¹ Allah knows the best. (Fatawa Rahimiyah. Vol.8 p.91)

Is it enough to wipe the parts with hands or the dust should be applied?

Question: Is it compulsory to apply test were the parts or to wipe them with hands only? It is clear that tayammum is done with two strikes. If a part is left to wipe, will it be striped third time?

Answer: It is obligatory to apply dusty hands over the parts of tayammum, but it is not necessary that the test should be noticed on the parts. If a party is left in tayammum, it is not necessary to strike third time, rather he will wipe that place with hand only.² (Kifayatul Mufti. Vol.2 p. 261)

The injunction about the effect of dust in tayammum

Question: Is it necessary to be a clod of soil for tayammum that can make the face and hands dusty with its dust? If the dust did not reach the face or hands, will tayammum be correct or not?

¹ وفي البحر: وشرطها أن ينوي عبادة مقصودة أو الطهارة أو استباحة الصلوة أو رفع الحدث أو الجنابة فلا تكفي نية التيمم على المذهب.

Al-Bahr reads: Its condition is to intend for main worship or purification or to allow salah or to remove minor or major impurity. So, the intention to make tayammum only will not be correct according to mazhab. (Raddul Muhtar.vol.1 p.181)

² عن عمار بن ياسر رضي الله عنه حين تيمموا مع رسول الله صلى الله عليه وسلم فأمر المسلمين ففربوا بكفهم التراب ولم يقيضوا من التراب - الحديث

It was narrated from 'Ammar bin Yasir (rz) that: When they did dry ablution with the Messenger of Allah, he commanded the Muslims to strike the dust with the palms of their hands, and they did not pick up any dust. Then they wiped their faces once, then they struck the dust with their palms once again and wiped their hands. (Ibn Majah. Book: Tayammum is to strike twice. P.81. No. 571)

جاء رجل إلى عمر رضي الله عنه بن الخطاب ----- فقال النبي صلى الله عليه وسلم: إنما كان يكفيك هكذا، وضرب النبي صلى الله عليه وسلم - الحديث

Narrated `Abdur Rahman bin Abza [??]:

A man came to `Umar bin Al-Khattab the Prophet (ﷺ) said, 'It would have been sufficient for you to do like this.' The Prophet then stroked lightly the earth with his hands and then blew off the dust and passed his hands over his face and hands." (Bukhari. Book: Can a person blow off the dust from his hands in performing tayammum (before passing them over his face). P.48. No. 338. Muslim. Book of tayammum. p. 159. No.368/819). The method of wiping which is described in the above ahadith, it is not mentioned to apply dust over the body. So, it is not obligatory to get dust in hand or on wiping parts. Anees

Answer: Tayammum will be correct though not a single particle of dust came on face or hands.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. Vol.5 p. 192)

The injunction of covering the parts completely in tayammum

Question: Is it obligatory to cover the parts completely or not. If it is compulsory, firstly, it is impossible, because only two strikes are prescribed that is not enough for wiping over the back of palm and between the fingers. On the other hand, it is impossible to reach the hand to every angle and place as I think?

Answer: Covering the parts completely is necessary.²

Hasan Ibn Ammar Al-Shurunbulali (r):

الرابعة من الشروط استيعاب المحل وهو الوجه واليدين إلى المرفقين بالمسح في ظاهري الرواية وهو الصحيح المفتى به فينزع الخاتمة ويخلل الأصابع ويمسح جميع بشرة الوجه والشعر على الصحيح وما بين العذار والأذن إلحاقاً له بأصله.

The fourth condition is to cover all the place that is face both hands up to elbows with wiping according to Zahir Al-Riwayah. It is correct and Mufta bihi. So, he will take off the ring and with comb within fingers and will write over complete face including its hair according to correct opinion, and the place that is between cheek and ears attaching it to its origin. (Maraqi Al-Falah)³ It is against the Divine Verse: 'لَا يَكْلِفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا' (Suratul Baqarah: 286)

Considering the essential as impossible is a poor opinion. Allah knows the best.

¹ (تيمم) -- (بمطر من جنس الأرض وإن لم يكن عليه نقر) أي غبار.

(Tayammum)..... (With pure the substance of earth though there is no dust on it.) (Al-Durrul Mukhtar. Vol.1 p.236-239. Book of tayammum. Sa'eed. And so is in Al-Fatawa Al-Hindiyah. Vol.1 p.27. Chapter:4 about tayammum. Rasheediya. And so is in Fatawa Qadhikhan. Vol.1 p.61, Chapter: The things with that tayammum is allowed. Rasheediya)

² The obligatory acts of tayammum:

- 1- Making intention
- 2- Pure dust or from the earth
- 3- Striking or putting two times on dust or earth
- 4- Wiping over both hands up to elbows and entire face
- 5- Using at least three fingers at the time of wiping. (Taharat ke ahkam wa masail. P. 182, 183, Anees)

³ P.120. Book of tayammum. Qadeemi. However, Zahirur Riwayah reads: covering all the parts is obligatory as it is in wudu. (Al-Mabsoot of Sarakhsi. Vol.1 p. 243. Book of tayammum. Darul Kutub Al-Ilmiyah. And so is in Al-Fatawa Al-Hindiyah. Vol.1 p. 26. Chapter: 1. Khulasatul Fatawa. Vol.1 p.35. Publication, Amjad Academy, Lahore. Al-Halabi Al-Kabeer. P. 63. Chapter about tayammum)

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. Vol.5 p. 186, 187)

The injunction of moving the wearing ring in tayammum

Question: It is necessary to wipe over all places with hand in tayammum. If one wore ring, it will be enough to wipe over it or it should be under it?

Answer: It is obligatory to wipe the place which is under the ring by moving it.

والظاهر أن ما تحت الخاتم الواسع إن أصابه الغبار لا يلزم تحريكه وإلا لزم كالتخليل المذكور -

It is clear that if the ring is loose, it will not be obligatory to move it if that the dust reaches under it, but if it does not, it will be obligatory to move it like, combing. (Shami. Vol.1 p.175) Allah knows the best.

Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan, 23/07/1408 A.H. (Khairul Fatawa. Vol.2 p. 125)

Wiping the hands up to the wrist

Question: Is wiping the hands up to the wrists allowed in the opinion of any Imam or not?

Answer: Wiping the hands up to the wrists is obligatory in the view of Imam Malik (r) and more than that is optional. Aini Sharah Hidayah reads:

قال الأوزاعي: التيمم ضربتان: ضربة للوجه وضربة لليدين إلى الكوعين والفرس عند مالك إلى الكوعين والاختيار إلى المرفقين -

Al-Auzai (r) said: Tayammum has two strikes: one for face and second for both hands up to the wrists that is obligatory in the view of Imam Malik and up to the elbows is optional. ¹(Majmua Fatawa Abdul Hai. P. 194)

¹ Tayammum is replaced from wudu and the hands are washed up to the elbows in wudu that should not remain even a single hair. That's why they will be wiped up to the elbows in tayammum. to quote the words of the Prophet (saws):

١- عن عمار ابن ياسر رضي الله عنه أنه كان يحدث أنهم تمسحوا وهم مع رسول الله صلى الله عليه وسلم بالصعيد لصلاة الفجر - الحديث

Narrated Ammar ibn Yasir (rz): They (the Companions of the Prophet) wiped with pure earth (their hands and face) to offer the dawn prayer in the company of the Messenger of Allah (ﷺ). They struck the ground with their palms and wiped their faces once. Then they repeated and struck the ground with their palms once again and wiped their arms completely up to the shoulders and up to the armpits with the inner side of their hands. (Abu Dawood. Book of tayammum. p.57. No. 318)

٢- قال يحيى بن إسحاق في حديثه فأراني رسول الله صلى الله عليه وسلم كيف أمسح فمسحت، قال ففرض بكفيه الأرض، ثم رفعهما لوجهه الخ

Should wiping be up to the elbows or wrists in tayammum?

Question: Narrated Ibn Abbas (rz) that he was asked about tayammum. He replied: Allah said in His Book about wudu: "Wash your face and arms up to the elbows." He said about tayammum: "Wipe your face and hands." And he said: "Cut off thieves' hands from men and women." The masnoon way in regard of cutting is to cut off up to the wrists. So, wiping will be what the face and hands up to wrists in tayammum. The Hanafis view is that both elbows are included in the injunction of washing, but they are excluded in the view of Shafa'i (r). The same analogy is in tayammum. The Hanafis view in regard of cutting hands is that it will be up to the wrists.

Ibn Abbas (rz) was asked: Which injection is prescribed in tayammum? Will it be quantified with wudu or with cutting hands? That means if it is quantified with wudu, wiping up to the elbows will be necessary, and if it is quantified with cutting and is, wiping will be up to the wrists only.

If it is quantified with wudu, it will be according to Hanafis thought and if it is qualified with cutting hand as it is understood with *فكان السنة في القطع الكفين الخ*. Though it is against Hanafis view, but it does not make any harm. The reason is that it is ijtihad (logical deduction) of Hadhrat Abbas (rz). On the other hand, it is against the clear hadith that is reported about tayammum: Tayammum is to strike twice. One for face and other for both arms. Then tayammum is replaced from wudu. So, the elbows are included in wudu similarly they will be included in tayammum.

Note: This is an answer of examination paper. Number obtained: 40/50. (Wasif)

Answer: Examiner remark:

Yahya ibn Ishaq said in his hadith: The Prophet (saws) showed me how to wipe, then I wiped. He said: The Prophet (saws) struck the earth with his palms. Then he raised them to wipe over his face. Then he struck again and wiped his both arms with front and back in he touched the elbows with his hands. (Al-Dara Qutni. Book of tayammum. Vol.1 p. 188. No. 672)

وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: التَّيَمُّمُ ضَرْبَتَانِ: ضَرْبَةٌ لِلْوُجْهِ، وَضَرْبَةٌ لِلْيَدَيْنِ إِلَى الْأَعْرَافَيْنِ.

Narrated Ibn `Umar (rz): Allah's Messenger (ﷺ) said: "Tayammum is two strikes: one for the face and one for the hands up to the elbows.

عَنْ نَافِعٍ أَنَّهُ أَقْبَلَ هُوَ وَعَبْدُ اللَّهِ بْنُ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا مِنَ الْجَرَفِ حَتَّى إِذَا كَانَا بِالْمَرْبِدِ نَزَلَ عَبْدُ اللَّهِ ﷺ فَتَيَمَّمَ صَعِيداً طَيِّباً - الْحَدِيثُ

Yahya related to me from Malik from Nafi that Abdullah ibn Umar and he were approaching Juruf. When they got to Mirbad, Abdullah got down and did tayammum with some good earth. He wiped his face, and his arms to the elbows, and then prayed. (Reported Imam Malik in his Muatta. P.19. Book of tayammum. Its chain is authentic. Athar Al-Sunan.)

Hadhrat Abbas (rz)'s answer does not mean what the person who answered understood. He himself proves to wipe up to the wrists and says if it would be up to the elbows, Allah would have said to wipe up to the elbows (المرفق) as mentioned in verse of wudu. As the limit is not mentioned in verse of cutting hands in theft and it is applied up to the wrists only that is masnoon, similarly, when the limit is not mentioned in tayammum, it will also be applied up to the wrists only, but you mentioned the answer according to Hanafis view incompletely. Muhammad Kifayatullah. 7th Safar, 1328 A.H. (Kifayatul Mufti. Vol.2 p.268-270)

The way to wipe over hands in tayammum

Question: Should one wipe by three or four fingers of left-hand putting under right-hand fingers? A person told it should be with three fingers and "Talimul Islam" reads to wipe with four fingers. Is it correct?

Answer: "Tlimul Islam" reads correct.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. Vol.5 p. 187)

Combing beard in tayammum is Sunnah

Question: Is combing beard in tayammum recommended, Sunnah or necessary?

Answer: Combing beard in tayammum is Sunnah.²

¹ ويشترط المسح بجميع اليد أو يكفها حتى لو مسح بأصبع واحدة أو أصبعين لا يجوز.

The condition in wiping out is that it should be with full hand or with most of its part. If one wiped with one or two fingers, it will not be correct. (Al-Bahrur Raiq. Vol.1 p.252. Book of tayammum. Rasheediyah. And so is in Al-Raddul Muhtar. Vol.1 p.230. Book of tayammum. Saeed. Khulasatul Fatawa. Vol.1 p.35)

² Recommended acts in tayammum

- 1- Reciting الله يسم in in the beginning of tayammum.
- 2- Delaying tayammum till end of the time for the person who can find water certainly or in all probability.

Sunnah acts in tayammum

- 1- Striking palms over pure dust and moving up and down.
- 2- Shedding the dust from hands after a striking them over dust.
- 3- Making the fingers wide open at the time of striking over dust, so that the dust goes inside.
- 4- Wiping with at least three fingers out of full palms and fingers.
- 5- Wiping over face first then the arms.
- 6- Firstly, wiping over right arm and then the left.
- 7- Combing beard while wiping over the face.
- 8- Combing in between fingers.

Al-Shamiyah reads:

وفي الفيض: ويخلل لحيته وأصابعه، ويحرك الخاتم والقرط كالوضوء والغسل أهـ قلت: لكن في الخانية: أن تخليل الأصابع لا بد منه ليتم الاستيعاب، وقال في البحر: وكذا نزع الخاتم أو تحريكه أهـ فبقى تخليل اللحية من السننـ

Al-Faiz reads: One should comb between beard and fingers and move the ring and earing in tayammum like wudu and bath. I said: But Al-Khaniyah reads: Combing in between fingers is necessary to wipe thoroughly and Al-Bahr reads: Similarly, putting off the ring or moving it. So, combing beard remained as Sunnah. (Raddul Muhtar, Book of tayammum. vol.1 p. 214) Allah knows the best. 10th Ziqadah, 1389 A.H. (Ahsanul Fatawa. Vol.2 p. 58)

The intention of combing beard in tayammum

Question: Combing of beard is done in wudu, but what if the injunction of combing beard in tayammum?

Answer: Combing beard in tayammum is Sunnah, but it does not require any other strike.

Allamah Ibn Abdeen (r) said:

وفي الفيض: ويخلل لحيته وأصابعه ويحرك الخاتم والقرط كالوضوء والغسل أهـ قلت: لكن في الخانية: أن تخليل الأصابع لا بد منه ليتم الاستيعاب وقال في البحر: وكذا نزع الخاتم أو تحريكه أهـ فبقى تخليل اللحية من السننـ

Al-Faiz reads: One should comb between beard and fingers and move the ring and earing in tayammum like wudu and bath. I said: But Al-Khaniyah reads: Combing in between fingers is necessary to wipe thoroughly and Al-Bahr reads: Similarly, putting off the ring or moving it. So, combing beard remained as Sunnah. (Raddul Muhtar on Durrul Mukhtar. Book of tayammum. vol.1 p.232) (Fatawa Haqqaniyah. Vol.2 p.550)

Some important matters about tayammum

Question: (1) A person stuck his hands on a pure stone and wiped over face and separated it from face, but some area remained unwiped. Should he wipe the remaining area with the same hand or he should strike his fingers again on the stone and wipe over

9- Wiping consequently without stopping after wiping over a part. (Taharat ke ahkam wa masail. p.183, Anees)

the remaining area thinking that the hand which he used to wipe the face became used? Is it correct?

(2) Second time when he struck his hands on the stone the area between the fingers did not touch the stone. How can wiping be correct while that places of fingers wipe the places between the fingers of the other hand? How can tayammum be correct in this case?

(3) It is clear that he neither wiped over the area which are too much close from the nail, corners of nail and the middle area of palm nor these area touch the stone. How to wipe these areas?

(4) "Miftahul Jannah" reads: If the dust did not get on between the fingers, he should be strike third time and comb the fingers. Is this third strike correct?

(5) In regard of wudu, if this skin of beard is seen or it looks between hairs of beard, it is obligatory to wash it. Is it similar in tayammum that it will be obligatory to rub the skin of beard with fingers? (Hafiz Muhammad Ibrahim: Madrasah Arabia Raiwand)

Answer: (1) Al-Fath reads:

هذا يفيد تصور استعماله وهو مقصور على صورة واحدة وهو أن يمسح الذراعين بالضربة التي مسح بها وجهه لا غير.

This declares the way of its use which is only one that he will wipe the arms with the same strike with that he did on the face. (Tahtawi. P. 65)

The above reference of Fatahul Qadeer tells us that the hands will not be used one in the question above. He should wipe the remaining area without new strike, but to be safe aside his wipe well completely without separating his hand.

(2) Al-Durrul Mukhtar with Shami states:

(بمطهر من جنس الأرض وإن لم يكن عليه نفع) أى غبار، فلو لم يدخل بين أصابعه لم يحتج إلى ضربة ثالثة للتخلل. (في الشامي): أى بل يخلل من غير ضربة.

Tayammum is done using anything on the face of the earth though there is no dust. If the dust did not enter between fingers, he does not need to strike third time for combing. Shami reads: That means he will comb between fingers without striking on the earth. (Book of tayammum. vol.1 p. 167)

The about text establishes that it is not a condition to enter or touch dust in between fingers for allowing wiping between them. So, if the whole hand is wiped well completely

and the fingers are combed, tayammum will be correct, though the dust did not enter in between. Not a single hair should remain unwiped, though without dust. Therefore, you should not doubt.

(3) He should wipe that places with hands carefully and should not bother him too much.

(4) The injunction of third strike as mentioned in “Miftahul Jannah” is a narration of Imam Muhammad (r) as Al-Durrul Mukhtar reads in vol.1 p.167. Zahire Mazhab is the one which is mentioned in No.2.

(5) Al-Hilyah reads: **يمسح من وجهه ظاهراً البشرة وظاهر الشعر على الصحيح** He will wipe over the skin of his face and hair according to the authentic opinion. (Alamgiri. Vol.1 p.14)

The general meaning of the above text tells us that it is enough to wipe over the hair of beard. I did not find a separate injunction about airy beard. Though Allamah Tahtawi mentioned this matter in Sharah Maraqqi, but he did not explain the injunction. Allah knows the best. Abdus Sattar (May Allah forgive him) Assistant Mufti Jamia Khairul Madaris, Multan. 22/12/1382 A.H. The answer is correct. Muhammad Abdullah (May Allah forgive him) President of Ifta Jamia Khairul Madaris. Multan (Khairul Fatawa. Vol.2 p.122, 123)

Definition of distance that allows to do tayammum

Question: What is the distance to allow to do tayammum for traveller and the person staying at home?

Answer: If he thinks in all probability that water is on the distance of 1 mile, he is allowed to do tayammum else not.¹ Al-bahrur Raiq reads:

قال في البدائع: ولم يذكر حد البعد في ظاهراً الروايات فعن محمدٍ التقدير بالميل فإن تحقق كونه ميلاً جازله التيمم وإن تحقق كونه أقل أو ظن أنه ميل أو أقل لا يجوز. قال في الهداية: والميل هو المختار في المقدار لأنه يلحقه الحرج بدخول المصرو الماء معدوم حقيقةً. انتهى.

Al-Badai reads: The definition of distance is not mentioned in Zahirur Riwayat. Muhammad (r) defined it with one mile. When he knew certainly that he is on the

¹ It is necessary to search. To site a hadith: Narrated Aisha (rz): A necklace of mine was lost at Al-Baida' and we were on our way to Medina. Then the Prophet (ﷺ) woke up and it was the time for the morning (prayer). Water was sought, but in vain; so the following Verse was revealed: "O you who believe! When you intend to offer prayer....." (Suratul Maidah:6)

distance of 1 mile, tayammum will be allowed and if he knew that he is on the distance of less than 1 mile or he thinks so, tayammum will not be allowed. Al-Hidayah reads: 1 mile is chosen for distance, because this distance without water causes problems to enter the city. End quote. (Majmuah Fatawa Abdul Haiee. P.194)

How much distance is necessary to allow tayammum?

Question: One is on hunting on such distance that he can find the water after searching, but there is doubt to pass the time of salah when he searches. Can he do tayammum in this state or not? If not, what should he do?

Answer: If water is within 1 shariah mile² which is somewhat more than English mile, tayammum is not allowed, though the time of salah passed. He should search of water, make wudu and make of for passed salah.³

13th Safar, 1330 A.H. First excursus. P.9 (Imdadul Fatawa. Vol.1 p. 72, 73)

Question: A person said to the people living in Rajasthan that if the water is on the distance of 110 steps, it is correct to perform salah with tayammum. But people are living in their homes in jungle. They pet animals in large number and they feed them water that they bring from a long-distance. There take bath and wash their clothes with that water. Some people have a big drum of 30-40 pots of water and some of them have almost 30 pots full water while the put 5-10 pots full of water in masjid. Above all, they do tayammum for performing salah only while some of them go on the distance of 110 steps in the same condition and they perform salah with tayammum. Is it allowed to perform salah with tayammum in this situation?

Answer: Tayammum is not allowed in all these situations. As Allah (swt) said:

² Shriah mile is equal to 4000 steps. Saeed Ahmad Palanpuri.

³ To be safe side, it is better to perform salah in the time with tayammum and then repeat it with wudu when he finds water. As Al-Durrul Mukhtar reads: (Halabi said): to be safe side, he will do tayammum and perform salah then he will repeat it. Raddul Muhtar reads: It is the common statement between the two. By this way, he departs from the responsibility of certainty. That's why, the interpreter declared it saying that it is better to act on it to be safe side. (Egyptian Shami. Vol.1 p.180)

The permissibility of tayammum is regarded for the time when one is in the place where there is no water under the distance of 1.25 km or he is unable to use when the time of salah reached or he has water but there is doubt to skip salah of Eidain or funeral prayer. (Maraqi Al-Falah.p. 63) (Taharat ke ahkam wa masail. P. 177, Anees)

“فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا” (and you find no water, then seek clean earth)⁴ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband 26/02/1395 A.H.

(Fatawa Mahmoodiyah. Vol.5 p. 187, 188)

⁴ Suratul Maidah:06

(من عجز)... (عن استعمال الماء)... (لبعدہ) ولومقيماً في المصر (مياً) أربعة آلاف ذراعاً، وهو أربعة وعشرون أصبعاً، الخ-

The person who is unable to use water because of distance of one mile (4000 feet/24000 fingers), though he is in city. (Al-Durrul Mukhtar. Vol.1 p.232. Book of tayammum. Saeed) And so is in Majma Al-Anhur. Vol.1 p. 60. Book of tayammum. Darul kutub Al-Ilmiyah. Beirut. Al-Nahrul Faique. Vol.1 p. 97. Book of tayammum. Rashidiyah.

The reason which allows to do tayammum is actually the absence of water. It happens normally in journey. The verse of tayammum is revealed upon the Prophet (saws) in journey out of Medina, but journey is not a condition for tayammum. It is allow to do tayammum if there is no water whether in journey or at home.

1. The meaning of not finding water is that neither he has water nor he knows that it is within 1 mile. If it is so, the traveller will do tayammum without searching water. If you thinks that he can find water under the distance of 1 mile, it is necessary for him to such water. If he did tayammum without searching water, it will not be allowed. (Al-Fatawa Al-Tatar Khaniyah. Vol.1 p. 231)
2. If a person is not in journey and he is in village or city, it is necessary for him to search water within the distance of 1 mile. . If he did tayammum without searching water, it will not be allowed. (Al-Fatawa Al-Tatar Khaniyah. Vol.1 p. 231)
3. If a person is in journey and he has water, but he does not know and he did tayammum, it will be allowed. (Al-Fatawa Al-Tatar Khaniyah. Vol.1 p. 232)
4. Similarly, a person has water, but he is not its owner and someone is entrusted him or he snatched it from someone, he will do tayammum in all these situations. (Al-Durrul Mukhtar)
5. If a person's friend has water, he should ask him. If he gave him, he will make wudu and if he sales he will buy and make wudu otherwise he will do tayammum. Similarly, his friend sales, but he does not have money or the rate is higher than the normal rate, tayammum is allowed. (Al-Fatawa Al-Tatar Khaniyah. Vol.1 p. 233)
6. The water is in the well, but he does not have anything by which he can pull water, who will do tayammum. (Al-Fatawa Al-Tatar Khaniyah. Vol.1 p. 236)
7. If a person is travelling by a vehicle that does not carry water like bus, aeroplane and the like, and he cannot stop it to get out and take water, tayammum is allowed in this situation.
8. If a person is travelling, he forgot water in the car trunk and perform salah after doing tayammum, it is allowed. But if the driver did this, it will not be allowed for him, because his forgetfulness is not considered. (Al-Fatawa Al-Tatar Khaniyah. Vol.1 p. 237)
9. If the driver has water in the machine to cool the engine and it harms to pull water, he is allowed to do tayammum.
10. If there is no water or it is insufficient for taking bath and one copulated with his wife, it is permissible and he will do tayammum in this condition. (Raddul Muhtar) (Taharat ke ahkam wa masail. P. 185-187)

If one is certain that water is within 1 shariah mile

Question: Matter: (1) if the water is not on the distance of 1 shariah mile, but the time is very short; if he goes to take water, the time will pass. Tayammum is not correct. He should bring water and make up for salah.

Matter: (2) if he expects to find water after going ahead, it is better for him not to perform salah in first time and wait for the water, but he will not delay too much that makrooh time reached. If it did not wait for water and performed salah in the first time, it is correct.

It looks contradiction, because it is ordered to make up for salah in the first matter and it is ordered to perform salah with tayammum in the second matter. I could not understand. Please explain.

Answer: There is no contradiction between both matters. In the first one, it is certain that what is exists within one sharia mile. So, the condition of allowing tayammum is not found here. Therefore, tayammum is not allowed in this case. The author of Hidayah reads:

والمعتبر المسافة دون خوف الفوت. That means the thing which is considered to allow tayammum is being water on the distance of 1 mile. Fear of passing salah time is not its reason. (Hidayah. Vol.1 p. 32)

As for as the second matter is concerned, there is only expectation of water. So both matters are quite different. Durre Mukhtar reads:

(ويجب) أى يفترض (طلبه) ولو برسوله --- إلى قوله --- (إن ظن) ظناً قوياً (قربه) دون ميل بأمانة أو إخبار عدل (وإلا) يغلب على ظنه قربه (لا) يجب بل يندب إن رجا وإلا لا.

It is obligatory to search water even by his servant..... till his statement..... If he thought strongly, by symbol or any truthful person that it is near within the distance of less then 1 mile. If it is not, it will not be obligatory to search, but it is recommended if he expects otherwise not. (Durre Mukhtar with Al-Shami. Vol.1 p. 227, 228)

And so is in Ghayatul Autar translation of Durre Mukhtar.

This text declares that both matters are correct. Have a glance to the text of Hidayah for more detail:

وكذا (أى لا يتيمم) إذا خاف فوت الوقت لتوضأ لم يتيمم ويتوضأ ويقضى ما فاتته لأرب الفوت إلى خلف وهو القضاء - ويستحب لعادم الماء وهو يرجوه أن يؤخر الصلوة إلى آخر الوقت فإن وجد الماء يتوضأ وإلا يتيمم الخ -

Similarly, one will not do tayammum if he fears about passing salah time. If he made wudu, he will not do tayammum, but he will make up for passed salah, because it passed towards a substance that is qadha (performing at other time) (Hidayah. Vol.1 p.38)

ويستحب لعادم الماء وهو يرجوه أن يؤخر الصلوة إلى آخر الوقت فإن وجد الماء يتوضأ وإلا يتيمم الخ-

It is recommended for the person who does not have water and expects it to delay salah till the end of the time. If he finds water, he will make wudu else he will do tayammum. (Hidayah. Vol.1 p.36) Allah knows the best. (Fatawa Rahimiyah. Vol.4 p. 271, 272)

The definition of mile

Question: How much distance is called 1 mile?

Answer: One mile is equal to 4000 steps and one step is equal to one and half feet according to normal feet that is equal to 24 fingers.

Al-Bahrur Raiq reads:

والميل في كلام العرب منتهى مد البصر وقيل الأعلام المبنية في طرق مكة أميال لأنها بنيت على مقادير منتهى البصر كذا في الصحاح والمغرب، والمراد ههنا ثلث الفرسخ والفرسخ اثنا عشر ألف خطوة كل خطوة ذراع ونصف بذراع العامة وهو أربعة وعشرون أصبعاً كذا في الينابيع، وعن الكرخي: إن كان في موضع يسمع صوت أهل الماء فهو قريب وإن كان لا يسمع فهو بعيد وبه أخذ أكثر مشائخنا، كذا في الخانية، وعن أبي يوسف: إذا كان بحيث لو ذهب إليه وتوضأ فتذهب القافلة وتغيب عن بصره فهو بعيد ويجوز له التيمم، واستحسن المشائخ هذه الرواية، كذا في التجنيس وغيره، إلا أن ظاهره أنه في حق المسافر لا المقيم وهو جائز لهما ولو في المصر لأن الشرط هو العدم فأينما تحقق جاز التيمم، نص عليه في الأسرار، انتهى-

One mile, according to the term of Arab, is the end of the sight and it is said that it is the symbols installed on the way of Macca that is some mile, because they are built on the distance of end of the sight as it is mentioned in Al-Sihah and Al-Mughrib. It is meant here, one third of one farsakh which is equal to 12,000 steps and every step is equal to one and half feet according to normal measurement which is 24 fingers as it is mentioned in Al-Yanabi'. It is reported from Karakhi (r): If he is in a place where he can listen the voice of the people having water, he is near and if he cannot listen, he is far. Most of the over Mashaikh adopted this as it is in Al-Khaniyah. Narrated from abu Usuf: If he is in a situation that she goes to make wudu, the caravan will depart and will disappear from sight, he is far and tayammum is allowed for him. Mashaikh admired this narration. It is mentioned in Al-Tajnees and the like. If he looks that he is in the place of traveller, tayammum is allowed for him though he is in city, because the condition is, not finding water. So, wherever it found, tayammum will be allowed. As it is written in

Al-Asrar. End quote. (Al-Bahrur Raiq. Book of tayammum. vol.1 p.243) (Majmua Fatawa Abdul Hai'. P. 194)

What is the injunction of tayammum in journey when one is not helpless?

Question: During journey it happens that journey partners neither stop due to go fast nor go slow that one can go for wudu, because no one has water. Sometimes it happens too dark to find water. If we come to know that there is water in nearby village or well or pond, journey partners not stop and it is difficult to go there alone in this dark night. There is no place to stay and we want to reach the destination as soon as possible. Is salah permissible with tayammum or not?

Answer: It is not allowed in India.⁵ Delaying salah is not allowed also in this condition. Allah knows the best. (Baqiyat Fatawa Rashidiyah. P.141)

Should the women covering veil do tayammum at the time of shortage of water

Question: There is shortage of water in some villages and widows staying in home cannot find water. So, they skip salah. What is the injunction for them? Is tayammum allowed for then or not?

Answer: Tayammum is allowed only when water is not found. This rarely happens in city, town or village. If it happened by chance and there is no option to get water for women staying in home and the time is at the passage of end, they will do tayammum

⁵ Because there is expectation to find water everywhere in India, except those areas where there is no water till many miles. For example: Rajasthan and the like. This injunction will not be applied for these areas. Noorul Hasan Kandhlawi.

Allah (swt) said: "فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا" (and you find no water, then seek clean earth) (Suratul Maidah:06)

The person who is unable to use water because of distance of one mile (4000 feet/24000 fingers), though he is in city. (Al-Durrul Mukhtar. Vol.1 p.232. Book of tayammum)

Narrated from abu Usuf: If he is in a situation that she goes to make wudu, the caravan will depart and will disappear from sight, he is far and tayammum is allowed for him. Mashaikh admired this narration. It is mentioned in Al-Tajnees and the like. If he looks that he is in the place of traveller, tayammum is allowed for him though he is in city, because the condition is, not finding water. So, wherever it found, tayammum will be allowed. As it is written in Al-Asrar. End quote. (Al-Bahrur Raiq. Book of tayammum. vol.1 p.243)

and perform salah.⁶ (Later you should repeat salah with wudu. Zafeer)⁷ (Fatawa Darul Uloom. Vol.1 p. 245, 246)

If the water is found after performing salah with tayammum

Question: A person is in a place where there is no water, but his partner has water. He performed salah with tayammum and did not ask water for tayammum. Later, he asked him water and he gave him. Does he has to repeat his salah or not?

Answer: He has to repeat his salah.⁸

وإِنْ شَكَّ فِي الْإِعْطَاءِ وَتَيَمُّمِ وَصَلَى فَسَأَلَهُ وَأَعْطَاهُ، يَحِيدُ۔

If he doubts that whether he will give or not and performed salah with tayammum. Later when he asked him, he gave him. He will repeat salah. (Alamgiriya. Vol.1 p.29) Allah knows the best. Written by Habibullah Qasmi. (Habibul Fatawa. Vol.4 p. 51)

Injunction about doing tayammum without any shariah excuse

Question: What do Ulama and Islamic jurists say in regard to the matter that a master sahib is Imam in our area. He does not take bath and he makes wudu occasionally.

⁶ Narrated Abuhurairah (rz): A desert Arab came to the Messenger of Allah (saws) and said: We stay in sand and we have with us menstruating, after child-birth woman and sexually impure person. We spend their four months without water. The Prophet (saws) replied: You should make tayammum. (Sunan Baihaqi. Book: The narrations about menstruating and after child-birth woman. Is it enough for them to do tayammum when they do not find water at the time of stopping blood.)

⁷ (لَا) يَتَيَمَّمُ (لِفَوْتِ جَمْعَةٍ وَوَقْتٍ) وَلَوْ تَرَأَى لِفَوَاتِهَا إِلَى بَدَلٍ، وَقِيلَ يَتَيَمَّمُ لِفَوَاتِ الْوَقْتِ، قَالَ الْحَلَبِيُّ: فَالْأَحْوَجُ أَنْ يَتَيَمَّمُ وَيُصَلِّي ثُمَّ يَحِيدُ۔

One will not do tayammum when you fear from passing juma and the current salah though it is witr, because they transfers to another time. It is also said that he will so tayammum if he fears from passing time. Al-Halabi said: It is better to perform salah with tayammum and repeat it to be safe side. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.227)

It seems that all these Mashaiikh adopted the view of Zufar (r) because his evidence is strong. That is tayammum is allowed to fulfil the need of performing salah in time. So he will do tayammum, if he fears from its overdue. Our great scholar Ibn Humam (r) said: They did not find anything, but the neglecting is from his side, so it will not give any permission. It is right when he delayed tayammum without excuse. I say: If he delayed it without any excuse, he will be sinner. The view of our mazhab is that he is like obedient about permission. Yes, his delaying it to this extant is an excuse that did not come from his side. So it is better to say that he will do tayammum and perform salah then he will repeat wudu like excused person whose excuse came from people. (Raddul Muhtar, Zafeer)

⁸ عَنْ الثَّوْرِيِّ قَالَ: إِذَا تَيَمَّمُ الرَّجُلُ ثُمَّ مَرَّ بِمَاءٍ، فَقَالَ حَتَّى آتَى مَاءً آخَرَ فَقَدْ نَقَضَ تَيَمُّمَهُ، وَيَتَوَضَّأُ لَتَلْتِ الصَّلَاةِ۔

Narrated Thauri (r): If the person did tayammum then he passed by water, even other's water, his tayammum will break. So he will make wudu for salah. (Musannaf Abdur Razzaq. Book: A person does tayammum then he passes by water. Will he do wudu? vol.1 p. 180, No. 892)

Usually he does tayammum although he has no shariah excuse. Is it correct to follow such Imam in salah? Is his and other followers' salah correct?

Answer: If master sahib leads salah with tayammum without any shariah excuse, neither his salah will be correct not the salah of his followers. If he neither takes bath nor makes wudu without any excuse, he is in a grave sin. (May Allah save us)

If he is not seen an excused person and performs salah with tayammum considering himself an excused person, it is better to leave him on his way and he should never lead salah. Allah knows the best. (Fatawa Qadhi Mujahidul Islam. P. 57)⁹

One tayammum is enough for wudu and bath if one is sexually impure

Question: Is doing intention of tayammum from both wudu and bath enough for sexually impure person or he has to do tayammum separately?

⁹ One tayammum is sufficient for wudu and bath

عن عمران بن حصين رضي الله عنه قال: كنا في سفر مع النبي صلى الله عليه وسلم فصلى بالناس فلما انفتل من صلاته-----الحديث

Narrated Imran bin Husain (r2): Once we were traveling with the Prophet (ﷺ) and he led the people in prayer. After he finished from the prayer, he saw a man sitting aloof who had not prayed with the people. He asked, "O so and so! What has prevented you from praying with us?" He replied, "I am Junub and there is no water." The Prophet (ﷺ) said, "Perform Tayammum with (clean) earth and that is sufficient for you." (Al-Sahih Lil Bukhari. Chapter: Clean earth is sufficient for a Muslim as a substitute for water for ablution (if he does not find water. Vol.1 p. 49. Al-Sahih Li Muslim. Book of tayammum. vol.1 p. 161)

When the water is not found tayammum takes place of wudu and as we get purity which wudu we get it with tayammum also.

Allah's Messenger (saws) said: "Pure clean earth is a purifier for the Muslim; even if he did not find water for ten years. Then if he finds water, then let him use it (for purification) on his skin." (Abu Dawood. Book of tayammum)

Allah's Messenger (saws) also said: "The earth has been made for me purifying and as a mosque (place for prayer)." (Musnad Ahmad. Vol.5 p. 248)

Both hadith announce that as wudu removes impurity, tayammum also removes it. Similarly, as tayammum took place of wudu, it also took place of bath. One tayammum is enough for wudu and bath both if both are intended. Tayammum of bath is like for wudu that is to wipe dust over face and hands.

It was narrated from Ibn 'Abdur-Rahman bin Abza from his father that a man came to 'Umar and said: "I have become Junub and I do not have any water." 'Umar said: "Do not pray." But 'Ammar bin Yasir said: "O Commander of the Believers! Don't you remember when you and I were on a campaign and we became Junub and could not find water? You did not pray, but I rolled in the dust and prayed. Then we came to the Prophet (ﷺ) and told him about that, and he said: 'It would have been sufficient for you (to do this),' then the Prophet (ﷺ) struck his hands on the ground and blew on them, then wiped his face and hands with them" (Bukhari and Muslim. Book of tayammum)

It is allowed to get purity with tayammum for menstruating, after childbirth women and sexually impure person after ending the period, if they do not find water or they find insufficient water or they are sick. (Raddul Muhtar. Vol.1 p. 238) (Taharat ke ahkam wa masail. P. 192- 194. Anees)

Answer: He should do the intention for both in one tayammum. One tayammum will be enough for both.¹⁰ Allah knows the best.

(Baqiyat Fatawa Rashidiyah. P. 141)

What will do the person who is and able to make wudu and take bath?

Question: What will do the person who is and able to make wudu and take bath?

Answer: One tayammum with the intention of wudu and bath is enough for him.¹¹
(Fatawa Darul Uloom. Vol.1 p. 263)

Tayammum for major impurity

Question: My aitchbone broke and my clothes are involved with urine and stool. Meanwhile I had a wet dream. What is the way of purification for me after wet dream, so that I can perform salah?

Answer: You can perform salah after doing tayammum intending purification from major impurity.¹²

Note: You should remove impurity with most possibility and do tayammum for wudu and bath if you are unable to make wudu and bath. If you cannot bath only, you will do tayammum for bath. The way to do tayammum for wudu and bath is the same.

Written by Muhammad Tarique Nadawi. Authenticated by Nasir Ali Nadwi. (Fatawa Nadwatul Ulama. Vol.1 p. 230)

If there is no water or it is insufficient for bath, what will sexually impure person do?

Question: A person is sexually impure and he has insufficient water for bath, but it is enough for wudu. Will he make wudu then tayammum or wudu is not required?

عن عمران بن حصين رضي الله عنه أن رسول الله صلى الله عليه وسلم رأى رجلاً معزلاً لم يصل مع القوم الحديث¹⁰

Narrated Imran bin Husain (rz): The Prophet (ﷺ) saw a man sitting aloof who had not prayed with the people. He asked, "O so and so! What has prevented you from praying with us?" He replied, "I am Junub and there is no water." The Prophet (ﷺ) said, "Perform Tayammum with (clean) earth and that is sufficient for you." (Sahihul Bukhari. Book of tayammum. No. 344)

¹¹ (من عجز) ... (عن استعمال الماء) المطلق الكافي لطهارته الخ (تيمم). The person who is unable to use normal water, one tayammum is enough for his purity. (Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. vol.1 p.214. Zafeer)

¹² قوله "ولو جنباً أو حائضاً" يعني تيمم الجنب والمحدث والحائض والنفساء وهو قول جمهور العلماء، للأحاديث الواردة. 1. Margin No. 1. His statement "ولو جنباً أو حائضاً" means sexually impure person, muhdith, menstruating and after childbirth women will do tayammum. It is the view of jumhoor Ulama because of the narrations. (Al-Bahrur Raiq. Vol.1 p. 255)

Answer: Wudu is not necessary for him in this situation. Tayammum is enough for him.

¹³As it is mentioned in Al-Durrul Mukhtar. Allah knows the best.

Beaten by Mahmood Gangohi (May Allah forgive him) Asisstant Mufti Madrasa Mazahire Uloom. 19/12/1357 A.H.

The answer is correct. Saeed Ahmad (May Allah forgive him) Abdullateef. Madrasah Mazahire Uloom. 22/12/1357 A.H. (Fatawa Mahmoodiyah. Vol.5 p.188)

A sexually impure person has water only for wudu; what should you do?

Question: A sexually impure person has water that can be sufficient only for wudu not for bath. He is order to make wudu for salah and tayammum for bath. What will he do first?

Answer: Both are correct, whether he makes wudu first or do tayammum.¹⁴ (Fatawa Darul Uloom. Vol.1 p. 262)

Will the sexually impure person wash the impurity or make wudu

Question: A sexually impure person has water only for wudu and the impurity got his body. If he washes the body the water will not remain for wudu. What should you do?

Answer: He will wash impure body and do tayammum for wudu and bath.¹⁵ (Fatawa Darul Uloom. Vol.1 p.262)

وفي القهستاني: إذا كانت للجنب ما يكفي لبعض أعضائه أو للوضوء، تيمم ولم يجب عليه صرفه إليه¹³

Al-Quhastani reads: If a sexually impure person has water which is sufficient only for some parts or only for wudu, he will do tayammum and it is not necessary to wash those parts. (Raddul Muhtar. Vol.1 p. 232, Book of tayammum. Saeed. And so it is in Al-Fatawa Al-Hindiyah. Vol.1 p.30. Chapter: 3 about miscellaneous. Rasheediyah and Al-Halabi Al-Kabeer. P.74. Book of tayammum. Suhail Academy. Lahore)

¹⁴ Previous margin

مسافر محدث نجس الثوب معه ماء يكفي لأحدهما يغسل به النجاسة ويتيمم للحديث¹⁵

A sexually impure traveller with impure clothes who has water that is sufficient only for one of them. He will wash impurity and will do tayammum for hadath. (Alamgiri. Book of tayammum. Chapter: 2. Vol.1 p. 28. Zafeer)

Narrated Ali (rz): he said: When you became sexually impure and you want to make wudu, or he said: you want to take bath and you do not have water but for drinking and you fear, do tayammum. (Sunanul Baihaqi. Book of junub and muhdith who has water to wash but he fears from thirst, he will do tayammum. Vol.1 p. 356. No. 1108. Musannaf Ibn Abdur Razzaque. Book of traveller who fears from thirst and he has water. Vol.1 p. 181. No. 897)

Narrated Ibn Abbasa (rz): he said: When you are sexually impure in journey or without wudu; you fear that if you make wudu you will die in thirst, do not make wudu and save it for yourself. (Sunanul Baihaqi. Book of junub or muhdith. Vol.1 p. 356. No. 1109)

Injunction of tayammum for the person locked inside

Question: I want to ask that a person is inside his house and the servant locked from outside mistakenly. There is no water inside and the time of salah reached. The owner tried as much as you can to get water by calling someone, but he did not find and the time of salah is about to pass. Can this person perform salah with tayammum or not? If he can do, does he has to repeat that salah after finding water?

Answer: He can perform salah with tayammum and it looks that he will repeat it according to the rule of shariah, because he is locked from the side of human being.¹⁶

12th Rabiul Awwal, 1334 A.H. Fourth excrement. P. 26. (Imdadul Fatawa. Vol.1 p.73, 74)

¹⁶ والمحبوس في السجن يصلي بالتيمم ويعيد بالوضوء لأن العجز إنما تحقق بصنع العباد وصنع العباد لا يؤثر في إسقاط حق الله تعالى.

The person who is imprisoned will perform salah with tayammum and will repeat salah with wudu, because the disability occurred due to the action of human being and it cannot terminate the right of Allah. (Al-Fatawa Al-Hindiyah. Vo.1 p.15)

As tayammum is allowed in the place of wudu and bath, it is also allowed in the state of helplessness to use water. This happens in many kinds:

- 1- A person is imprisoned, does not have water and the time of salah reached. Tayammum is allowed for him. If it is so that he finds water in a specific time. If he is without wudu in the time he does not find water, he will perform salah with tayammum and will repeat it in another time. It is better. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 246)
- 2- If the imprisoned person has neither water nor pure dust and the walls are made with other than bricks and cement, he will perform salah without purity and when he finds water he will repeat salah. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 246)
- 3- If a person is fastened near water and you cannot find it and the time of salah is about to pass, he will perform salah pointing out with tayammum and if he is unable to do tayammum, he will perform salah without purity and will repeat it later. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 246, 247)
- 4- If a person is threatened that if he use water he will be killed or imprisoned, he will perform salah with tayammum and repeated later. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 246, 247)
- 5- If a person is riding your water and fears from enemies to be captured or killed if he get off, it is permissible for him to perform salah with tayammum. (Previous reference.231)
- 6- Similarly, if a person is near a fount of water, but he fears from attack of lion or other beasts, it is allowed to perform salah with tayammum. (Previous reference.231)
- 7- If a person's both hands are cut and his face is injured, he will perform salah without tayammum. (Hashiyah Tahtawi. Vol.1 p. 62, 63)
- 8- If a person's both hands are cut or paralysed that he cannot do tayammum and there is no want to help him, he will perform salah without purity. (Raddul Muhtar. Vol.1 p. 253) If he is imprisoned, he will delay salah until he got purity in the view of Abu Hanifah (r). (Raddul Muhtar. Vol.1 p. 253)

In all these cases though the water is available in real, but shariah has permitted to do tayammum for them putting them in the place of the one who do not have water. (Taharat ke ahkam wa masail. P. 190-192, Anees)

The injunction of tayammum in prison when water is not given

Question: Those who are imprisoned by unbelievers in the Battle of Kashmir and Afghanistan, if they are not let to make wudu or bath, can they perform salah with tayammum or not?

Answer: Tayammum is allowed only when one is unable to use water. It can be by illness or distance or enemy. In all these cases they can perform salah with tayammum.

Al-Allamah Al-Haskafi (r) said:

(من عجز)... (عن استعمال الماء)... (لبعدہ) ولومقيماً في المصر (ميلاً)... (أولمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم... (أوبرد) يهلك الجنب أو يمرضه... (أو خوف عدو) كحجة أو نار على نفسه ولومن فاسق أو حبس غريم أو ماله... (أو عطش) ولولكلبه أو رفيق القافلة حالاً أو مآلاً.

The person who is unable to use water because of distance of one mile though he is in city or of the illness which is feared to be increased or prolonged in all probability or a Muslim skilful doctor advised or of cold that can kill junub or make sick or of fear from his life by enemy even by evildoer like snake or fire or of capturing by debtee or his wealth or of his thirst or his dog or his friends in journey sooner or later. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p.232-235)¹⁷ (Fatawa Haqqaniyah. Vol.2 p. 612)

If imprisoned person does not find water, he will perform salah with tayammum and he will repeat later

Question: Bakr is imprisoned. All prisoners are locked in after 5 PM and they perform Maghrib, Isha and Fajr salah inside. Sometimes, there is no water inside in night. Can Bakr perform salah with tayammum? Does he has to repeat it or not? (Muhammad Shafi, Kali Mori, Hyderabad)

Answer: He should keep water save for wudu. If he cannot do this, he should perform salah with tayammum, but he has to repeat it later.

والمحبوس في السجن يصلي بالتيمم ويعيد بالوضوء لأن العجز إنما تحقق بصنع العباد وصنع العباد لا يؤثر في إسقاط حق الله تعالى.

قال الشيخ السيد أحمد الطحطاوي: (و) منه (خوف عدو) آدمي أو غيره سواء خافه على نفسه أو ماله أو أمانته أو خاف فاسقا عند الماء - انم¹⁷

Al-Shaikh Al-Sayyid Ahmad Al-Tahtawi (r) said: Out of the conditions of tayammum is fear of enemy, human or beast, whether he fears about himself or his wealth or consignment all he fears from evildoer near the water or the poor debtor fears from imprisonment. It is not necessary to repeat salah for them and for the person captured in journey not for the person who is enforced to leave wudu, so he did tayammum for salah; later he will repeat salah. (Maraqi Al-Falah on Al-Tahtawi. Book of tayammum. p. 92)

The person who is imprisoned will perform salah with tayammum and will repeat salah with wudu, because the disability occurred due to the action of human being and it cannot terminate the right of Allah. (Al-Fatawa Al-Hindiyah. Vo.1 p.15)

Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris. Multan.

The answer is correct. Abdus Sattar (May Allah forgive him) President of Ifta. (Khairul Fatawa. Vol.2 p. 121, 122)

One can do tayammum if water harms him in illness

Question: Zaid's wife is suffering from long-lasting disease. She has abdominal pain even by making wudu with tap water. Is it allowed to do tayammum for his wife because of her illness?

Answer: He should consult a doctor. If he advises that making wudu will harm her, she will do tayammum.¹ Allah knows the best.

عَنْ عَمْرِو بْنِ الْعَاصِ، قَالَ اخْتَلَمْتُ فِي لَيْلَةٍ بَارِدَةٍ فِي غُرُورَةٍ ذَاتِ السَّكَلِ لِي فَأَتَقَفْتُ إِنْ اغْتَسَمْتُ أَرَأَيْتَ أَهْلِيكَ فَمَتَيْتُكَ ثُمَّ صَلَّيْتُ --- الْحَدِيثُ¹

Narrated Amr ibn al-'As (rz): I had a sexual dream on a cold night in the battle of Dhat as-Salasil. I was afraid, if I washed I would die. I, therefore, performed tayammum and led my companions in the dawn prayer. They mentioned that to the Messenger of Allah (ﷺ). He said: Amr, you led your companions in prayer while you were sexually defiled? I informed him of the cause which impeded me from washing. And I said: I heard Allah say: "Do not kill yourself, verily Allah is merciful to you." The Messenger of Allah (ﷺ) laughed and did not say anything. (Abu Dawood. Book: When the sexually impure person is afraid of suffering from the cold, does he perform tayammum? P.60. No. 334)

- 1- All Fuqaha are agreed that tayammum is allowed for the patient only when he is afraid of his life or vanishing any part of the body certainly. Similarly, if he thinks in all probability that the pain will grow up or the healing will delay; he knew it by his own knowledge or by the advice of skilful pious Muslim doctor, tayammum is allowed for him. (Raddul Muhtar. Vol.1 p.215)
- 2- Where there is no Muslim trusted doctor and there is a non-Muslim skilful doctor who prohibits him to use water and the patient is certain, he is allowed to do tayammum.
- 3- If a person is suffering from fever and he is afraid of in all probability that whether he uses warm or cold water the illness will exceed and grow severe, tayammum is allowed. If it is not and he can use warm water, tayammum will not be allow for him and it will be necessary to make wudu with warm water.
- 4- If a person went under operation of his eye or abdomen, and he is afraid of in all probability that the illness will increase, he will perform salah with tayammum.
- 5- Similarly, a person required bath in winter night and he neither has warm water nor there is any means to heat it; as he is in journey. If he is afraid of in all probability that if he takes bath with cold water the illness will exceed and grow severe, tayammum is allowed to perform Fajr salah. Later, he will take bath and perform other salah. (Ghunyatyatul Mustamli. P. 64)
- 6- If a sexually impure person is a parade of increasing illness by taking bath not by making wudu, he is allowed to do tayammum for bath and make wudu. (Fatawa Darul Uloom. Vol.1 p. 262)

Muhammad Taqi Uthmani (May Allah forgive him) 26/05/1388 A.H. (Fatwa No. 618/19A) Corrected by. Muhammad Shafi' (May Allah forgive him) (Fatawa Uthmani. Vol.1 p. 347)

Doing tayammum because of illness

Question: A Muslim doctor introduces himself as specialist in some diseases. People also say that his medicine for some diseases is better than others'. But he recommends to do tayammum in place of bath while using that medicine, even when bath is necessary. Is he correct or not?

Answer: If a skilful religious doctor says: The illness will grow by taking bath or will delay its healing, doing tayammum is correct.¹

تيمم بعده ميلاً عن ماء أو لمرض، كنز.

One will do tayammum if he is on the distance of 1 mile from water or because of illness. Kanz.²

Al-Zailai (r) said:

وأما المرض، فمنصوص عليه، سواء خاف ازدياد المرض أو طول به استعمال الماء الخ.

The illness, however, is clearly provided, whether he is afraid of growing illness or its billing by using water.³

Al-Allamah Al-Haskafi (r) said:

- 7- If a person is unable to bath and make wudu and did one tayammum for a both, is lawful. If he did tayammum only for bath, he will need to do tayammum again for other prayers. (Raddul Muhtar. Vol.1 p. 214. Tatarkhaniyah. Vol.1 p. 245)
- 8- If a woman is afraid of his child's illness by taking seminal bath in night, she will perform salah with tayammum, and when the sun shines in the day or she has warm water, she will take bath and perform the remaining salah. (Taharat ke ahkam wa masail. P. 187. Anees)

Al-Durrul Mukhtar reads:

من عجز عن استعمال الماء --- لمرض يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم --- تيمم.

The person who is unable to use water because illness will grow severe or it lasts in all probability; a skilful and experienced Muslim person advised him...he will make tayammum (Al-Durrul Mukhtar. Vol.1 p. 232. Book of tayammum) and so is in Al-Hindiyah. Book: 4 about tayammum. vol.1 p.28

¹ عن عمرو بن العاص قال: احتلمت في ليلة باردة...الخ. (Abu Dawood. Book: When the sexually impure person is afraid of suffering from the cold, does he perform tayammum? P.60. No. 334)

² Kanz Al-Da'iq. Vol.1 p.9, Book of tayammum. Kutubkhanah Rasheediyah Delhi.

³ Tabyeenul Haqaiq. Vol.1 p.118. Book of purity. Chapter: Tayammum. Darul Kutub Al-Ilmiyah.Beirut

(أو لمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم - (الدرا المختار) قال الشامي: أي إخبار طبيب حاذق مسلم غير ظاهراً بالفسق وقيل

عدالته شرط -

(Or because illness will grow severe or it lasts in all probability; a skilful and experienced Muslim person advised him.) (Al-Durrul Mukhtar) Al-Shami reads: It means that a skilful Muslim doctor who is not evildoer apparently. It is said that his righteousness is a condition.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. Vol.5 p. 177)

The patient's temperament and the doctor both are considered in regard of disease risk

Question: What is the criteria of allowing tayammum at the time of illness, whether it is patient's temperament or skilful doctor or any other thing?

Answer: Durre Mukhtar reads: (أو لمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم - (Or because illness will grow severe or it lasts in all probability; a skilful and experienced Muslim person advised him.)²

It dawned upon that patient's temperament and his most probability and skilful doctor all are considered. Which one of these are found, will allow tayammum.³ (Fatawa Darul Uloom. Vol.1 p. 258)

Injunction of tayammum for the patient of epilepsy

Question: I am suffering from epilepsy. Once I wanted to take bath. Meanwhile I was bathing, epilepsy attacked and my forehead clashed with a sharp stone and injured that lasted for one month. Am I allowed to do tayammum or bathing is necessary? Or advise me any other method. Questioner: Abdur Rahman Bannu. 20th November, 1974 C.E.

Answer: Take bath before dawn if you can. If you are doubtful or certain that it will attack again by bathing, you can do tayammum.

As Al-Hindiyah. Vol.1 p.28 reads:

¹ Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.233. Book of tayammum. Saeed. And so is in Al-Fatawa Al-Hindiyah. Vol.1 p. 28. Book of tayammum. Rasheediyah. And so is in Al-Tatarkhaniyah. Vol.1 p.243. Book of tayammum. Idarah Al-Qur'an. Karachi)

² Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. p.215.Zafeer

³

This fear is known by in all probability that is symbol or experience or the advice of a skilful Muslim doctor who does not look evildoer. It is said that his righteousness is a condition. Sharhul Muniyah (Raddul Muhtar. Book of tayammum. vol.1 p.215. Zafeer)

ويعرف ذلك الخوف إما بغلبة الظن عن أمانة أو تجربة أو إخبار طبيب حاذق مسلم غير ظاير الفسق، كذا في شرح منية المصلى للإبراهيم الحلبي.

This fear is known by in all probability or skill or experience or the advice of a skilful Muslim doctor who does not look evil doer. So is mentioned in Sharah Al-Muniyah authored by Ibrahim Al-Halabi.¹ Allah is All Helping. Fatawa Deoband Pakistan, known by Fatawa Faridiyah. Vol.2 p. 90, 91)

Injunction of tayammum for the patient of chronic cold

Question: If a person is suffering from chronic cold and it increased by making wudu at the time of Maghrib, Isha and Fajr salah, is tayammum allowed for him or not?

Answer: If that person's illness grows up by making wudu, tayammum is correct for him. He will perform salah with tayammum, but it is not allowed only because of fear of growing illness.²

ولو كان يجد الماء إلا أنه مريض فخاف أن يستعمل الماء اشتد مرضه يتييمر.

If he finds a water but he is ill and afraid of its growing by using water, he will do tayammum.³ Allah knows the best. Muhammad Uthman Ghani. 07/08/1375 A.H. (Fatawa Imarat Shariah. Vol.2 p. 74)

Is tayammum allowed or not because of fever and severe cold

Question: If a person goes to jungle for work every day where the water is too much cold and there is no means to heat it like pots and fuel. The cold is too much as the sun did not come out because of clouds or it is evening or night or dawn and the sexually impure and the person without wudu cannot bear the cold of bathing and making wudu, or someone is flaming in fever. With tayammum allow for these people or not?

Answer: Tayammum is allowed in fear and illness when there is disease or vanishing risk by bathing or making wudu with cold water.⁴

¹ Al-Fatawa Al-Hindiyah. Book of tayammum. Chapter:1

(Abu Dawood. Book: When the sexually impure person is afraid of suffering from the cold, does he perform tayammum) عن عمرو بن العاص رضي الله عنه قال: احتلمت في ليلة باردة -- التيمم

² The previous margin.

³ Al-Hidayah. Vol.1 p.39.

⁴ (من عجز)... (عن استعمال الماء)... (لبعداء)... (مبلاً)... (أولمرض) يشتد أو يمتد بغلبة ظن أو قول -- التيمم

The person who is unable to use water because of distance of 1 mile or of the illness that can grow or delay its healing in all probability or a skilful Muslim doctor advised him or because of cold that is killing the

As Al-Durrul Mukhtar reads: (أولمرض) يشدد أو يمتد بغلبة ظن الخ (Because of the illness that can grow or delay its healing in all probability)¹ (Fatawa Darul Uloom. Vol.1 p.257)

Can one do tayammum in fever risk

Question: A person has fever risk by making wudu with cold water. If he wants to make wudu with water, his wife feels bother in warming water all the times. Can this person do tayammum or not?

Answer: If he is able to use warm water, tayammum is not allowed for him.² (Fatawa Darul Uloom. Vol.1 p.257)

Is tayammum allowed or not at the time of disease risk

Question: Zaid is so weak and suffering from chronicle disease. He lost his health by wrong deeds. He is afflicted with neurasthenia. When he takes seminal bath in winter for Fajr salah, he sometimes feels headache and cold. It is impossible to get warm water while he has no means. That's why he has to use cold water. He is a afraid of if paralysis will attack, because his muscles are too weak. After analyzing him, a doctor advised to perform Fajr salah with tayammum in place of bathing with cold water if you required. Later, take bath with warm water. You should perform salah with tayammum of bath after meeting wudu. Does he need to repeat salah after taking bath?

Answer: If there is no warm water and he has disease risk in all probability by the advice of a skilful doctor, it is correct to perform salah with tayammum in this condition. There is no need to make wudu, because tayammum of bath is in the place of bath and wudu.

sexually impure person or made him ill though he is in city, if he does not have to pay for bathroom or he does not have anything by that he can remove impurity, he will make tayammum. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.214. Zafeer)

¹ Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.214. Zafeer

² وإذا خاف المحدث أن يوضأ أن يقتله البرد أو يمرضه يتيمم الخ لكن الأصح عدم جوازه إجماعاً

If the person without wudu is afraid of that the cold will kill him or make him sick if he makes wudu with water, he will do tayammum. But the most authentic view is not to allow tayammum with the consent of all. So is mentioned in Al-Nahr Al-Faique. It is right that tayammum is not allowed for him as it is mentioned in Al-Khulasah and Fatawa Qadhikhan. (Alamgiri Kishori. Book: 4 about tayammum. vol.1 p.36)

Only one tayammum is enough for both.¹ But to be safe side, it is better to repeat salah after taking bath with warm water.² (Fatawa Darul Uloom. Vol.1 p. 246, 247)

Can one do tayammum of bath, if water harms him because of his illness or old age

Question: Can an excused person do tayammum of bath as he can make wudu? Can he perform obligatory and supererogatory salah, and recite the glorious Qur'an? If a person cannot use water because of his illness or age or hurtful or afraid of harm or he cannot bear it, can he perform obligatory and supererogatory salah, and recite the glorious Qur'an?

Answer: Tayammum is allowed in the place of bath as it is allowed in the place of wudu at the time of excuse. One can perform obligatory and supererogatory salah, and recite the glorious Qur'an with that tayammum.³ The excuses that allow to do tayammum are: The patient is afraid of its growing or delayed healing. He is afraid that the cold will kill him or make him sick.

Tayammum is not allowed only by the reason that he does not feel good by using water or it hurts him. Tayammum is allowed only when he afraid that he will die or fall ill.⁴ (Fatawa Darul Uloom. Vol.1 p. 248, 249)

Tayammum only because of slight doubt of illness

Question: A person has no experience of doing tayammum, but when he takes bath, compulsorily he gets hurts. What is to be done? Sometimes, he feels doubt that he will fall ill if he takes bath or makes wudu again and again, so he should do tayammum; or

¹ (أو برد) يهلت الجنب أو يمرضه ولو في المصر إذا لم تكن له أجرة حمام ولا ما يدفنه الخ (تيمم) لهذه الأعذار كلها

(Or because of cold that is killing the sexually impure person or made him ill though he is in city, if he does not have to pay for bathroom or he does not have anything by that he can remove impurity, he will make tayammum, because of all these excuses. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.216. Zafeer)

² The point of repeating salah could not be found. It may be proved by the following text of Durrul Mukhtar:

(لا) يتيمم (نفوت جمعة ووقت) ولو وترألفواهما إلى بدل وقيل تيمم لنفوات الوقت، قال الحلبي: فالأحوط أن يتيمم ويصلي ثم يعيده

(Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.227. Zafeer)

³ ويصلي بتيممه ما شاء من الفرائض والنوافل. He will perform salah what he wants out of obligatory and supererogatory with tayammum he done. (Al-Hidayah. Book of tayammum. vol.1 p.55. Zafeer)

(من عجز)... (عن استعمال الماء لبعده... (ميلاً)... (أو لمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم... أو برد) يهلت... أو يمرضه الخ⁴

The person who is unable to use water because of distance of 1 mile or of the illness that can grow or delay its healing in all probability or a skilful Muslim doctor advised him or because of cold that is killing him or made him ill or he does not have anything by which he can pull water he will make tayammum, because of all these excuses. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Book of tayammum. vol.1 p.214, 218,) It is said in Al-Bahr that whenever he became able to take bath by any mean, tayammum will not be allowed with the consent of all. (Raddul Muhtar. Book of tayammum. vol.1 p.216)

he felt laziness and did tayammum that he may not fall ill or he will suffer from cold and cough or he fears from cold water or he cannot bear it because of laziness or his weakness as it is famous: "The cold affects more if one takes bath or makes wudu with warm water." So, he did not take bath or make wudu that the cold will affect more or he is not habitual of using warm water.

If he takes bath or makes wudu with cold water, his skin will chilblain or the skin will dry that will hurt him absolutely. Now he cannot be cold water and did tayammum, what is the injunction in this regard?

If one did not take bath or make wudu at the time when there is no reason of doing tayammum and then the time came when he doubts about falling ill or laziness or cowardice, whether the time of any salah came or not. For example, he took food. Now he has to take bath after two hours or he performed salah or led it and then the time of excuses came after two hours. Is his salah valid in both cases or not? What is about the time free from excuses in which he did not take bath or make wudu? What is the intention in these cases?

Answer: Only cowardice, letharginess and assume does not mean anything. But if he experienced that he falls ill or his illness grows by taking bath or making wudu, he is allowed to do tayammum. When this excuse ended, but will be obligatory to perform other salah with bath. If the excuses end at the time when it is not time of salah and he did not bath, then the same excuse occurred at the time of next salah, it is correct to perform salah after doing tayammum.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 20/07/1394 A.H. (Fatawa Mahmoodiyah. Vol.5 p. 178, 179)

Doing tayammum because of growing illness with the wall of masjid

Question: A person is 65 years old and he is suffering from rheumatic pain. The disease grows if he makes wudu with cold water. So he does tayammum, but some friends object that he should not do tayammum most of the time.

الثاني العذر المبيح للتيمم... ومن العذر حصول مرض يخاف منه اشتداد المرض أو بقاء البرء أو تحركه كالمحموم والمبطور... الخ¹

The second. The excuse that allows tayammum..... Out of them is to fall ill and he fears from its growing or delayed healing or its moving, like fevered and filled person. Out of the excuses is cold. He fears about vanishing some parts are of illness when he is out of city. If he is in village where warm water is found.... (Maraqi Al-Falah. P.114. Book of tayammum. Qadeemi. And so is in Al-Bahrur Raiq. Vol.1 p.246. Book of tayammum. Rasheediyah. And so is in Al-Halabi Al-Kabeer.p.65.Chapter: Tayammum. Suhail Academy. Lahore)

He is a businessman. He cannot manage warm water all the times. There is no arrangement of warm water in masjids. The dust gets moisture in raining. So, he does tayammum inside masjid. Some people object and say not to do it inside masjid. Please describe shariah injunction.

Answer: If the disease grows by making wudu, you are allowed to do tayammum.¹ You should keep one big clod or brick separately. It is correct to do tayammum with hard wall and stone.² Do not do tayammum with the wall of masjid.³ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 20/10/1386 A.H.

Authenticated by Nizamuddin, Darul Uloom Deoband (Fatawa Mahmoodiyah. Vol.5 p. 191, 192)

Is it correct to do tayammum for mother when she fears from his baby's illness

Question: A woman is feeding his baby who urines and defecates on his mother's clothes. She does not take bath with fear that she herself or her baby will get ill if she will take bath consequently. Is she allowed to recite the glorious Quran?

Answer: She should perform salah with tayammum if she fears that she herself or her baby will get ill if she will take bath consequently. Later when it is sunning, she should take bath and repeat those salah. Reciting the glorious Quran is correct with tayammum.⁴

¹ (من عجز)... (عن استعمال الماء) لبعده... (ميلاً)... (أو لمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم... (تيمم) لهذه الأعذار كلها.

The person who is unable to use water because of distance of 1 mile or of the illness that can grow or delay its healing in all probability or a skilful Muslim doctor advised him, he will make tayammum, because of all these excuses. (Al-Durrul Mukhtar with the text of Raddul Muhtar. Book of tayammum. Vol.1 p.232-236. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.28. Chapter: 4 about tayammum. Rasheediyah. And so is in Al-Nahrul Faique. Vol.1 .98. Book of tayammum. Imdadiyah)

² (تيمم) لهذه الأعذار كلها. الخ (بمطرهم من جنس الأرض وإن لم يكن عليه نقر) أي غبار

He will make tayammum, because of all these excuses.... with pure face of earth though there is no dust. (Al-Durrul Mukhtar with the text of Raddul Muhtar. Book of tayammum. Vol.1 p.232-236. Saeed. And so is in Al-Muheetul Burhanil. Vol.1 p.157. Chapter:5 about tayammum. Ghifariyah. And so in Khulasatul Fatawa. Vol.1 p.35. Other things with which tayammum is allowed. Amjad Academy Lahore)

³ ويكره مسح الرجل من طين الردغة بأسطوانة المسجد أو بجانطة

It is this like to wipe with the clay of the pillar of Masjid or its wall. (Fatawa Qadhikhan. Vol.1 p. 65. Book of purity. Chapter about Masjid. Rasheediyah)

⁴ The woman is considered sexually impure in the answer rather bath is not compulsory because of baby's urine or defecation. It is enough to wash the impurity from clothes and body and change clothes. Fuqaha allowed tayammum for sexually impure person when he fears from vanishing, getting ill or being unable to use water.

Will an old person do tayammum because of weakness and illness?

Question: Can an old person do tayammum because of weakness and illness?

Answer: An aged and weak person who fears that if he will take bath, he will fall severely ill, is allowed to do tayammum of bath instead of bath and performs salah with wudu.¹

Muhammad Kifayatullah (May Allah help him) Delhi (Kifayatul Mufti. Vol.2 p.268)

If there is risk of harm with water, how to get purity

Question: An ill person got impurity on his body and what is harmful for him. How will he get purity?

Answer: He should wash impurity of the body then do tayammum.² (Fatawa Darul Uloom. Vol.1 p.244)

What will do the patient who can make wudu, but he cannot take bath

Question: What is the injunction about the patient who can make wudu, but he cannot take bath?

The person who is unable to use water because of distance of 1 mile or because of cold that is killing the sexually impure person or made him ill though he is in city, if he does not have to pay for bathroom or he does not have anything by that he can remove impurity from wearing clothes or the place where he is, he will make tayammum. (Durrul Mukhtar) It is mentioned in Al-Bahr: Now the rule is that when he became able to take bath by any means, tayammum will not be allowed for him with the consent of all. (Raddul Muhtar. Book of tayammum. vol.1 p.216. Zafeer)

وَأَنَّ كُنْتُمْ مَرْضَى أَوْ عَلَى سَفَرٍ أَوْ جَاءَ أَحَدٌ مِنْكُم مِّنَ الْمَاءِ طَيَّبَةً أَوْ لَمْ يَكُنْ مَعَهُ مَاءٌ فَلَمْ يَجِدْهُ فَإِنَّهُ يَتَيَمَّمُ صَعِيدًا طَيِّبًا - الآية¹

If you are sick, or on a journey, or if one of you has come after relieving himself, or you have had sexual contact with women, and you find no water, then, go for some clean dust and wipe your faces and hands with it.

Then he will take bath at the time of sun. It is mentioned in Al-Bahr: Now the rule is that when he became able to take bath by any means, tayammum will not be allowed for him with the consent of all. (Raddul Muhtar. Book of tayammum. vol.1 p.234.)

وكذا يطهر محل نجاسة التيمم بقلعها أي بزوال عينها التيمم ويطهر محل غيرها أي غير مرتبة بغلبة ظن غاسل التيمم²

Similarly, the place of visible impurity becomes pure by removing its origin and the place of invisible impurity becomes pure by removing in the thought of washer in all probability. (Al-Durrul Mukhtar on Raddul Muhtar. Book of impurities. Vol.1 p.302)

Or because of the illness that can grow or delay its healing in all probability or a skilful Muslim doctor advised him, he will make tayammum. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.21)

Answer: It is allowed for him to make wudu for salah and do tayammum in the place of bath.¹

Tayammum is allowed for the patient of asthma

Question: Zaid is suffering from asthma. If he takes necessary bath before Fajr salah, it grows up while it does not if he takes bath after sunrise. But time of salah will pass in this way. What should he do in this condition?

Answer: If Zaid is suffering from asthma and it grows up by taking part, he should wash the impurity and do tayammum in the place of bath.² If making wudu does not harm him, he should perform salah with wudu. If making was also harms him, salah will be correct with one tayammum.

When the sun rose up and bathing does not harm him, his tayammum will be invalidated. Now Bart will be obligatory and he does not need to repeat Fajr salah.³ Allah knows the best.

Muhammad Uthman Ghani. 04/05/1372 A.H. (Fatawa Imarat Shariah. Vol.2 p. 75)

The injunction of salah performed with tayammum in illness

Question: I fell ill and backbones damaged. The doctor set plaster on it and advised to lay down for two years regularly. So, I used to perform salah with tayammum when I was unable to take bath and make wudu due to illness. What is the injunction about those salah according to shariah?

Answer: According to the question above, when he performed the salah with tayammum due to illness, this tayammum took the place of wudu and bath. So, all salah are correct. There is no need to repeat them.⁴ Allah knows the best.

¹ ويجوز التيمم إذا خاف الجنب إذا اغتسل بالماء أن يقتله البرد أو يمرضه الخ¹

Tayammum is allowed for sexually impure person when he fears that the court will kill him if he takes bath or make him ill. (Alamgiri. Book of tayammum. vol. 26. Zafeer)

² On condition that warm water also harms or it is not available. (Mujahid)

³ (وكذا) ينقضه (كل ما يمتنع وجوده التيمم إذا وجد بعده) لأن ما جاز بعد رطل بزواله، فلو تيمم لمرض بطل بركته أو لبرد بطل بزواله

Similarly, all that avert validity of tayammum if it is found, will invalidate tayammum, because the thing which is allowed due to excuse, will take back when the excuse ended. So, if one did tayammum because of illness, it will be invalidated by its healing or he did tayammum because of cold, it will be invalidated when the cold ceased. (Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p.428)

⁴ Allamah Shami discussed this matter in detail. To sum up, a person has a servant or offspring, wife, or he hired someone or did not, if anyone can help him, tayammum will not be allow for him. If he is excused completely or he cannot make wudu without suffering too much, tayammum is allowed for him. (Raddul Muhtar. Book of tyammum. Vol.1 p. 397. Mujahidul Islam (r))

Doing tayammum in place of seminal bath because of fear of catarrh in cold

Question: A person suffers from catarrh caused by cold. Is it allowed to do tayammum in place of seminal bath for him in morning or any time in winter when he fears from catarrh? Can he perform Fajr or any other salah with that tayammum or not?

Answer: Being unable to use water is regarded as a condition to allow tayammum, whether it is because of not finding water or one fears from growing illness or delayed healing or he fears from vanishing due to cold by using water and he does not have one water. If one of the above reason is found, tayammum is allowed for him is not. In the question above, if he fears from illness because of using cold water, he should take bath with warm water. If there is doubt of illness in all probability or by the advice of Muslim skilful doctor, tayammum is allowed otherwise not.

(أولمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم ولو بتحرك، الخ (أو برد) يهلك الجنب أو يمرضه ولو في مصر إذا لم تكن له أجرة حمام الخ، در مختار -

Or because illness will grow severe or delay its healing even by moving in all probability; a skilful and experienced Muslim person advised him or of cold that can kill junub or make sick though he is in city, if he does not have to pay for bathroom.¹ Durre Mukhtar. (Fatawa Darul Uloom. Vol.1 p. 244, 245)

The injunction of tayammum in cold countries

Question: There is a place where the ice falls too much with cold. The wind is very high. It is very suffering to make wudu there even limbs become paralysed and stiffed for sometimes. Is it allowed to perform salah with tayammum or wiping in this condition?

Answer: Al-Durrul Mukhtar reads in book of tayammum:

(أو برد) يهلك الجنب أو يمرضه ولو في مصر إذا لم تكن له أجرة حمام ولا ما يدفنه، في رد المحتار: قيد بالجنب لأب المحدث لا يجوز له التيمم خلافاً لبعض المشايخ (إلى قوله) وكأنه لعدم تحقق ذلك في الوضوء عادة (وفيه أيضاً) نعر مفاد التعليل بعدم تحقق الضرر في الوضوء عادة أنه لو تحقق جاز فيه أيضاً اتفاقاً -

Or because of cold that is killing the sexually impure person or made him ill though he is in city, if he does not have to pay for bathroom or he does not have anything by that he can remove impurity. Raddul Muhtar states: It is bounded with sexually impure person, because tayammum is not allowed for the person with minor impurity with the

¹ Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p.215,216

difference of some Mashaikh. Till his statement: I may be that normally does not happen in wudu. He added: The reason that it does not harm normally in wudu, but if it harms in wudu also, tayammum will be allowed with the consent of all.¹

The text tells us that there is only very few occasions when making wudu with water kills or makes him ill in all probability and there is neither any means to heat water nor any cloth to cover and warm him. Tayammum is allowed in this condition otherwise not. However, you can wipe over socks instead of washing.

13th Ziqadah, 1321 A.H. Imdad. Vol.1 p.6 (Imdadul Fatawa New.Vol.1 p. 74)

Doing tayammum instead of bath because of cold

Question: Zaid said that a person asked him: I am very weak. I met my wife. It is too much cold. I fear that if I will take bath, I will fall ill. The time of Fajr salah is very short. If I heat water and take bath, the time of Fajr salah will pass, can I perform salah with tayammum in this condition or perform it another time with bath?

Answer: If he can manage to warm water, he should do it from early morning and should not do tayammum in this condition.² Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 04/11/1390 A.H.

Authenticated by Nizamuddeen (May Allah forgive him) Darul Uloom Deoband. 04/11/1390 A.H. (Fatawa Mahmoodiyah. vol.5 p. 180, 181)

Doing tayammum instead of bath in too much cold

Question: I live in a place where the snow falls and the water is found under many feet of ice. It is too much cold here. What is the injunction about the person who had wet dream in the month of Ramadan and cannot take bath because of too much cold?

Answer: If he cannot manage to warm water and he fears to be got ill if he takes bath with cold water, he may do tayammum and perform salah at that time. Later he will take bath with warm water. It will not affect his fasting.³ Allah knows the best.

¹ Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p.156

² الثاني العذر المبيح للتيمم -- ومن الأعذار برد يخاف منه لخلية الظن التلف لبعض الأعضاء أو لمرض إذا كانت خارج المصريحين العمران، ولو القرى التي يوجد بها الماء المسخن أو ما يسخن به، سواء كان جنباً أو محدثاً وإذا عدم الماء المسخن أو ما يسخن به في المصركا لبرية {وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ} -

Maraqi Al-Falah. P. 114-116. Book of tayammum. Qadeemi)

³ الثاني العذر المبيح للتيمم -- الخ. Maraqi Al-Falah. P. 114-116. Book of tayammum. Qadeemi)

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband.

Authenticated by Nizamuddeen (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p. 180, 181)

Can a sexually impure person do tayammum if he fears from catarrh

question: Zaid often has wet dream and he suffers from fever because of bathing in cold, but when he takes bath in afternoon it does not harm too much. If he performed Fajr salah with tayammum in this condition, does he has repeated it or tayammum is enough till next wet dream. Does the injunction varies in this regard for janabah, wet dream, sexual intercourse or not?

Answer: If one fears from getting ill and warm water harms him also or he does not have warm water, it is allowed to perform salah with tayammum.¹ Tayammum is the same for both wudu and bath and one tayammum is enough for both. Later when bathing does not harm, he should take bath and perform Zuhr, Asr salah etc. The injunction is same for wet dream and sexual intercourse in this regard.² (Fatawa Darul Uloom. Vol.1 p. 247, 248)

If he warms water in cold, the time of salah will pass

question: It is cold and bath is mandatory for a person. He sleeps thinking that he will get up much before Fajr salah, but he got up very late from dawn i.e. before 15 minutes from sunrise. If he takes bath with pump water immediately, he can perform salah before sunrise. But he will get ill surely by taking bath with pump water and if he warms water, he cannot take bath in time. How and when will he perform salah in this condition?

Answer: He should take bath with cold water and wrap himself in warm clothes immediately after bath. Above all, he fears from illness in most probability, he should take bath after warming. If the time passed he will make up for salah, but it is better to perform salah with tayammum and make off for it after taking bath with warm water.³

¹ (أولمرض) يشتد أو يشتد بغلبة ظن أو قول حاذق مسلم... (أو برد) يهلك الجنب أو يمرضه... (يتيمم) لهذه الأعذار كلها

Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 216

² It means both necessitate bath:

والمعاني الموجبة للغسل إنزال البني على وجه الدفق والشهوة من الرجل والمرأة حالة النوم واليقظة الخ

(Al-Hidayah. Vol.1 p. 37. Chapter: Bath. Zafeer) And so is in Ahsanul Fatawa. Vol.1 p. 56.

³ (لا) يتيمم (لفوت جمعة ووقت) ولو وترأ لفواتها إلى بدل وقيل يتيمم لفوات الوقت. قال الحلبي: فالأحوط أن يتيمم ويصلي ثم يعيده -

(Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 227. Anees)

كما حررنا في من يخاف فوت الوقت لو اشتغل بالوضوء۔

Allah knows the best. 07th Safar, 1396 A.H. (Ahsanul Fatawa. Vol.2 p. 55)

Doing tayammum of bath because of shortage of time

Question: If bath is required and the time of salah very short, will he perform salah with tayammum?

Answer: No, but he should take bath.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p. 183)

Is tayammum allowed or not when the time is short though he is able to use it

Question: A person got up at the time that he did not find warm water neither in house nor in masjid and he cannot take bath with cold water due to cold. He does not have too much time to warm water and take bath to perform salah in time. Is it allowed for him to do tayammum and perform salah in time?

Answer: If he can use warm water, tayammum is not allowed for him. He must take bath and make wudu though the time of salah passed.² (Fatawa Darul Uloom. Vol.1 p. 243)

Doing tayammum because of short time

Question: Can one perform salah with tayammum on station because of sort time?

Answer: If he does not have water and he thinks that the time will pass when you will reach the station, he should perform salah with tayammum.³ Allah knows the best.

¹ (لا) يتيمم (نفوت جمعة ووقت) ولو وترأ لفواتهما إلى بدل. الثمر (الدر المختار من رد المحتار: ٢٣٦٨، باب التيمم، سعيد) الأصل أن كل موضع يفوت فيه الأداء لا إلى الخلف، فإنه يجوز له التيمم، وما يفوت إلى خلف، لا يجوز له التيمم كالجمعة، كذا في الجوهرة النيرة۔

(Al-Fatawa Al-Alamgiriyyah. Vol.1 p. 31. Chapter:3 about miscellaneous. Al-Hidayah. Vol.1 p. 55. Book of tayammum. Sharikah Ilmiyyah. Multan)

² قال في البحر: فصار الأصل أنه متى قدر على الاغتسال بوجه من الوجوه لا يباح التيمم إجماعاً۔
(Raddul Muhtar. Vol.1 p.216. Book of tayammum. Zafeer) and so is in Ahsanul Fatawa. Vol.2 P. 54, 55.

³ الأصل أن كل موضع يفوت فيه الأداء لا إلى الخلف، فإنه يجوز له التيمم، وما يفوت إلى خلف، لا يجوز له التيمم كالجمعة، كذا في الجوهرة النيرة۔
(Al-Fatawa Al-Alamgiriyyah. Vol.1 p.31. Chapter:3 about miscellaneous. Rasheediyah)
التقدير بالميل هو المختار في حق المسافر، قال الفقيه أبو جعفر: أجمع أصحابنا على أنه يجوز للمسافر أن يتيمم إذا كانت بينه وبين الماء ميل، وإن كان أقل من ذلك لا يجوز وإن خاف خروج الوقت۔

(Al-Halabi Al-Kabeer. P. 67. Chapter about tayammum. Suhail Academy, Lahore)
And so is in Al-Tatarkhaniyyah. Vol.1 p. 238. Book of tayammum. Idarah Al-Quran. Karachi.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p. 184)

Doing tayammum because of short time and the injunction of salah performed with tayammum

Question: (1) Zaid is healthy but the time of salah is short that he cannot perform salah after taking bath. Can you perform salah with tayammum in this condition or not?

Question: (2) Is it necessary to repeat salah performed with tayammum due to short time to be safe side after taking bath?

Answer: (1) It is not allowed to do tayammum instead of taking bath because of short time.¹

Answer: (2) Salah performed with that tayammum is not correct. It is obligatory to repeat it.² Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 15/06/1387 A.H.

Authenticated by Nizamuddeen (May Allah forgive him) Darul Uloom Deoband. 16/06/1387 A.H. and Sayyid Ahmad Ali Saeed. 18/06/1387 A.H. (Fatawa Mahmoodiyah. vol.5 p. 185, 186)

¹ ولو خاف خروج الوقت لو اشتغل بالوضوء في سائر الصلوة ماعدا صلوة الجنازة والعيد لا يتم عندنا بل يتوضأ ويقضى الصلوة وإن خرج الوقت -¹

(Al-Halabi Al-Kabeer. P. 83. Chapter about tayammum. Suhail Academy, Lahore. And so is in Al-Durrul Mukhtar. Vol.1 p. 246. Book of tayammum. Saeed. Al-Fatawa Al-Hindiyah. Vol. 1 p. 31. Chapter:3 about miscellaneous Rasheediyah)

عن علي بن أبي طالب قال: إذا أجنب الرجل في السفر تلو ما بينه وبين آخر الوقت فإن لم يجد الماء تيمم وصلى -

(Al-Dara Qutni. Book: The places where tayammum is allowed. Vol.1 p. 195. No.710. Sunan Al-Baihaqi. Book: The person who explores at the last time of salah expecting to have water. vol.1 p. 325. No. 1101. Anees)

² قال في شرح الطحاوي: لا يجوز التيمم في المص إلا لخوف فوت جنازة أو صلوة عيده - وبما قررناه علم أن المعتبر المسافة دون خوف فوت الوقت -

(Al-Bahrur Raique. Vol.1 p. 244. Rasheediyah. Book of tayammum)

(ولو خاف خروج الوقت لو اشتغل بالوضوء في سائر الصلوات ماعدا صلاة الجنازة والعيد لا يتم عندنا بل يتوضأ ويقضى الصلاة وإن خرج الوقت -

(Al-Halabi Al-Kabeer. P. 83. Chapter about tayammum. Suhail Academy, Lahore. (Al-Halabi Al-Kabeer. P. 83. Chapter about tayammum. Suhail Academy, Lahore. Hashiyah Al-Tahtawi on Maraqqi Al-Falah. Book of purity. Chapter of tayammum. p.118. Qadeemi)

وكذا إذا خاف فوت الوقت أو توضأ لم يتييمم. ويتوضأ ويقضى ما فاتته، لأب الفوات إلى خلف، وهو القضاء

Al-Hidayah. Vol.1 p. 755. Book of tayammum. Sharikah Ilmiyah. Multan)

Doing tayammum due to cold

Question: Zaid required bath, but because of laziness in cold he does tayammum only and performs salah. Is he correct and salah is valid or not?

Answer: It is not allowed to do tayammum only because of laziness, but he has experienced many times that if he takes bath in this condition, it harms him or a skillful Muslim doctor advised him that water is harmful for him, it will be correct to do tayammum.¹ Allah knows the best.

Written by Nizamuddeen, Azami (May Allah forgive him) Mufti Darul Uloom Deoband, Saharanpur. 29/10/1385 A.H. Authenticated by Mahmood (May Allah forgive him) (Muntakhabat Nizamul Fatawa. Vol.1 p.152)

One should perform salah after making wudu with warm water instead of doing tayammum at the time of tahajjud (last third part of the night)

Question: If one perform tahajjud salah with tayammum because of weakness and cold and made wudu only for obligatory salah of Fajr, is salah valid or not? Is it better to leave tahajjud salah or to perform it with tayammum? Can he perform tahajjud salah and Fajr salah with one tayammum?

Answer: If he can arrange to warm water and he can perform Fajr salah after warming water and making wudu and he has time to do tayammum and perform Fajr salah, he should warm water at the time of tahajjud. Now he will perform tahajjud salah and Fajr salah with the same wudu. As it is ordered to make wudu for obligatory salah, it is also ordered for supererogatory salah. When tayammum is not allowed for obligatory salah, it is not allowed also for supererogatory salah.² Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p. 189)

الثاني العذر المبيح للتيمم -- ومن الأعذار برد يخاف منه لغلبة الظن التلف لبعض الأعضاء أو لمرض إذا كانت خارج المصريحين العمرات، ولو القرى التي "1
يوجد بها الماء المسخن أو ما يسخن به، سواء كانت جنباً أو محدثاً وإذا عذر الماء المسخن أو ما يسخن به في المصركا ليرية {وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ
خَرَجٍ} "2

Maraqi Al-Falah. P. 114-116. Book of tayammum. Qadeemi)

أوبرد) يهلك الجنب أو يمرضه ولو في المصرا إذا لم تكن له أجرة حمام ولا ما يدفعه، وما قيل إنه في زماننا يتحيل بالعدة فمما ليرأى به الشرع، نعمرات كانت له "2
مال غائب يلزمه الشراء نسيئة وإلا لا -

(Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 234. Book of tayammum. Saeed. And so is Hashiyah Al-Tahtawi on Maraqi Al-Falah. P.115. Purities. Qadeemi. Badai Al-Sanai. Vol.1 p. 320. Chapter: Conditions of rukn (part) Darul Kutub Al-Ilmiyah. Beirut)

Doing tayammum because of pain

Question: A woman feels bone pain if he makes wudu with cold water that disturbs him too much. Is tayammum allowed for him or not, because she cannot warm water every time?

Answer: She can perform salah with tayammum.¹

Written by Muhammad Tarique Nadawi. Authenticated by Nasir Ali. (Fatawa Nadwatul Ulama. Vol.1 p. 229)

Doing tayammum when water is harmful whether it is cold or warm

Question: A person is habitual to take bath with cold water and he knows very well that he gets ill by taking bath with cold water in some specific times or he fears from falling ill. While it does not happen with warm water frequently, because these habitual of cold water. What should he do in this condition?

Answer: If he experienced many times he gets problem by taking bath, tayammum is allowed for him for this time. If cold water harms him, he should take bath with warm water. If it harms, he should take bath with cold water. If both harm him, he should make tayammum.² Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 182)

What is the injunction about doing tayammum, if warm water harms?

Question: I feel headache if I make wudu with warm water. Can I do tayammum in this condition?

¹ But whenever she got warm water and it does not harm her, it will be necessary for her to make wudu. tayammum will not be allowed now.

الثاني: العذر المبيح للتيمم -- ومن الأعذار برد يخاف منه لغلبة الظن التلف لبعض الأعضاء أو لمرض إذا كانت خارج المصيرعي العمرات، ولوالقرى التي يوجد بها الماء المسخن أو ما يسخن به، سواء كانت جنباً أو محدثاً وإذا عذر الماء المسخن أو ما يسخن به في المصر كالبرية {وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ} -- (Maraqi Al-Falah. P.114-116. Book of tayammum)

(أولمرض) يشتد أو يشتد بغلبة ظن أو قول حاذق مسلم ولو بتحرك، أو لم يجد من يوضئه -- (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 397. Book of tayammum.)

(من عجز) ... (عن استعمال الماء) ... (لثقله) ... (مَيْلًا) ... (أولمرض) يشتد أو يشتد بغلبة ظن أو قول حاذق مسلم ولو بتحرك، ... (تيمم) لهذه الأعذار كلها --

(Al-Durrul Mukhtar. Vol.1 p. 232-236. Book of tayammum. Saeed. And so is in Badai Al-Sanai. Vol.1 p. 320. Chapter: Conditions of rukn (part) Darul Kutub Al-Ilmiyah. Beirut. And so is in Al-Bahrur Raique. Vol.1 p.245. Book of tayammum. Rasheediyah)

Answer: It will be about if a skillful Muslim doctor advised him.¹ Allah knows the best.

Written by Nizamuddeen, Azami (May Allah forgive him) Mufti Darul Uloom Deoband, Saharanpur. 23/10/1385 A.H. Authenticated by Mahmood (May Allah forgive him) (Muntakhabat Nizamul Fatawa. Vol.1 p.152)

If she fears from getting ill with most probability by taking bath, can she forbid husband to have intercourse?

Question: Zaid has only one wife who suffers illness most of the time. When she takes bath, she is struck with catarrh and sometimes ear pain and headache. Therefore, she forbids her husband to have intercourse that may lead Zaid to commit sin. Can His wife perform salah with tayammum in this condition or not? If it is not, what she can do in the God of taking bath? Is it correct for her to forbid the husband to have intercourse?

Answer: It is written in Durre Mukhtar:

”ولو ضررها غسل رأسها تركته، وقيل تمسحه ولا تمنع نفسها عن زوجها، إلخ“²

It means that if washing head harms her, she should not wash it, but she should wipe over the head and it is better.

In another place in Durre Mukhtar, it is mentioned as necessary i.e. if she can wipe over the head and she does not fear from getting ill, she should do otherwise she will wrap a bandage over the head and wipe over it. Durre Mukhtar³

she should not forbid her husband to have intercourse.⁴

It is also mentioned in Durre Mukhtar:

” (من به وجع رأس لا يستطيع معه مسحه) إلخ - ففي الفيض عن غريب الرواية: يتيمم إلخ“⁵

The person who suffers from headache that he cannot wipe over it, he can do tayammum.

¹ The previous margin.

² Al-Durrul Mukhtar on Raddul Muhtar. Matter of bath. Vol.1 p.142)

³ (من به وجع رأس لا يستطيع معه مسحه) إلخ (يسقط)... (فرض مسحه ولو على جبهة، ففي مسحها قولاً، وكذا يسقط غسله فيمسحه ولو على جبهة إلخ) لم يضره وإلا يسقط أصلاً (درمختار) (قوله ولو على جبهة) ويجب شداً إلخ لم تكن مشدوداً طأى إلخ أمكنه -

(Raddul Muhtar. Last of book of tayammum before book of wiping over socks. vol.1 p.239,240. Zafeer)

⁴ (قوله ولا تمنع نفسها) أى خوفاً من وجوب الغسل عليها إذا وطئها لأنه حقه، ولها مندوحة عن غسل رأسها -

Raddul Muhtar. Matter of bath. Vol.1 p.142

⁵

Al-Durrul Mukhtar on Raddul Muhtar. Last of book of tayammum. vol.1 p.239

It is also written in Durre Mukhtar:

” (أو لمرض) يشد أو يمتد بغلبة ظن الخ قال في الشامي: وكذا لو كان صحيحاً خاف حدوث مرض الخ “¹ -

this last text of Shami explains that if a healthy person fears from falling ill with most probability or previous experience by taking bath, he can do tayammum. So, that woman will do tayammum in her case and will not forbid husband to have intercourse. It is allowed for her to do tayammum until her fears from falling ill ended. If she does not fear, she will take bath. (Fatawa Darul Uloom. Vol.1 p. 263, 264)²

Is tayammum allowed due to fear of paralysis

Question: Zaid is 77 years old and he performs Fajr and Isha salah with tayammum due to the fear of paralysis in winter. Is it allowed or not? Is there any specific injunction for this aged person? What is the age of senility (old age) and what are the concessions for him?

Answer: There is no specific age for senility (old age). Senility and old age refers to one who is who is approaching death, so that every day he becomes weaker, until he dies. The injunction for such person in regard of fasting is that he should give charity of fasting. So, it is a concession for old age person in regard of fasting particularly,³ but there is no specific injunction for him in regard of performing salah. A common injunction that applies for all is that if one can perform salah standing, it will not be

¹ Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.215

² Permission of intercourse and the injunction of tayammum if water is harmful

Question: One of the spouses is ill and water is harmful for him whether it is warm or cold. Is it permissible for him to have intercourse?

Answer: Yes, it is allowed for him to have intercourse with her wife according to shariah though water is harmful for him and he cannot bath. So, he will do tayammum. Anees

” (وكذا في شرطه عجزه عن استعمال الماء - - والدليل على كون العجز شرطاً عبارة الآية ودلالاتها، فإن قوله تعالى {وَإِنْ كُنْتُمْ مَرْضَىٰ} يدل بعبارته على أن المرض شرط، وبدلالاته على بقاء الأعداء، فإنها إما معله أو فوقه في الحرج المدفوع على سبيل التأكد لقوله تعالى {مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ} (حتى إن المريض إذا خاف زيادة المرض) بسبب الوضوء أو بالتحرك أو باستعمال الماء (أو خاف (إبطاء البرء) من المرض بسبب ذلك (جاز له التيمم)، ويعرف ذلك إما بغلبة الظن عن أمارته تجرية أو بإخبار طبيب حاذق مسلم غير ظاهر الفسق -

(Al-Halabi Al-Kabeer. P. 65. Book of purity. Chapter: Tayammum. Suhail Academy Lahore) Allah knows the best.

Written by Mahmood (May Allah forgive him) 15/08/1387 A.H. (Fatawa Mahmoodiyah. vol.5 p. 190, 191)

³ وللشيخ الفاني العاجز عن الصوم القطر ويقدى وجوباً (در مختار) (قوله للشيخ الفاني) أي الذي فنيته قوته أو أشرف على الفناء ولذا عرفوه بأنه الذي كل يوم نقص

إلى أن يموت

(Raddul Muhtar. Book of fasting. Chapter: The reason is that allow not too fast. Vol.2 p. 163. Zafeer)

allowed for him to perform it sitting no matter how much he is old.¹ Similarly, tayammum is not allowed for him until he has illness or any other excuse. If cold water harms him in winter, he should make wudu with warm water if he can. Tayammum is not allowed for him in this condition also.² (Fatawa Darul Uloom. Vol.1 p. 256, 257)

Can a paralyzed person do tayammum in helplessness

Question: If a paralysed person is helpless to make wudu without help of a servant and warm water, performed Isha salah with tayammum in the absence of both. Is it allowed or not? If he put on leather socks upon jurab (normal socks) after making wudu, is tayammum allowed upon leather socks or not?

Answer: He can do tayammum. If he put on leather socks after making wudu, he (resident) can wipe over those socks one day and night while making wudu for five salah. If he required tayammum while he put on socks, for example; no one is there to help him or he does not have warm water (that allows tayammum), he can do tayammum over socks. He does not need to put of socks. The reasons that allow tayammum include it also as it mentioned in Durre Mukhtar:

أولم يجد من يوضئه، فإن وجد ولو بأجرة مثل وله ذلك لا يتييم. إلخ.³

(Fatawa Darul Uloom. Vol.1 p. 265)

¹ (من فرائضها) التي لا تصح بدونها (التحرية) قائماً الخ (ومنها القيام) الخ (في فرض) وملحق به كندز وسنة فجر في الأصح (لقادر عليه) وعلى السجود

(Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p.299. Book: The way of performing salah. Zafeer)

² وإذا خاف المحدث أن يقتله البرد أو يمرضه يتييم الخ لكن الأصح عدم جوازه إجماعاً كذا في النهر الفائق والصحيح أنه لا يباح له التيمم كذا في الخلاصة وفتاوى قاضيخان.

(Alamgiri Kishori. Chapter:4 about tayammum. vol.1 p.36)

But according to the research of Allamah Shami, if making wudu harms him, tayammum will be allowed for him as he explained:

قيد بالجنب، لأن المحدث لا يجوز له التيمم للبرد في الصحيح خلافاً لبعض المشائخ كما في الحائية والخلاصة وغيرهما، وفي المصنف أنه بالإجماع على الأصح، قال في الفتى: وكأنه لعدم تحقق ذلك في الوضوء عادةً آه واستشكله الرمي بما صححه في الفتى وغيره في مسألة المسح على الخف من أنه لو خاف سقوط رجله من البرد بعد مضي مدته يجوز له التيمم قال: وليس هذا إلا تيمم المحدث لخوفه على عضوه، فينتج ما في الأسرار من اختيار قول بعض المشائخ - أقول: المختار في مسألة الخف هو المسح لا التيمم كما سيأتي في محله إن شاء الله تعالى، نعم مفاد التعليل بعدم تحقق الضرر في الوضوء عادةً أنه لو تحقق جاز فيه أيضاً اتفاقاً، ولذا مضي عليه في الإمداد لأن الحرج مدفوع بالنص، وهو ظاهر إطلاق المتن.

(Raddul Muhtar. Book of tayammum under his statement " (قوله يهلك الجنب، إلخ) " vol.1 p.216. Zafeer)

³ Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p.215

If one is suffering from sore in hands, can he do tayammum?

Question: A person is suffering from hives in his hands. Can he do tayammum or he should help of other to make wudu?

Answer: If hives are in both hands and the water harms them, tayammum is allowed, but if there is one who can help him to make wudu, the opinions differed to allow tayammum. The most preferable opinion is not to allow.

قال في شرح التنوير: ولويده (أي شقاق) ولا يقدر على الماء يتييم. وقال ابن عابدين رحمه الله تعالى: زاد في الخزان: وصلاته جائزة عنده خلافاً لهما.

(Raddul Muhtar. Vol.1 p.95)

وفي تيمم شرح التنوير: كما يتييم لو الجرح بيديه وإن وجد من يوضيه خلافاً لهما. وقال ابن عابدين رحمه الله تعالى: لكن عبر عن هذا في القنية والمبتغى بقليل جازماً بالتفصيل، وهو الموافق لما مرفى المريض العاجز، من أنه لو وجد من يعينه لا يتييم في ظاهر الرواية، فتنبه لذلك.

(Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p.238) Allah knows the best. 20th Rabi Al-Akhir, 1397 A.H. (Ahsanul Fatawa. Vol.2 p. 56, 57)

Tayammum is allowed for injured person who cannot take bath

question: If a person is so injured that he cannot take bath, what is the injunction of bath for him?

Answer: If a person is half or more than half body is injured, he can do tayammum, but if it is less and he can take bath, he should take bath and wipe over the injuries. If injuries are less, but the water affects badly, tayammum is allowed.

”ويجوز التيمم إذا خاف الجنب إذا اغتسل بالماء أن يقتله البرد أو يمرضه، وإن كان به جراحات يعتبر الأكثر محدثاً كان أو جنباً ففي الجنابة يعتبر أكثر البدن وفي الحدث يعتبر أكثر أعضاء الوضوء فإن كان الأكثر صحيحاً والأقل جريحاً يغسل الصحيح ويمسح على الجريح إن أمكنه وإن لم يمكنه المسح يمسح على الجائر أو فوق الخرقه ولا يجمع بين الغسل والتيمم“.

(Al-Hindiyah. Vol.1 p. 38)¹ (Fatawa Haqqaniyah. Vol.2 p. 613)

¹ قال العلامة الحصكفي: ”(أولمرض) يشتد أو يمتد بغلبة ظن أو قول حاذق مسلم ولو يتحرك“

(Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.233. And so is in Al-Fiqhul Islami Wa Adillatuhu. Book of tayammum. Illness and delaying its healing. Vol.1 p.428)

If one's body is injured, what should you do, bath or tayammum?

Question: A person is injured in his half lower part of the body or in penis and the water harms him. How can he take bath? Can he do tayammum or not?

Answer: Tayammum is not allowed in this condition. Imdadul Fatawa. Vol.1 p.5.¹ (Imdadul Fatawa Jadeed. Vol.1 p.45,46)

What should one do if he cannot take bath because of injuries?

Question: I was riding bike and unfortunately met an accident that abraded my body too much and injured. I sprinkle medicine on the injuries time to time. If I required bath in this condition, how will I take bath? It should also be noticed that water is very harmful for injuries.

Answer: If you can bath preventing injured part, you should do, but if it is difficult to prevent from water, you should do tayammum.

(تيمم لو كان) (أكثره) أى أكثر أعضاء الوضوء عدداً وفي الغسل مساحةً (مجروحاً) أوبه جدرى اعتباراً للأكثر (وبعكسه يغسل) الصحيح ويسمى الجريح - (درمختار) (قوله وبكسه) وهو ما لو كان أكثر الأعضاء صحيحاً يغسل الخ. لكن إذا كان يمكنه غسل الصحيح بدون إصابة الجريح وإلا تيمم (حلية) فلو كانت الجراحة بظهره مثلاً وإذا صب الماء سال عليها يكون ما فوقها في حكمها فيضم إليها كما يحتمل الشرنبلالي في الإمداد وقال لم أره. وما ذكرناه صريح فيه.

¹ Actually, the matter was written in Imdadul Fatawa.

Answer: For, it is difficult to wash most parts of the body, tayammum is allowed.

في الدر المختار: (تيمم لو كان) (أكثره) ... (مجروحاً) ... (وبعكسه يغسل) الصحيح ويسمى الجريح. في رد المحتار: (قوله وبكسه) وهو ما لو كان أكثر الأعضاء صحيحاً يغسل الخ. لكن إذا كان يمكنه غسل الصحيح بدون إصابة الجريح وإلا تيمم - (حلية) فلو كانت الجراحة بظهره مثلاً وإذا صب الماء سال عليها يكون ما فوقها في حكمها فيضم إليها كما يحتمل الشرنبلالي في الإمداد وقال لم أره. وما ذكرناه صريح فيه آه.

(Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. vol.1 p.257) Allah knows the best. 12th Jumada Al-Thani, 1322 A.H.

It was written in the margin: The reason was that he can wash head without any difficulty. So, it is not impossible to wash the whole body, but if he washes upper part of the body except head the water will flow over the lower part also that is harmful. That's why it was difficult to wash most parts. However, if he washes laying on back with inconvenience, it may be possible, but such inconvenience is not considered in Shariah and If other person can wash his upper part of the body easily, but the able person with the ability of other is not able. It is my research, but it is better if you consult other ulama also. Saeed Ahmad Palanpuri. (May Allah forgive him)

Then it is written in Mulhaqat First compliment regarding this matter (Fatawa Imdadiyah. Vol.1 p.5. Mas'alah No.2)

Written by Muhammad Anwar (May Allah forgive him) Mufti Khairul Madaris. Multan.
28/12/1410 A.H. (Khairul Fatawa. Vol.2 p. 83, 84)

If most parts of wudu are injured, should he do tayammum or not?

Question: If a person has itching hives on hands, feet and face and water harms him, can this person do tayammum instead of bath and wudu?

Answer: If most parts of wudu (face, both hands and both feet) are injured more than half, he will do tayammum, otherwise wash correct part and wipe over injured one.¹ The same injunction goes regarding bath, but here the whole body will be measured rather than number of parts of the body. If more than half parts of the body are injured, he will do tayammum and if it is half of the body or less than that, he will wipe over. If washing correct parts is harmful for injuries, that parts are also in the injunction of injured part.

قال في شرح التنوير: (تيمم لو) كانت (أكثره) أى أكثر أعضاء الوضوء عدداً وفي الغسل مساحه (مجروحاً) أو به جدرى اعتباراً للأكثر (وبعكسه يغسل) الصحيح ويمسح الجريح (وكذا) إن استويا غسل الصحيح من أعضاء الوضوء ولا رواية في الغسل (ومسح الباقي) منها (وهو) الأصح لأنه (أحوط) فكان أولى، وفي الشامية (قوله وبعكسه) وهو ما لو كان أكثر الأعضاء صحيحاً يغسل ثم، لكن إذا كان يمكنه غسل الصحيح بدون إصابة الجريح وإلا تيمم (حلية) فلو كانت الجراحة بظهره مثلاً وإذا صب الماء سال عليها يكون ما فوقها في حكمها فيضمر إليها كما يحثه الشرنبلالي في الإمداد، وقال تحت (قوله ولا رواية في الغسل) ورجح في البحر تصحيح الثاني (أى الغسل والمسح) بأنه أحوط وتبعه في المتن-

¹ عن جابر بن عبد الله قال: خرجنا في سفر فأصاب رجلاً منا حجر فشجه في رأسه ثم احتلم فقال أصحابه: هل تجدون لي رخصة في التيمم؟ قالوا: ما نجد لك رخصة وأنت تقدر على الماء فغسل فمات، فلما قدمنا على النبي صلى الله عليه وسلم أخبر بذلك فقال: قتلوه قتلهم الله ألا سألوا إذا لم يعلموا فإنما شفاء العي السؤال. إنما كان يكفيه أن يتيمم ويعصر أو يعصب - شت مولى - على جرحه خرقة ثم يمسح عليها ويغسل سائر جسده -

(Abu Dawood. Book: Infected with smallpox will do tayammum)

عن ابن عباس بن عبد الله بن جابر أن رجلاً أصابه جرح في رأسه على عهد رسول الله صلى الله عليه وسلم ثم أصابه احتلام فأمر بالاعتسال فاعتسل... فمات فبلغ ذلك النبي صلى الله عليه وسلم فقال: قتلوه قتلهم الله، أولم يكن شفاء العي السؤال؟ قال عطاء: فبلغنا أن رسول الله صلى الله عليه وسلم قال: لو غسل جسده وترك رأسه حيث أصابه الجراح -

(Ibn Majah. Chapter about injured person who became sexually impure and fears from himself if he takes bath. P. 81. No. 572. Daraqutni. Chapter about allowing tayammum for injured person. Vol.1 p. 198. No. 720)

This hadith indicates to combine tayammum and bath both, but tayammum will be considered for much injured and bath and wudu for less injured. Anees

(Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. vol.1 p. 237) Allah knows the best. 24th Rabi Al-Akhir, 1397 A.H. (Ahsanul Fatawa. Vol.2 p. 58, 59)

If wiping over injury or bandage is difficult, what should he do?

Question: What should one do, if wiping over injury or bandage is difficult?

Answer: If he cannot wiper over injury or bandage, tayammum is allowed.¹ (Fatawa Darul Uloom. Vol.1 p. 246)

Injunction of tayammum, if the excused person does not have servant

Question: If a person is suffering from disease in his hand and feet that make him disable to make wudu himself, will he hire servant for help or do tayammum?

Answer: It is not necessary for him to hire servant. If he can find servant or helper, he will make wudu, otherwise he will do tayammum and perform salah.

قال ابن نجيم: أو كان لا يجد من يوضئه ولا يقدر بنفسه اتفاقاً وإن وجد خادماً كعبده وولده وأجيريه لا يجزيه التيمم اتفاقاً.

(Al-Bahrur Raique. Book of tayammum. vol.1 p. 140)² (Fatawa Haqqaniyah. Vol.2 p. 552)

Can one do tayammum, if he fears from danger for his cattle in jungle

Question: A person is grazing cattle in jungle and the time of salah reached. Water is on the distance of about 1 mile. He fears that if he goes to make wudu, the cattle will enter in the field or will be lost. Is it allowed to perform salah with tayammum in this condition or not?

Answer: It allowed to do tayammum in this condition. Durre Mukhtar.³ (Fatawa Darul Uloom. Vol.1 p. 264, 265)

¹ (ويترك) المسح كالغسل (إن ضرر وإلا لا يترك).

(Al-Durrul Mukhtar on Raddul Muhtar. Book of wiping over leather socks, wiping over bandage. Vol.1 p. 258) And so is in Ahsanul Fatawa. Vol.2 p. 56

² قال الحصكفي: أولم يجد من يوضئه فإن وجد ولو بأجرة مثل وله ذلك لا يتييم في ظاهري المذهب.

(Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 233. And so is in Al-Hindiyyah. Book of tayammum. vol.2 p.28)

³ (أو خوف عدو) كحبة أونا على نفسه ولومن فاسق أو حبس غريم أو ماله ولوأمانة الخ (تيمم) - (درمختار) (قوله أو ماله) عطف على نفسه ح. ولم أر من قدر المال بمقدار. وسنذكر عن التتارخانية ما يفيد تقديره بدرهم. كما يجوز له قطع الصلوة.

(Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 216, 217)

Note: This tayammum is allowed only then he fears that the kettle will be lost. If he fears that they will enter in the field, tayammum is not allowed as it declared from coming answer that

Injunction of tayammum for shepherd in the jungle

Question: (1) A person is grazing herd of 20-30 buffaloes and the water is near, but he fears that the buffaloes will graze in the other's field. Is tayammum allowed in this condition are not?

Question: (2) A person is alone his harvest and he fears that if he goes for making wudu, the thieves will take all crops. If the water is on the distance of ½ mile, is tayammum allowed or not?

Answer: (1) It is written in Al-Durrul Mukhtar:

(من عجز)... (عن استعمال الماء)... (لبعده)... (مميلاً)... (أو لمرض)... (أو برد) يهلك المجنب أو يمرضه... (أو خوف عدو) كحبة
أونار على نفسه ولو من فاسق أو حبس غريم أو ماله ولو أمانة - وفي الشامي: عد الأمانة ماله باعتبار وضع اليد عليها ط - (أو عطش)... (أو
عدم آلة طاهرة... (تيمم) لهذه الأعذار كلها - آه

(Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p. 243)

It is understood that fearing from losing his own wealth (ownership or guardianship) allows tayammum while other's wealth does not. Therefore, tayammum is not allowed for that person, rather it is necessary for him to make wudu and carry the cattle to the place of water and prevent them to enter the field while making wudu. The second point is that as he fears from entering in other's field, he will fear the same while performing salah. Does he want to leave salah? Therefore, this excuse will not be accepted and it is necessary for him to arrange the cattle as much as he can and perform salah after making wudu.

Answer: (2) Tayammum is allowed in this condition.

لخوفه على ماله وقدره بالدريم كما في الشامية.

(Raddul Muhtar. Book of tayammum. vol.1 p. 242) 27th Shawwal, 1344 A.H. (Imdadul Ahkam. Vol.1 p. 387, 388)

Doing tayammum instead of bathing due to open private parts in front of people

Question: A person is living in a place where he has no facility to take bath. Whenever he takes bath, it is certain to open private parts in front of people. Can he perform or lead salah with tayammum in this situation?

tayammum is allowed if one fears from losing his own wealth (ownership or guardianship), but it is not allowed if he fears from losing other's wealth.

Answer: If it is not possible to take bath without opening private parts in front of people, the opinions differed about allowing tayammum for this person. Imam Halabi allows it as it is explained in Sharah Al-Kabeer. P.50:

وبالجملة فلا ضرورة في كشف العورة للغسل عند من لا يجوز نظره إليها لأَن له خلفاً بخلاف المختار ونحوه¹

So, it is better for him not to lead salah and if he has lead salah, he should write a letter to inform the followers to repeat their salah. As it is mentioned in Sharah Al-Tanweer:

كما يلزم الإمام إخبار القوم إذا أمهر وهو محدث أو جنب) ... (بالقدر الممكن) بلسانه أو (بكتاب أو رسول على الأصح) لومعينين
والإلا يلزمه

It is written in Raddul Muhtar. Vol.1 p. 554:

وقال ح: وإن تعين بعضهم لزمه إخباره²

Allah is all Helping.

(Fatawa Deoband Pakistan, known as Fatawa Faridiyah. Vol.2 p. 93)

Permission of tayammum due to appearing private parts

Question: A person required to bath in a place where he has no arrangement to take bath inside and it is most probability to appear private parts while bathing. What is the injunction about taking bath in this situation?

Answer: If it is not possible to take bath without opening private parts in front of people, tayammum is allowed for him; i.e. he will suffice to do tayammum for preventing from opening private parts. He will take bath when he finds chance.

”قال إبراهيم الحلبي: وللغسل خلف وهو التيمم فلا يجوز كشف العورة عند من لا يجوز نظره إليها لأجله“ -

(Kabeeri. Obligatory acts of bath. P. 51)³ (Fatawa Haqqaniyah. Vol.2 p. 528, 529)

¹ Ghunyatul Mustamli Sharah Munyatul Musalli. P.50. Chapter: Bath.

² (Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p. 438. Matter about the occasion when salah of Imam nullifies not salah of followers)

³ قال ابن عابدين: ولا يخفى أن تأخير الغسل لا يقتضي عدم التيمم فإن المبيح له وهو العجز عن الماء قد وجد، فافهم

(Raddul Muhtar on Al-Durrul Mukhtar. Chapter: Bath. Vol.1 p.155)

Matter of tayammum if water finished during making wudu

Question: If water finished while one part of wudu is remaining to be washed and water is not near there, what is to do in this time?

Answer: When he fears from insufficient water, he should use sparingly. He should suffice to make wudu or should wash only obligatory parts. However, if one part is to be washed and water finished while he does not expect to find water according to the rule of shariah, he should do tayammum.¹ Allah knows the best.

Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur. 06/21/1404 A.H. (Muntakhabat Nizamul Fatawa. Vol.1 p. 15)

Condition of tayammum in train for sexually impure person

Question: If one requires to take bath in train during journey; he does not have sufficient water for bath and he finds water that can suffice to wudu, can you perform salah with tayammum of bath? Though sufficient water is available in every place on the station, but it is difficult to take bath in train. Can he do tayammum or not?

Answer: It is not difficult to take bath on the station. He should wear lungi, pay for water and say to the water man to pour water on him. He should purify his legs in the bathroom or toilet of train before taking bath. He can take bath by taking water in a pot or he can take bath in bathroom or toilet if water is coming through tap. He should be careful. Tayammum is not allowed in this condition.

13th Safar, 1330 A.H. First compliment. P.9 (Imdadul Fatawa. Vol.1 p. 74, 75)

Doing tayammum because of crowd in train

Question: A person wants to perform salah in train where water is not available. It is overcrowded that if he alights from the train to make wudu, he will miss the train with most probability and sometimes it is impossible to alight from the train. Can he perform salah with tayammum in this situation or not?

Answer: It is allowed to perform salah with tayammum in this condition.²

¹ لو كان مع الحدث ما يكفي لغسل بعض أعضاء الوضوء فإنه يتيمم من غير غسله، هكذا في شرح الوقاية

(Al-Fatawa Al-Hindiyah. Book of tayammum. Chapter:3 about miscellaneous. Vol.1 p.30. Darul Kitab)

² وعن أبي يوسف: إذا كان بحيث لو ذهب إليه وتوضأ تذهب القافلة وتغيب عن بصره فهو بعيد ويجوز له التيمم، واستحسن المشائخ هذه الرواية، كذا في التجنيس.

Written by Muhammad Zafar Alam Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 229)

Is tayammum allowed in train or not?

Question: If it is feared from missing salah in train or car, is tayammum allowed or not? If the driver forbids to stop the car, is it allowed to do tayammum on the board of train or iron tagger of car?

Answer: There are some conditions to allow salah with tayammum in train or car as follow:

- (1) Water is not available in other carriage of train also.
- (2) He does not know that the water is available within the distance of 1.83 miles in the way.
- (3) If the dust got on the board of train or car that can be applied with hands, tayammum is allowed on that.
- (4) He should perform salah standing.
- (5) He will face Qiblah. If he does not know the direction of Qiblah, he should ponder and will face to the direction where his heart indicates. If none of these conditions are fulfilled, he will perform salah as he can, but he should make up for later.

قال في الدر المختار: (أو خوف عدو) كحبة أُنار على نفسه ولو من فاسق أو حبس غريم أو ماله ولو أمانة ثم إن نشأ الخوف بسبب وعيد عبد أعاد الصلاة وإلا لأنه سماوى - وقال في رد المحتار تحت (قوله ثم إن نشأ الخوف ثم): اعلم أن المانع من الوضوء إن كان من قبل العباد: كإسیر منعه الكفار من الوضوء، ومحبوس في السجن، ومن قيل له إن توضأت قتلتك جازله التيمر ويعيد الصلاة إذا زال المانع، كذا في الدرر والوقاية -

(Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. Vol.1 p. 217) Allah knows the best. 1st Zil Hijj, 1386 A.H. (Ahsanul Fatawa. Vol.2 p.55)

Issues of salah, wudu and tayammum in train

Question: It is required necessarily to dissolve the difficulties cause laziness for performing salah. Therefore, you are requested to dissolve the difficulties during train journey or as you think better according to shariah. For example: (1) Stopping for a short time. If one cannot find the time in which he can fulfil natural need (urine or defecation) while there is no toilet in train and he cannot make wudu for performing salah, what should you do? Should you perform salah with tayammum or not? (2) If one does not

find water for making wudu or taking bath according to Shariah during train journey, so they perform salah with tayammum or not? (3) Train is halting for a short time on station. If one cannot find place for performing salah with ruku (bowing) and sajdah (prostrating) because of crowd in train or cannot face the direction of Qiblah because of moving the way, how should he perform salah?

Answer: The answers to the questions are given in detail as follow:

- (1) If water is not found in train, but it is certain that he can find within the time of salah, it is recommended to delay salah. If it is found, he should perform salah with wudu and if it is not found and it seems that the time of salah will over, he should perform salah with tayammum.¹ If water is not found, it should be on the distance of at least 1 mile.²
- (2) If one began performing salah with tayammum when he did not find water and the station came closer where he will find water surely before completing salah, he should renew salah after making wudu. But if the train reached the station where water is found after completing salah, his salah is done and he does not need to repeat it.³
- (3) If one cannot get water freely on a station, but it is sold by normal price and he has that amount, he should buy water and perform salah with wudu. It is not allowed for him to do tayammum. If he does not have the price or it is more expensive than normal price, he should perform salah with tayammum.⁴
- (4) If the person giving water is a non-Muslim, it is allowed to buy water from him to make wudu, but if it is certain that his container or water is impure, it is allowed to do tayammum.⁵

¹ ويستحب لعادم الماء وهو يرجوه أن يؤخر الصلوة إلى آخر الوقت فإن وجد الماء يتوضأ وإلا تيمم وصلى ليقته الأداء بأكمل الطهارةتين التيمم - (Al-Hidayah. Book of tayammum. vol.1 p.55)

² (من عجز)... (عن استعمال الماء)... (لبعد)... (مبلاً) التيمم - (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 214)

³ وندب لراجيه رجائاً قوياً آخر الوقت المستحب ولولم يؤخر وتيمم وصلى جاز إن كان بينه وبين الماء ميل وإلا لا - (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 229)

⁴ وإن لم يعطه إلا بضمن مثله أو بغيره يسيرو له ذلك فاضلاً عن حاجته لا يتيمم ولو أعطاه بأكثر يعني بغيره فاحش وهو ضعف قيمته في ذلك المكان أو ليس له فمن ذلك تيمم - (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 231)

⁵ The water distributed on the station and its pot are pure normally. So, it should not be doubted. Zafeer.

- (5) If anyone has water in train, he should ask him water to make wudu. If he gives water by money, he should perform salah with wudu, but if he does not give, he should perform salah with tayammum. One should not hesitate to ask water in this condition, because it is more essential to perform obligatory task of Shariah. He will not be considered a helpless until he asked the water, so tayammum will not be allowed.¹
- (6) A person has water and he knows that water is not provided on the stations. If he makes wudu, he will remain thirsty and cannot bear it. He will perform salah with tayammum.²
- (7) If the traveller in train requires to relieve himself, he should do it first and perform salah with wudu. If he required to relieve himself, but he cannot do due to having no chance and later he did not feel to relieve himself, he can perform salah with wudu.³
- (8) A traveller has only a mug of water that can suffice for wudu and cannot cover purification and wudu. If this person needs defecation, he should purify with clods and use water for wudu, but if the impurity surpassed the private part, he should purify with water and do tayammum for salah.⁴
- (9) The travellers should observe salah and take into account before coming time of salah. For example; if he wants to relieve himself, he should do earlier. Normally, toilets are found in train. If it is not available in any train by chance, he should relieve himself on the station where the train stops 10-15 minutes before the time of salah or he should purify in another train. Similarly, he should get water from any station before the time of salah, so that he may not disturb

¹ ويطلبه وجوباً على الظاهر من رفيقه ممن هو معه فإن منعه ولو دلالة بأن استهلكه تيمم لتحقيق عجزه الخ وقبل طلبه لا يتيمم على الظاهر الخ لأنه مبذول عادةً وعليه الفتوى.

(Al-Durrul Mukhtar. Book of tayammum. Vol.1 p. 231)

Nowadays water is provided inside bathroom of every train and it is pure. It is allowed to make wudu and bath with that. Therefore, there is no excuse for making wudu.

² وخائف السب والعدو والعطش عاجز حكماً

(Al-Hidayah. Book of tayammum. vol.1 p.55)

³ Toilets are available in train nowadays. Zafeer

⁴ (ويجب) أى يفرض غسله (إن جاوز المخرج نجس) مائة ويعتبر القدر المائة لصلوة (فيما وراء موضع الاستنجاء) لأن ما على المخرج ساقط شرعاً وإن كثر، و لهذا لا تكره الصلاة معه.

(Al-Durrul Mukhtar on Raddul Muhtar. Book of purification. Vol.1 p. 313, 314)

nowadays tap of water is available in the toilets of train and its water is pure and allowed for everyone. Zafeer

for performing salah. We fulfil our other needs in train also. When we find food what we want, we buy and keep it for the time being, so that we may not have any difficulty at main time. Doing the same for salah is essential for a Muslim.

- (10) As the person not having wudu can perform salah with tayammum if we do not find water (mentioned above), junub can do tayammum for bath. Salah cannot be missed in any condition.¹
- (11) If he is certain that the train will stop at the station within the time of salah, where tap of water or well is available and he can take bath within the halt, he should not do tayammum.²
- (12) The water tap is in the sun whose water is warm or the water is so cold in the winter and he is sure that the water will harm him and made him ill if he took bath, he should perform salah with tayammum.³
- (13) If he hesitates to take bath on the tap or feels against his dignity to take bath on the well of the station, this excuse is not accepted according to Shariah.
- (14) It is necessary to face Qiblah in train while running all the times. He should face Qiblah in the beginning of salah and if the direction of train changed (and he knows it) he should also turn towards Qiblah. If the direction changed more than one time and he also changed the same and perform four rakah of salah in four direction, it carries no harm rather it is required. If he does not know about changing the direction of train and perform salah in one direction, salah is valid. If one does not know the direction of Qiblah, he should consult people. If no one can inform, he should think deeply and perform salah in the direction he guessed and his heart witnessed.⁴

¹ والحدث والجنابة فيه سواء وكذا الحيض والنفاس لما رُوي أن قوماً جاءوا إلى رسول الله صلى الله عليه وسلم وقالوا: إنا قوم نسكن هذه الرمال ولا نجد الماء شهراً أو شهرين وفيها الجنب والحائض والنفاس فقال: عليكم بأرضكم -

(Al-Hidayah. Book of tayammum. vol.1 p.52, 53)

² (ويجب) أى يفترض (طلبه) ولو برسوله (قدر غلوة) ثلاثمائة ذراع ثم (إن ظن) ظناً قوياً (قربه) دون ميل بأمانة أو إخبار عدل (والإثم) (لا) يجب -

(Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 214)

الجنب الصحيح في المصرا إذا خاف بغلبة ظنه عن التجربة الصحيحة إن اغتسل أن يقتله البرد أو يمرضه يتيمر عند أي حنيفة وإن كان الجنب خارج ³ المصري يتيمر بالاتفاق -

(Ghunyatul Mustamli. P.64, Zafeer)

(وقيلة العاجز عنها) لمرض وإن وجد موهماً عند الإمام أو خوف مال، وكذا كل من سقط عنه الأركان (جهة قدرته) ثم (ويتحري) هو بذل المجهود لئلا ⁴ المقصود (عاجز عن معرفة القبلة) بما مر (فإن ظهر خطؤه لم يعد) لما مر (وإن علم به في صلاته أو تحول رأيه) ثم (استدار وبني) حتى لو صلى كل ركعة لجهة جاز -

(Al-Durrul Mukhtar on the margin of Raddul Muhtar. Chapter: The conditions of salah. Vol.1 p.401)

ومن أراد أن يصل في سفينة تطوعاً أو فريضة فعليه أن يستقبل القبلة ثم حتى لو دارت السفينة وهو يصل توجه إلى القبلة حيث دارت ثم -

- (15) He should not perform salah sitting without excuse in train, because standing is obligatory in salah; it should not be missed. Thinking that he cannot perform salah standing is only suspicion, because the political has proved (people have been performing salah standing in train for a long time) that no one fell down from the train or felt dizziness or vomiting.¹
- (16) The injunction of train is not like boat, horse and camel. It is allowed to perform salah sitting in boat in the opinion of Imam Abu Hanifah (r), because one feels dizziness generally, but it is not allowed in the opinion of Imam Abu Usuf (r) and Imam Muhammad (r) without any excuse until he felt dizziness and vomit. It is not allowed to perform obligatory salah on the horse without any excuse. If the wagon or carriage is attached with horse, is it not allowed to perform obligatory salah in it without any excuse and if it is not attached and stopped on the ground, one should perform salah in it standing, because ulama considered it like stage. Those who compare train with boat, they allow to perform Salah sitting in it, but it should be clear that if he does not feel dizziness and vomit, it will not be allowed to perform sitting in the view of Sahibain. Thus, the reason of not standing in the boat is dizziness and vomit. Thinking that it mostly happens in the boat, Imam Abu Hanifah (r) allowed to perform Salah sitting while Sahibain (r) did not consider necessary to feel it. However, the reason of not standing is dizziness, but those who travel by train know that no one feels it as we see a large number of men, women, old and children of every country travelling by train. We should understand that when there is no similarity between train and boat in this regard, why to leave standing. The injunction of performing Salah on stage goes to train also, because if the wheels are attached with and pulled it, the previous injunction will remain the same. So, there is no reason for those who travel by train to leave standing in Salah. However, the fear of falling down during performing Salah standing, is merely doubt and the experience is opposing it. At least he should try once, if he falls or not. There is no intellectuality in ignoring the command of Allah only because of doubt.²

(Alamagiri: Facing Qiblah. Vol.1 p.59)

(من تعذر عليه القيام)... (لمرض) حقيقى وحده أن يلحقه بالقيام ضرر، به يفنى الخ (أو) حكى بأن (خاف زيادته... أو دوران رأسه أو وجد لقيامه ألماً شديداً)¹

الخ (صلى قاعداً) الخ (وإن قدر على بعض القيام) ولو متكتأ على عتاً أو حائط (قام) لزوماً بقدر ما يقدر

(Al-Durrul Mukhtar on Raddul Muhtar. Chapter: Salah of sick person. Vol.1 p. 708)

(صلى الفرض في فلتك) جاز (قاعداً بلا عذر صرح) لغلبة العجز (وأساء) وقالوا: لا يصح إلا بعد زوهره والظاهر. بهرأب (والربوطة في الشط كالشط في)²

الأصعب (والربوطة بلجة البحر إن كان الريح يحركها شديداً فكلسائرة والإفكالواقفة) (در مختار) (قوله لغلبة العجز): أي لأن دوران الرأس فيها غالب،

والغالب كالمحقق فأقير مقامه (قوله وأساء): أشار إلى أن القيام أفضل لأنه أبعد عن شبهة الخلاف والخروج أفضل إن أمكنه لأنه أمكن لقلبه (قوله وهو الأظهر)

وفي الحلية بعد سوق الأدلة: والأظهر أن قولهما أشبه فلا جرم أن في الحاوى القدسي وبه نأخذ (قوله والربوطة في الشط الخ) فلا تجوز الصلاة فيها قاعداً اتفاقاً

- (17) Some people perform Salah in train sitting on one seat lowering legs as sitting on the chair. They prostrate on the other seat. It is not permissible and Salah will not be valid, because on one hand, standing in Salah is missed which was obligatory, on the other hand they did not place their knee on the ground during prostrating that was also obligatory.¹ If Qiblah is in such direction in train, they should put the luggage in between and perform Salah standing on one seat and prostrating on another. If they have no luggage, they can ask others as they have many luggage. If they did not find, they should not perform Salah as they perform and when the station comes, he should perform. If the crowd is too much in train to perform Salah by anyway and he cannot perform prostration and ruku, he should delay Salah in such condition and should not perform by gesturing.²
- (18) Some people do not perform Salah in train thinking that other people may be disturbed or they will not give place to perform, but such kind of thought is wrong. No one is miser to give place for performing Salah. Let alone Muslims, non-Muslims also leave their places for sometimes to perform Salah happily, as I experienced mostly. Therefore, it is not good to leave Salah by this thought. When he requests other travellers for sitting and sleeping in difficulties, why should he not do for Salah that is Allah's command

These some conditions came into my account that I have written shortly.

(Fatawa Darul Uloom. Vol.1 p. 249-256)

The excused person does tayammum and leads salah

Question: A person requires to take seminal bath. He is certain to fall ill if he baths before Fajr salah in chilly winter. Can he do tayammum of bath, make wudu and per perform Fajr Salah in the house or he can perform in masjid? It should also be noticed that he is Imam of masjid and there is no one moreover worthy to lead Salah.

الخ وعلى هذا ينبغي أن لا تجوز الصلاة فيها سائرة مع إمكان الخروج إلى البر، (قوله وإلا فكالواقفة) أي إن لم تحركها الريح شيئاً بل يسيراً فحكمها كالواقفة فلا تجوز الصلاة فيها قاعداً مع القدرة على القيام

(Raddul Muhtar. Chapter: Salah of sick person. Vol.1 p.713, 714)

The discussion of Mufti Sahab explained that if he falls down, he can perform Salah sitting in train. There are some small lines rains in India, that one cannot perform standing in it. So, it will be permissible to perform Salah sitting in these trains. Allah knows the best. Zafeer Miftahi.

¹ (ومن فرائضها القيام) بحيث لو مد يديه لا ينال ركبتيه الخ (ومنها السجود) بجبهته وقدميه الخ

(Al-Durrul Mukhtar on Raddul Muhtar. Chapter: The feature of Salah. Vol.1 p. 716)

² If he performed by gesturing, he has to repeat it later. Anees

Answer: If there are any means to warm water, he should warm water otherwise do tayammum and perform Salah and should not miss it. Tayammum of bath will suffice for wudu. If wudu does not harm, he should make wudu before tayammum. It is not necessary to perform Salah with tayammum at home only, rather he should attend congregation in masjid and should not miss it. According to Shariah, the person who did tayammum can lead Salah also.¹

” (أو برد) يهلك الجنب أو يمرضه ولو في المصر إذا لم تكن له أجرة حمام ولا ما يدفعه “در مختار” قال في البحر: فصار الأصل أنه متى قدر على الاغتسال بوجه من الوجوه، لا يباح له التيمم إجماعاً الخ “-

(Raddul Muhtar. Vol.1 p. 156)²

” وترجع المذهب بفعل عمرو بن العاص رضي الله تعالى عنه حين صلى بقومه بالتيمم لخوف البرد من غسل الجنابة وهم متوضئون، ولم يأمرهم عليه الصلوة والسلام بالإعادة حين علم الخ “-

(Vol.1 p. 363)³

It is understood by the above text that Salah performed behind Imam who led salah with tayammum is correct and there is no need to repeat it. Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p. 214, 215)

Upon which things tayammum is allowed

Question: Is it allowed to do tayammum upon the following things:

- (1) Jar, pot, pitcher whether they are full with water or not, but they are dried with no dust on them.

¹ Leading Salah with tayammum

1. Since, tayammum is substitute of wudu and bath, Imam Abu Hanifah (r) and Imam Abu Usuf (r) said that the one who did tayammum is allowed to lead Salah and followers' Salah with tayammum and wudu will be correct. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 257)
2. If a person began leading Salah with tayammum and the followers are with wudu and Imam faced any impurity and he made Imam someone who had wudu to lead the remaining Salah, it is correct. Similarly, it is also correct to make Imam someone who had done tayammum and this person will follow after doing tayammum or wudu if he can use water or find water, but in the case of wudu he will not resume Salah, because what he had performed before have been nullified. However, Salah of other followers will be correct. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 257-259) (Taharat Ke Ahkam Wa Masail. P. 198)

² Al-Durrul Muhtar with Raddul Muhtar. Vol.1 p. 234. Chapter: Tayammum. Saeed. Al-Tatarkhaniyah. Vol.1 p. 245. Another kind about the person, tayammum is allowed for him. Idarah Al-Quran. Karachi. Al-Nahr Al-Faique. Vol.1 p. 99. Chapter: Tayammum.

³ Al-Bahr Al-Raique. Vol.1 p. 636. Book of Salah. Chapter: Leading Salah. Rasheediyah.

- (2) The whitened wall whether it is whitened with white cement only or mixing some blue or any colour.
- (3) Women collect wet soil and do tayammum upon it when it dries.
- (4) The ash of the oven, whether it is from wood or any other pure thing or from dungcakes that is burnt and turned into ash.
- (5) The seats of train, bus and car whether there is dust or not or some dust.

Answer: Tayammum is allowed upon things mentioned in first three numbers and not allowed upon what is mentioned in fourth number and it is allowed in fifth if there is dust else not.¹ The rule is that tayammum is allowed on the thing which neither burns by burning nor melt by melting, but tayammum is allowed on lime (a kind of cement). Tayammum is not allowed on ash. It is mentioned in Al-Tanweer:

بمطهر من جنس الأرض وإن لم يكن عليه نقع، فلا يجوز بمنطبة ومترمد وفي الشرح: إلا رماد الحجر فيجوز كحجر مدقوق أو مغسول، وحائط مطين أو مجصص، وأوان من طين غير مدهونة، آه، وقال في الشامية: (قوله من جنس الأرض) الفارق بين جنس الأرض وغيره أن كل ما يترق بالنار فيصير ماداً كالشجر والحشيش أو ينطبة ويلين كالحديد والصفرة والذهب والزجاج ونحوها فليس من جنس الأرض، ابن كمال عن التحفة، آه، بمطهر من جنس الأرض وإن لم يكن عليه نقع، فلا يجوز بمنطبة ومترمد وفي الشرح: إلا رماد الحجر فيجوز كحجر مدقوق أو مغسول، وحائط مطين أو مجصص، وأوان من طين غير مدهونة، آه، وقال في الشامية: (قوله من

عن حماد قال: تيمم بالصعيد والجص والجبل والرمال.¹

(Musannaf ibn Abi Shaibah. P. 196. What is allowed to do tayammum upon. Vol.1 p. 148. No. 1704)

The dust should be pure for tayammum as Allah Almighty said commanding for tayammum:

”فَتَيَمَّمُوا صَعِيداً طَيِّباً“

The word "صعيد" means soil, dust and what is on the front surface of the earth. So, Tayammum is valid if done using anything that is prepared by the earth like mountain salt, kohlr, sand, stone and its all categories like agate, peridot, turquoise, marble, arsenic and all kinds of soil whatever the colour may be, lime, ocher, cement, adobe or baked brick, clay pot or baked pot if they are not pigmented, the wall made with soil, cement, brick or stone weather dust is found here or not. (Hidayah. Vol.1 p. 53. Munyatul Musalli. P.23. Raddul Muhtar. Vol.1 p.240)

If there is something, tayammum is not allowed upon, mixed with soil, the most quantity will be considered. If the soil is more than the other thing, tayammum will be allowed. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 242)

If dust is got on the impure thing when it was dry and there is no possibility to involved with any part of the impurity while doing tayammum upon it, tayammum is allowed upon it like the dust got on impure cloth after drying, tayammum is allowed upon that dust. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 240)

If the earth got impure and the effect of impurity remained no longer after drying, though it is allowed to perform Salah on it, but tayammum is not allowed, because though the art is pure, but it is not purifier. However, if it is difficult to find any other soil, tayammum is allowed on that soil. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 242)

If the soil is neither self-owned nor generally allowed (road and other uncultivated fields), tayammum is not allowed from others' ground without permission. (Taharat ke Ahkam Wa Masail. P. 179-181)

جنس الأرض (الخ) الفارق بين جنس الأرض وغيره أن كل ما يحترق بالنار فيصير ماداً كالشجر والحشيش أو ينطبع ويلين كالحديد والصفروالذهب والزجاج ونحوها فليس من جنس الأرض، ابن كمال عن التحفة، آه

(Al-Tanweer with Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. vol.1 p. 220) Allah knows the best.

30th Rabi Al-Akhar, 1389 A.H. (Ahsanul Fatawa. Vol.2 p. 57, 58)

The injunction of tayammum upon baked brick

Question: Is tayammum allowed upon the brick hardened by heating?

Answer: It is allowed.

وأما التيمم بالأجر فعند أبي حنيفة رحمه الله تعالى يجوز مطلقاً ذق أولاً، لأنه من أجزاء الأرض وإن شوى وتصلب بمنزلة النورة.

(Kabeeri. P. 75) Allah knows the best.

Written by Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan.

Authenticated by Abdussattar (May Allah forgive him) President of Ifta, Jamia Khairul Madaris, Multan. 15/05/1408 A.H. (Khairul Fatawa. Vol.2 p. 124)

The injunction of doing tayammum upon the ground of masjid

Question: Is tayammum allowed upon the ground of masjid?

Answer: I did not find the text about it this time, but I have seen somewhere that it is disliked.¹ (First compliment. P.6) (Imdadul Fatawa Jadeed. Vol.1 p. 71-73)

¹ There are two kinds of doing tayammum upon the soil of masjid:

- (1) Using in dire need. For example; a person was sleeping inside masjid and he required bath and it is impossible to get out suddenly because of rain, darkness etc., He is recommended to do tayammum so that he should not stay in masjid in the state of seminal impurity. All Hanafis Fuqaha has written this issue, but no one explained that he should not do tayammum upon the soil of masjid, rather they explained generally.

(Shami. Vol.1 p. 225. Chapter: Tayammum)

Therefore, if there is no other soil, he can use the soil of masjid for tayammum, because the texts are unconditional.

Ulama Shafa'ee schools of thought has written that he should not do tayammum upon the soil of masjid. If there is other soil, he should use it otherwise he should stay in masjid in the state of seminal impurity, but Imam Nawawi (r) has objected that if one used some soil of masjid in dire need, there is nothing wrong. Imam Zarakhshi Muhammad ibn Abdullah Shafa'ee (745-794 A.H.) has written in "Elam Al-Sajid Bi Ahkam Al-Masajid. P. 317:

Tayammum upon the wall of masjid

Question: Is tayammum allowed upon the cemented whitened wall of masjid or not?

Answer: If one did upon the wall of masjid, his tayammum and Salah will be correct,¹ but it is contrary to the cleanliness of masjid. Therefore, one should not do tayammum upon that. Moreover, for, Fuqaha have different opinions about doing tayammum upon the arsenic, he should be in safe side in doing tayammum upon the arsenic.² Allah knows the best.

Written by Muhammad Uthman Ghani 03/04/1369 A.H. (Fatawa Imarat Shariah. Vol.2 p. 77)

Doing tayammum with the wall or the roof of masjid

Question: Is it allowed to do tayammum with the wall or the roof of masjid?

يجوز المكث للجنب في المسجد للضرورة بأن نام في المسجد واحتلم ولم يمكنه الخروج لإغلاق الباب أو الخوف على نفسه أو ماله. قال في الروضة: ويجب أن يتيمم إن وجد غير تراب المسجد ولا يتيمم بترابه آه (إلى قوله) وقول الرافعي: ولا يتيمم بتراب المسجد كما لو لم يجد إلا تراباً مملوكاً. نازعه فيه النووي في شرح التنبيه، فقال هكذا قال تبعاً لصاحبي التهذيب والتتمة، وفيه نظر، وأى مانع يمنع عن غبار يسير للضرورة؟ والفرق بينه وبين المملوك ظاهر، وقال الرويان في البحر: لو احتلم في المسجد أو خاف العس (الشرطة التي تطوف ليلاً للحراسة) يتيمم بغبار تراب المسجد، فإن لم يجد إلا تراب المسجد لا يتيمم، كما لو وجدت فيه تراباً مملوكاً للغير، ولكنه لو يتيمم به جاز آه

(2) Doing tayammum upon the soil of masjid without any dire need is disliked.

It is mentioned in Al-Asbah wa Al-Nazair under the injunction of masjids:

ومنها من أخذ شيء من أجزائه، قالوا في ترابه: إن كان مجتمعاً جاز الأخذ منه ومسح الرجل عليه، وإلا لا. آه قال الحموي: قوله وإلا لا، أقول: لأن المجتمع المنبسط بمنزلة أرض المسجد فيكره أخذه يعني على سبيل الاستعمال، وأما إذا أخذه للتبرك فجاز كما قالوا في تراب الكعبة هذا، واعلم أن هذا الحكم كان حيث كانت المساجد لا تنبسط أما الآن فإزالة التراب ورفع قربة آه

It is understood by Allamah Hamawi's word "واعلم الخ" that disliking is when the soil is the part of masjid, but if tayammum is done upon dust got on the floor of masjid, it is allowed, because it is not the part of masjid.

Saeed Ahmad Palanpuri

فيجوز كحجر مذقوق أو مغسول، وحائط مطين أو مخصص¹

(Al-Durrul Mukhtar on Raddul Muhtar. Chapter: Tayammum. Vol.1 p. 406)

² If a person is inside masjid and he got seminal impurity and he did tayammum upon the wall or the floor of masjid, it is allowed, but one should not use the soil or the ground of masjid for tayammum in normal condition. Ulama has regarded it disliked. (Taharat Ke Ahkam Wa Masail. Anees)

ويجوز التيمم عند أبي حنيفة ومحمد بكل ما كان من جنس الأرض كالتراب والرمل والحجر والجص والنورة والكحل والزرنج وقال أبو يوسف لا يجوز

إلا بالتراب والرمل-

(Al-Hidayah. Chapter: Tayammum. vol.1 p. 51)

Answer: It is allowed¹ but it is against of etiquettes of masjid, because the soil which is used to remove impurity is worthy to be respected. It is written in Al-Ashbah wa Al-Nazair:

ومنها: منع أخذ شيء من أجزائه قالوا في ترايه إن كان مجتمعاً جاز الأخذ منه ومسح الرجل عليه وإلا: لا.

It is forbidden to take anything from the parts of masjid. Fuqaha said about its soil that if it is compiled there, it will be allowed to take and wipe from it otherwise not.

Abul Hasanat Muhammad Abdul Haiee. (Majmua Fatawa Abdul Haiee. P. 193)²

What is the least the volume of clod for tayammum and the injunction of purification with the clod of tayammum?

Question: I have to ask two questions:

- (1) What is the least the volume of clod for tayammum? If there is only two the clod and he joined them, is it enough, because sometimes it happens when there is no one?
- (2) Is it allowed to purify with the clod used for tayammum? What is the injunction if he does by taking a part from it?

Answer: Al-Durrul Mukhtar said:

(هو)... (قصد صعيد)... (مطهر)... (واستعماله) حقيقةً أو حكماً ليعمر التيمم بالحجر الأملس (بصفة مخصوصة) هذا يفيد أن الضربتين ركن، وهو الأصح الأحوط (إلى أن قال) وركنه شيئان: الضربتان، والاستيعاب، وشرطه ستة: النية، والمسح، وكونه

¹ قال انطلقت مع ابن عمر في حاجة إلى ابن عباس ----- حتى إذا كان الرجل أن يتوارى في السكة، فضرب يديه - الحديث

Nafi' said: Accompanied by 'Abd Allah b. 'Umar, I went to Ibn 'Abbas for a certain work.....When the man was about to disappear (from sight) in the street he struck the wall with both his hands and wiped his face with them. He then struck another stroke and wipes his arms. (Abu Dawood. Book of tayammum during residency. P.53. No. 330) The same matter is written in Fatawa Mahmoodiyah. vol.5 p.192)

² Injunction of tayammum on the dust of masjid

Question: What is the injection about doing tayammum from the wall of masjid in need?

Answer: It is disliked, because when he does tayammum the dust will remove the impurity while all the things like soil stone etc. is worthy to be respected. Therefore, it will be disrespect. However, if someone compiled the dust of wall and floor in a corner, tayammum is allowed on it, because it is to put out of masjid. So, it did not remain respected. Qadhikhan said:

ويكره مسح الرجل من طين الردغة بأسطوانة المسجد أو بجائظته وإن مسح بتراب في المسجد إن كان ذلك التراب التيمم

It is this like to wipe with the clay of the pillar of Masjid or its wall. If he did tayammum with the soil compiled in a corner of masjid and it is not spread, there is nothing wrong and if it is spread, tayammum is disliked, because that took place the earth of masjid. (Fatawa Qadhikhan. Vol.1 p. 65. Book of purity. Chapter about Masjid) (Fatawa Haqqaniyah. Vol.2 p. 550)

بفلات أصابع فأكثر. آه، قال الشامي تحت (قوله وهو الأصح الأحوط): هذا ما ذهب إليه السيد أبو شجاع، وصححه الحلواني، وفي النصاب: وهذا استحسان وبه نأخذ، وهو الأحوط وقيل ليسا بركن، وإليه ذهب الإسيجاني وقاضي خان، وإليه مال في البحر والبيزانية والإمداد، وقال في الفتح: إنه الذي يقتضيه النظر، ولأن المأمور به في الآية المسح ليس غير، ويحمل قوله عليه السلام: "التيمر ضربتان" إما على إرادة الضربة أعم من كونها على الأرض أو على العضو مسحاً وأنه خرج مخرج الغالب، آه، وأقره في الحلية، ورجحه في شرح الوهبانية، آه، (وفيه بعد سطر أيضاً): لو كنس داراً أو هدم حائطاً أو كأل حنطة فأصاب وجهه وذراعيه غبار لم يجزه ذلك عن التيمم حتى يمر يده عليه، آه (وبعد سطر) وإذا ألقت الريح الغبار على وجهه ويديه فمسح بنية التيمم أجزأ على الثاني دون الأول.

(Al-Durrul Mukhtar with Raddul Muhtar. Book of tayammum. vol.1 p.237)

It is most convenient that the clod should be as big as one can strike over it with both hands in one time or at least it should be so big that one can put one hand along with palm and fingers and can strike both hands one after another, because striking is the element of tayammum.¹

It is allowed to use the clod of tayammum for purification, but it is not good. Fuqaha described that making wudu in impure place is against etiquette and the reason is that the water of wudu is respected. So, the same thing will go for the clod of tayammum.

06th Rabi'ul Awwal, 1345 A.H. (Imdadul Ahkam. Vol.1 p. 386, 387)

Is it correct to do tayammum many times from one place

Question: It is noticed in most of the masjid that people make a sell to do tayammum on it. Molvi sahib said that tayammum is allowed only once on the sell. You can do tayammum again and again or it, because invisible impurity comes down on it. Is it correct or not?

Answer: It is correct to do tayammum more than once on the sell of soil and the invisible impurity does not affect it. The person with saying that it affects, is wrong.

عن عمار ابن ياسر رضي الله عنه أنه كان يحدث أنهم تمسحوا وهم مع رسول الله صلى الله عليه وسلم بالصعيد لصلاة الفجر ففرضوا - الحديث¹

Narrated Ammar ibn Yasir (rz): They (the Companions of the Prophet) wiped with pure earth (their hands and face) to offer the dawn prayer in the company of the Messenger of Allah (ﷺ). They struck the ground with their palms and wiped their faces once. Then they repeated and struck the ground with their palms once again and wiped their arms completely up to the shoulders and up to the armpits with the inner side of their hands. (Abu Dawood. Book of tayammum. p.57.No.381)

This hadith also tells about striking hands. Aneesur Rahman Qasmi.

It is declared in Durre Mukhtar that doing tayammum more than once in one place is correct.¹ (Fatawa Darul Uloom. Vol.1 p.261)

Injunction of doing tayammum on salt

Question: If there is a big salt clod can tayammum be rendered over it?

Answer: You cannot do tayammum on the clod of sea salt and you can do on mountain salt.

ولو تيمم بالملح نظر إن كان مائياً أى كان مائياً فجمد لا يجوز لأنه ليس من أجزاء الأرض وإن كان جبلياً أى معدنياً وهو ما استحال ملحاً من أجزاء الأرض يجوز به التيمم لأنه من جنس الأرض ثم وقال قاضيان: واختلفوا في الجبلى والصحيح هو الجواز.

(Kabeeri. Book of tayammum. p. 76) Allah was the best.

Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan. 22/06/1409 A.H.

Answer is correct. Abdus Sattar (May Allah forgive him), President of Ifta (Khairul Fatawa. Vol.2 p.120)²

¹ وأما إذا تيمم جماعة من محل واحد فيجوز كما سيأتي في الفروع لأنه لم يصير مستعملاً، إذ التيمم إنما يتأدى بما التزق بيده لأبما فضل الله

When a collection of people do tayammum from one place, it will be allowed, because it did not become used. The reason is that tayammum is rendered with the thing came on his hand not with the thing remained like the water left after making first wudu. When he did tayammum with smooth stone, it will be allowed at first. Nahr. (Raddul Muhtar. Book of tayammum. vol.1 p.220)

if one did tayammum from one place more than once, it is allowed as it is mentioned in Al-Tatarkhaniyah. (Alamgiri. Vol.1 p. 16) Allah knows the best. (Khairul Fatawa.vol.2 p.124)

² Injunction of doing tayammum on salt

Question: A person is working in salt mine and he required to do tayammum in that place where there is no soil. Can this person do tayammum on salt?

Answer: The mountain salt is one of the part of earth. Therefore, doing tayammum is allowed on it, but the salt which is made with seawater, tayammum is not allowed on it. As Al-Allamah Ibrahim Al-Halabi (r) said:

ولو تيمم بالملح نظر إن كان مائياً أى كان مائياً فجمد لا يجوز لأنه ليس من أجزاء الأرض وإن كان جبلياً ----- يجوز به التيمم.

If a person did tayammum with salt, it will be noticed that if it is made from water which is frozen, tayammum will not be allowed, because it is not from the parts of earth. If it is made from mountain i.e. mine which is turned salt from the parts of earth, tayammum will be allowed with that, because it is from the face of the earth. (Kabeeri. Book of tayammum. p. 76) (Al-Allamah Qadhikhan (r) said: Fuqaha differed in the salt of mountain. The correct view is that it is permissible. (Fatawa Qadhikhan. Chapter: about the

Doing tayammum on coal

Question: Coal is of two kinds: (1) Mountain coal that is extracted from mines. (2) The coal which is made by burning wood. Is it allowed to do tayammum on mountain coal and the thing made with it?

Answer: Mountain coal is like stone supposedly that's why it will be considered from the face of the earth on which tayammum is correct. Similarly, tayammum is correct on its ash.¹

Al-Haskafi (r) said (ومترومداً بالاحتراق إلا رماد الحجر فيجوز كحجر مدقوق أو مغسول): Tayammum is not allowed with the thing turns into ash by burning but with the age of stone, like stone powder or washed stone. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 240) (Fatawa Haqqaniyah.vol.2 p.609)

Doing tayammum on mountain coal and its ash

Question: If the soil is not found, can one do tayammum on mountain coal which is burnt in ship? Will it be decided to be unlawful, because it is mountain adust or will it be decided to be lawful as it is black stone?

Answer: As far as my opinion is concerned, tayammum is allowed on mountain coal and its ash, because it is in the injunction of stone.²

ولا بمنطبع----- (ومترومداً بالاحتراق إلا رماد الحجر فيجوز كحجر مدقوق أو مغسول)

Tayammum is not allowed with moulded thing and the thing turns into ash by burning but with the age of stone, like stone powder or washed stone. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p160) Allah knows the best.

Written by Khalil Ahmad (May Allah forgive him) (Fatawa Mazahir Uloom. Vol.1 p.1)

things tayammum is allowed with. Vol.1 p.62. And so is in Al-Bahrur Raiq. Book of tayammum. Vol.1 p. 47) (Fatawa Haqqaniyah. Vol.2 p.614)

¹ عن الشعبي قال يتيمم بالكأوالجبل يعني ما يقع على الجبل من التراب

It is narrated from Al-Sha'bi: It is allowed to do tayammum with the coal of mountain it means the soil laid down on the mountain. (Musannaf Abdur Razzaq. Book about the person who does not find soil, he will do tayammum with other then that.vol.1 p.169. No. 837. Musannaf Ibn Abi Shaibah. Chapter about the things that are allowed for man to do tayammum with. Vol.1 p.148. No.1706)

² The previous margin

The injunction of tayammum on stone, wood, clothes etc.

Question: Is it allowed to do tayammum on wood, stone, clothes, hard floor or wall, dry or green grass when they are empty from dust?

Answer: Tayammum is not allowed on wood, clothes without dust on them, and dry and green grass are the same ¹and it is allowed on stone, wall and cemented hard floor without dust over it.²

A slight dust is enough on wood to allow tayammum.³ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 244)

Injunction of tayammum on ash

Question: is it allowed to do tayammum on the ash of dung? I listened that ash is pure.

Answer: Ash is pure.

السرقيين إذا أحرق حتى صار رماداً فعند محمد يحكم بطهارته وعليها الفتوى -

When the dang is burnt and turned into ash, it will be pure according to the view of Muhammad and Fatwa is given according to it. (Alamgiri. Vol.1 p.23) Tayammum is not allowed on it, because it is not from the surface of the earth.

¹ ولا يجوز عندنا بما ليس من جنس الأرض وهو ما يلين بالنار أو يترمد كالذهب والفضة -- مما يترمد بالنار إذا لم يكن عليها غبار -

Tayammum is not allowed on the thing which is not from the surface of the earth. They are the things that can melt by burning out turn into ash like gold and silver..... and like wheat and all grains and foods whether it is fruit or other thing and the kinds of plants which is burnt and turn into ash, when there is no dust. (Ghunyatul Mustamli. P. 47. Book of tayammum. Zafeer)

² ويجوز التيمم عند أي حنيفة ومحمد بكل ما كان من جنس الأرض كالتراب والرمل والحجر والجص والنورة والكحل والزرنجيم الخ

According the view of Imam Abu Hanifah (r) and Muhammad (r), tayammum is allowed with all things which is from the face of the earth like, soil, sand, stone, stucco, white cement, kohl and arsenium. There is no condition of dust on them. (Al-Hidayah. Book of tayammum. vol.1 p. 15. Zafeer)

³ وكذا يجوز بالغبار مع القدرة على الصعيد عند أي حنيفة ومحمد لأنه تراب رقيق -

Similarly, tayammum is allowed with dust although with the ability to use soil according to the view of Abu Hanifah and Muhammad (r), because it is thin soil. (Al-Hidayah. vol.1 p. 15)

عن الشعبي قال يتيمم بالكلأ والمجبل يعني ما يقع على المجبل من التراب -

It is narrated from Al-Sha'bi: It is allowed to do tayammum with the coal of mountain it means the soil laid down on the mountain. (Musannaf Abdur Razzaq. Book about the person who does not find soil, he will do tayammum with other then that.vol.1 p.169. No. 837. Musannaf Ibn Abi Shaibah. Chapter about the things that are allowed for man to do tayammum with. Vol.1 p.148. No.1706)

كل ما يترق فيصير رماداً كالخشب والحشيش ونحوهما أو ما ينطبع ويلين كالحديد والصفرو النحاس والزجاج وعين الذهب والفضة ونحوهما فليس من جنس الأرض... (إلى قوله) ولا يجوز بالرماد والعنبر-

All the things that turn into ashes after burning like wood and grass or can be moulded and made soft like iron, brass, copper, glass, pure gold and silver and the like¹ are not from the face of the earth..... Tayammum is not allowed with ash and amber. (Alamgiri. Vol.1 p.23) Allah knows the best. Muhammad. Anwar (May Allah forgive him) (Khairul Fatawa.vol.2 p.126)

The injunction of tayammum on the wall of bus

Question: A person is travelling by bus and the time of salah came. There is no arrangement of wudu and bus is not going to stop that he can make wudu. Can this person do tayammum on the wall of bus?

Answer: If there is dust on the wall of bus, he can do tayammum otherwise not. Hidayah reads:

ويجوز التيمم عند أبي حنيفة ومحمد بكل ما كان من جنس الأرض كالتراب والرمل والحجر والحصن... وكذا يجوز بالغبار الخ

According the view of Imam Abu Hanifah (r) and Muhammad (r), tayammum is allowed with all things which is from the face of the earth like, soil, sand, stone, stucco..... Similarly, tayammum is allowed with dust. (Al-Hidayah. Book of tayammum. Vol.1 p. 15)

Jadeed Fiqhi Masail states: Usually, the wall of train or bus is made with either or plastic, so tayammum is not allowed on that. Yes, the dust comes on them during journey; tayammum can be done on dust according to the view of Imam Abu Hanifah. (Jadeed Fiqhi Masail. Vol.1 p.98)² Allah knows the best. (Fatawa Darul Uloom Zakariyya. Vol.1 p. 571)

¹ Badai Al-Sanai'. Chapter about describing the things with that tayammum is allowed. Vol.1 p. 53) (And so is in Al-Hindiyah. Book: 4 about tayammum. Chapter:1 vol.1 p. 26) (Fatawa Haqqaniyah. Vol.2 p.610)

² If the dust is on something like train, bus, aeroplane etc. or on his own body or on the body of allowed animal, tayammum is allowed with that. If dust came on the pillow on caution in the quantity that flies if hand is struck on it, tayammum is allowed on it. Tayammum is not allowed on ash, but when it is stone or soil ash. (Raddul Muhtar. Vol.1 p. 240)

If the grass is involved with dust, tayammum is allowed on it. Similarly, if dust came flying on the face and hands and he wiped them with hand, tayammum is allowed. (Taharat ke ahkam wa masail. P. 180. Aneesur Rahman)

Ibrahim Al-Halabi said: According to our opinion, tayammum is not allowed with the thing which is not from the surface of the earth and it is the thing that can melt or turn into ashes with fire like gold, silver, iron,

Injunction of tayammum on pillow on caution

Question: A person is shut-in (laid in the bed) and the doctors advised him not to use water. Can he do tayammum on pillow or caution?

Answer: This person who is forbidden to use water, tayammum is allowed on the pillow and caution, if there is dust on them. As Fatawa Tatarkhaniyah reads:

والصحيح قول أبي حنيفة رحمه الله تعالى، وصورة التيمم بالغبار أن يضرب بيده ثوباً أو لبداً أو وسادة أو ما أشبهها من الأعيان الطاهرة التي عليها غبار فإذا وقع الغبار على يده تيمم -

(Tatarkhaniyah. Book of tayammum. Vol.1 p. 240)¹ (Fatawa Haqqaniyah.vol.2 p. 610)

Injunction of washing the impurity of clothes at the time of tayammum

Question: Zaid had only one cloth and it became impure involving in impurity. Is it necessary to wash the portion of impurity for performing salah even with tayammum?

Answer: It is necessary to ask the portion of impurity whether he perform salah with bath or with tayammum. Doing tayammum will not make any difference.² (Fatawa Mahmoodiyah. vol.5 p.189)³

lead, brass, copper etc. if there is no dust on them. If there is dust on them, tayammum is allowed on them according to the view of Abu Hanifah. (Kabeeri. Book of tayammum. Vol.1 p. 76. Anees)

قال إبراهيم الحلبي: ولا يجوز عندنا بما ليس من جنس الأرض وهو ما يلين بالنار أو يترمد كالذهب والفضة -¹

Ibrahim Al-Halabi said: According to our opinion, tayammum is not allowed with the thing which is not from the surface of the earth and it is the thing that can melt or turn into ashes with fire like gold, silver. (Kabeeri. Book of tayammum. Vol.1 p. 76. And so is in Majmuatul Fatawa. Book of purity. Vol.1 p. 178)

تطهير النجاسة واجب من بدت المصلى..... ويجوز تطهيرها بالماء وبكل مائه طاهر -²

It is necessary to wash the impurity from the body of one who wants to perform salah. It is allowed to remove the impurity with water or all pure liquid. (Al-Hidayah. Vol.1 p.71. Book of impurities and washing it. Sharikah Ilmiyah. And so in Khulasatul Fatawa. Vol.1p. 46. Chapter: 8 about impurity. And so is in Al-Nahrul Faique.1 p.142. Book of impurities)

³ Doing tayammum only without washing actual impurity if water is harmful

Question: A person is suffering from bound pain and water is harmful for him. If he had wet dream, can he perform salah with tayammum without washing the actual impurity?

Answer: Salah is not allowed with impurity. So, it is compulsory to remove the impurity. تطهير النجاسة واجب من بدت

المصلى..... ويجوز تطهيرها بالماء وبكل مائه طاهر - (Al-Hidayah. Vol.1 p.71. Book of impurities and washing it)

Muhammad Kifayatullah (May Allah help him) (Kifayatul Mufti. Vol.2 p.272)

How will the patient get purity if the impurity got on him and water is harmful for him

Question: How will the patient get purity if the impurity got on him and water is harmful for him?

Answer: If there is impurity on the body, he should wash it and then do tayammum.¹

(Fatawa Darul Uloom. Vol.1 p.244)²

Performing salah and reciting the glorious Qur'an for sexually impure person

Question: A person is a master and he teaches Islamic studies also. Can he teach the glorious Qur'an in the state of sexual impurity? He does not take bath to be safe side and he bathes in noon and makes up for Fajr salah. Is it allowed to touch and recite the glorious Qur'an with tayammum instead of bath? If he takes bath in the morning and performs Fajr salah or recite the glorious Qur'an, he falls ill in all probability while it is mentioned in the glorious Quran: لَا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ (None touch it except the purified.)

In another place the glorious Quran reads: فَتَيَمَّمُوا صَعِيدًا طَيِّبًا (Go for some clean dust.)

The questioner want to ask that can he remove sexual impurity by doing tayammum to performance salah and to recite the glorious Qur'an.

Answer: If you know in all probability by your own experiences or by the advice of Muslim skilful doctor that bathing will harm, you can perform salah and recite the

¹ وكذا يطهر محل نجاسة الثم مرئية الثم بقلعها أي بزوال عينها الثم ويطهر محل غيرها أي غير مرئية بخلية ظن غاسل الثم -

Similarly, the place of visible impurity becomes pure by removing its origin and the place of invisible impurity becomes pure by removing in the thought of washer in all probability. (Al-Durrul Mukhtar on Raddul Muhtar. Book of impurities. Vol.1 p.302)

Or because of the illness that can grow or delay its healing in all probability or a skilful Muslim doctor advised him, he will make tayammum. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. vol.1 p.215)

² Tayammum cannot purify the impurity got on the body

Question: If a person is unable to take bath, is it compulsory to wash the impurity of the body when the time is short or not or doing tayammum will purify this place also?

Answer: If he did tayammum because of shariah excuse, it cannot remove the impurity of the body. It is compulsory to wash it separately.

تطهير النجاسة واجب من بدت المصلى..... ويجوز تطهيرها بالماء وبكل مائه طاهر -

It is necessary to wash the impurity from the body of one who wants to perform salah. It is allowed to remove the impurity with water or all pure liquid. (Al-Hidayah. Vol.1 p.71. Book of impurities and washing it. Sharikah Ilmiyah. Al-Halabi Al-Kabeer. P.177. Book of impurities. Suhail Academy, Lahore) Allah knows the best. Written by Mahmood (May Allah forgive him). Darul Uloom Deoband. 15/06/1387 A.H.

Corrected by Nizamuddin (May Allah forgive him) and Sayyid Ahmad Ali Saeed. Darul Uloom Deoband. 18/06/1387 A.H. (Fatawa Mahmoodiyah. vol.5 p.190)

glorious Quran and much more. If it harms in wudu, you should do tayammum for it, but should not skip salah at all.

You can recite the glorious Qur'an with tayammum of salah. There is no need to do separate tayammum for recitation.¹ But if he did tayammum only for recitation or Zikr, this tayammum will not be valid for salah. This matter is commonly mentioned in all books of Fiqh. Allah knows the best. Written by Muhammad Nizamuddin Azami, Mufti Darul Uloom Deoband, Saharanpur, 14/09/1385 A.H.

Authenticated by Mahmood (May Allah forgive him) (Muntakhabat Nizamul Fatawa. Vol.1 p. 151, 152) and the resume the Premier

Tayammum for funeral prayer and emphasized sunnah

Question: If funeral prayer is ready and if he goes to make wudu the salah will end. Is it allowed to join in salah with tayammum or not?

Answer: The rule is that if there is fear of missing a prayer and it cannot be made up for, is it allowed to do tayammum for though water is available. So, if he expects that he can join in last takbeer of funeral prayer, tayammum is not allowed, otherwise you can join after doing tayammum.² The same injunction goes for Eid prayer i.e. if he fears

لو كان يجد الماء إلا أنه مريض يخاف إن استعمل الماء اشتد مرضه --- ويعرف ذلك الخوف إما بغلبة الظن عن أمانة أو التجربة¹

One has water, but he is ill and he fears of increasing illness or delayed healing by using water. (Till his statement) This fear is known by in all probability or skill or experience or the advice of a skilful Muslim doctor. (Fatawa Hindiyyah. Vol.1 p.28. Rasheediyyah, Pakistan)

If a junub did tayammum with the intention of wudu, is allowed. If he did tayammum to recite the glorious Quran through his heart or from the Qur'an or to visit graveyard or to bury the dead or to call Azan or Iqamah or to enter masjid or to exit. (Fatawa Hindiyyah. Vol.1 p.26. Rasheediyyah, Pakistan)

² One can do tayammum for following prayers though water is available

- 1- Funeral prayer is ready and one is without wudu and he fears that if he goes to make wudu, salah will be missed. He allowed to join funeral prayer with tayammum, but if he expects that he can find some takbeer of funeral prayer, tayammum is not allowed and wudu will be necessary because he can complete missing takbeer later.
- 2- He performed funeral prayer with tayammum and immediately second funeral prayer is ready and he does not find a chance to make wudu, you will perform that funeral prayer after doing tayammum again. (Raddul Muhtar. Vol.1 p. 241, 242)
- 3- One of Eidain prayer is ready and there is no water in near and you fear is that if he goes to make wudu, salah will be missed, he will perform salah with tayammum. (Raddul Muhtar. Vol.1 p. 241, 242)
- 4- It is the last time of Eidain salah (the time of leveling the sun), Imam is without wudu while water is not too close and he fears that if he goes from Eid Gah to make wudu, the Sun will decline. He will perform salah with tayammum this condition. But it should be noticed that nowadays water

Imam's completion, he can join after doing tayammum. Since, there is no equivalent of emphasized sunnah after missing, he should perform them with tayammum if he fears from missing them though water is available. It is said in Sharah Al-Tanweer:

(و) جاز (لخوف فوت صلاة جنازة) أى كل تكبيراتها... (أو فوت (عيد) بفراغ إمام أو زوال شمس (إلى قوله) لأن المناطق خوف الفوت لا إلى بدل، فجاز لكسوف وسنن رواتبـ

is available everywhere in close places. Therefore, tayammum is not allowed, but where there water is not too close, tayammum is allowed. (Raddul Muhtar. Vol.1 p. 241, 242)

- 5- Similarly, for all emphasized sunnah that are after Zuhr, Maghrib, Isha and Juma. If he did not perform them and the time became too short to perform them after wudu, he will perform them with tayammum. (Raddul Muhtar. Vol.1 p. 241, 242)

Tayammum is not allowed for Juma and Witr salah when water is available. (Raddul Muhtar. Vol.1 p. 241, 242)

- 6- Similarly, if salah of solar eclipse is ready and one is without wudu. He fears that if he goes to make wudu, salah will be missed, it is allowed for him to join with tayammum. He will also perform with tayammum if he fears that salah of solar or lunar eclipse will be missed. (Raddul Muhtar. Vol.1 p. 246) (Taharat ke masail aur ahkam)

عن ابن عباس رضي الله عنه قال: إذا خفت أن تفوتك الجنازة وأنت على غير وضوء فتيمم وصلـ

Narrated Ibn Abbas (rz): If you fear that the funeral prayer will be missed and you are without wudu, you should do tayammum and perform it. (Musannaf Ibn Abi Shaibah, Book of funeral prayer. The person who fears that salah will be missed and he is without wudu. vol.2 p.497. No. 11467. Anees)

Tayammum for funeral prayer

Question: Is it allowed to do tayammum if one fears from missing funeral prayer though water is available?

Answer: All prayers that cannot be made up for after missing and he fears from missing, it is permissible to do tayammum to perform it in this difficulty. Therefore, it is allowed to do tayammum if he fears from missing funeral prayer.

Narrated Ibn Abbas (rz): If you fear that the funeral prayer will be missed and you are without wudu, you should do tayammum and perform it. (Musannaf Ibn Abi Shaibah, Book of funeral prayer. The person who fears that salah will be missed and he is without wudu. vol.2 p.497. No. 11467)

But the deceased guardian is exempted from this injunction and wudu is necessary for him.

قال المحصفي: (و) جاز (لخوف فوت صلاة جنازة) أى كل تكبيراتها ولو جنباً... (أو فوت (عيد) بفراغ إمام أو زوال شمسـ

Al-Haskafi (r) said: Tayammum is allowed because of the fear of missing funeral prayer that means its all takbeer though he is sexually impure..... Or of missing Eid prayer by Imam's completion or sun declining. Ibn Abideen said: His statement (و) جاز (لخوف فوت صلاة جنازة) means that when the water is near. His statement "أى كل تكبيراتها" means that if you expect that he can find some takbeer, he will not do tayammum, because you can perform the remaining alone. Bahr referred from Al-Badai and Al-Qinyah. (Raddul Muhtar. Vol.1 p. 241, 242)

It is said in Al-Hindiyah: Tayammum is allowed when the funeral prayer is ready and he is not the deceased guardian and he fears that if he goes for making wudu, the salah will be missed. It is not allowed for deceased guardian; it is correct as it is mentioned in Al-Hidayah. (Al-Hindiyah. Chapter: 3 about miscellaneous. Vol.1 p. 31. And so is in Mukhtasarul Quduri. P. 15. Book of tayammum. (Fatawa Haqqaniyah. Vol.2 p. 551)

Tayammum is allowed because of the fear of missing funeral prayer that means its all takbeer Or of missing Eid prayer by Imam's completion or sun declining..... because the criteria is fear from missing the prayer which does not have equivalent. So, it will be allowed for solar eclipse salah and emphasized sunnah. (Raddul Muhtar. Vol.1 p. 241, 242) Allah knows the best.

25th Rabee'ul Akhir, 1397 A.H. (Ahsanul Fatawa. Vol.2 p.59)

A person performed funeral prayer with tayammum is hast. Can he perform salah of current time with that tayammum?

Question: Zaid performed the funeral prayer with tayammum hastily. Can you perform salah current time with that tayammum all he has to make wudu?

Answer: He cannot perform salah current time with that tayammum. He has to perform it with wudu as it is written in books of Fiqh.¹ (Fatawa Darul Uloom. Vol.1 p. 245)

Tayammum is allowed for recitation of the glorious Quran

Question: Is tayammum allowed for the recitation of the glorious Quran without any excuse?

Answer: Recitation of the glorious Quran does not require purity. All prayers that purity is not required for them, are allowed to perform without wudu. But doing tayammum is recommended for them. The Prophet (saws) did it once to reply the greeting.

Muhammad Abdul Haiee (r) said: Tayammum will be done for calling Allah and all good things do it is greeting with as-salam. It was narrated that Ibn Umar (rz) said: "A man passed by the Prophet while he was urinating, and greeted him with the Salam, but he did not return the greeting. When he was about to disappear, he did dry ablution (Tayammum), then he returned the greeting." Then he said: Nothing stopped to me to return the greeting but I was not with purity.

(و) جَارَ (التيمم) (يَتَوَفَّ قُوتَ صَلَاةٍ جَنَارَةٍ أَوْ لَمْ يَجْزِ الصَّلَاةُ بِهِ قَالَ فِي الْبُحْورِ: وَكَذَا الْكَلْبُ مَا لَا يُفْتَرِطُهُ الطَّهَارَةُ.¹

Tayammum is allowed because of missing funeral prayer though performing other salah will not be allowed. It is mentioned in Al-Bahr: Similarly, all thing that does not require purity. (Raddul Muhtar on the margin of Raddul Muhtar. Book of tayammum. Vol.1 p. 223, 224. Zafeer)

Narrated Abdur Rahman bin Qasim: He was asked about the person got minor impurity in Eid prayer and he fears from its missing. He replied: he will do tayammum and perform salah if he fears. (Musannaf Ibn Abi Shaibah. Book or the person got minor impurity in Eid prayer. What should he do? Vol.2 p.10. No.5868)

This hadith tells that it is disliked to talk or greet return it without purity in this place. Therefore, it is recommended that calling of Allah should be with wudu or tayammum, because salam is one of the names of Allah as it mentioned in Al-Masabeeh. Similarly, one will do tayammum for all the things like above e.g. touching the glorious Quran, reciting it with tongue or with heart beating, visiting graveyards, burying dead, calling Azan and Iqamah, entering masjid and exiting though his wealth is there as it is described in Al-Niqayah referring to Al-Mabsoot. (Al-Siyah. Book of tayammum. Vol.1 p. 532)¹ (Fatawa Haqqaniyah. Vol.2 p. 551, 552)

The injunction about performing salah with tayammum done for recitation

Question: If a patient is harmed by water; he did tayammum for the recitation of the glorious Quran, can he performance salah that tayammum?

Question: The rule is that if one did tayammum for a prayer which is intended itself and it requires purity, it will be correct to perform salah else not. If both conditions are found, salah will be correct with that tayammum and if both conditions or one of them is not fulfilled, salah will not be correct with that tayammum.

So, if the person with minor impurity did tayammum for recitation, the second condition is not found (purity is not necessary.) and if he did tayammum to touch the glorious Quran, the first condition is not found (it is not a prayer intended itself). Therefore, he cannot perform salah with that tayammum in both cases. However, if he intended complete purity at the time of doing tayammum, salah will be correct also with that. If a junub did tayammum with the intention of recitation, he can perform salah with that tayammum, because recitation of the glorious Quran is a prayer intended itself that requires purity from sexual impurity.

Al-Allamah Ibn Abideen (r) said:

¹ Al-Allamah Usuf Al-Binnauri (r) said:

ويجوز التيمم وجود الماء لما ليس الطهور شرطاً في فعله وحله كدخول المسجد للمحدث وكذا النوم أو قراءة القرآن على ظهر القلب.

Tayammum is allowed for all the prayers purity is not required for them though water is available like entering masjid for a person with minor impurity, sleeping and reciting the glorious Quran with tongue or with heart. (Ma'arif Al-Sunan. Vol.1 p. 497. Matter about tayammum is allowed for all the prayers purity is not required for them though water is available.)

(قوله لم تجز الصلوة به) أى لفقد الشرط وهو أمرأت: كونه المنوى عبادة مقصودة، وكونها لا تحل إلا بالطهارة - أما فى دخول المسجد ففى المحدث فقد الأمرأت، وفى الجنب فقد الأول، وأما فى القراءة للمحدث فلفقد الثانى، ولا يراد الجنب هنا لما تقدم قريباً من قوله أوجنباً فكالثانى: أى فتجوز الصلاة به - وأما المس مطلقاً فلفقد الأول -

His statement “لم تجز الصلوة به” means salah is not allowed with that tayammum because the condition is not found that are two: 1- The thing for which tayammum is done should be a prayer intended itself. 2- It is a prayer which is not allowed but with purity. However the matter of entering masjid; here both conditions are not found for the person with minor impurity and one condition is not found for the sexually impure person. The matter of recitation, the second conditions is not found for the person with minor impurity. Junub cannot be meant here, because of his statement passed softly “أوجنباً” that means salah will be allowed. The matter of touching the glorious Quran unconditionally, the first condition is not found here. (Raddul Muhtar. Book of tayammum. Vol.1 p. 226) Allah knows the best.

25th Rabi'ul Akhir, 3097 A.H. (Ahsanul Fatawa. Vol.2 p. 59, 60)

Is tayammum correct for touching the glorious Quran the water is available?

Question: Is tayammum correct for touching the glorious Quran the water is available?

Answer: It is not correct.¹ (Fatawa Darul Uloom. Vol.1 p.260)

Tayammum to exit from masjid

Question: Zaid was sleeping inside masjid and had wet dream. Is it necessary to do tayammum to exit for him?

Answer: Tayammum is not necessary to exit from masjid.²

If it is difficult to exit at that time, tayammum will be necessary³. Allah knows the best.

قلت: وفى البنية وشرحها: تيممه للدخول مسجد ومن مصحف مع وجود الماء ليس بشيء بل هو عدم لأنه ليس لعبادة يخاف قوتها. انتهى¹

I said: it is mentioned in Al-Muniyah and its Sharah: If one did tayammum to enter masjid or to touch the glorious Quran though water is available, is of no use, because it is not for a prayer which is feared to be missed as the rule is mentioned above that this tayammum will be valid for the prayers which does not require purity though the water is available there. However, the prayers which requires purity, it will be correct on condition that water is not there like doing tayammum to touch the glorious Quran, for it is not allowed for the person finds water. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 225. Zafeer)

² But it better to do. Anees.

³ Recommended tayammum

Authenticated by Abdul Lateef. 12th Ziqadah, 1353 A.H. (Fatawa Mahmoodiyah. vol.5 p. 182, 183)

Doing tayammum for bath at the time of every salah

Question: If one did tayammum instead of seminal bath, because of shariah excuse, does he requires to do separate tayammum for every salah?

Answer: This tayammum is sufficient until a reason found that mandates but. Tayammum is not necessary at the time of every salah.¹ (Majmua Fatawa Abdul Haiee'. P. 193)

Nullifier of wudu does not nullify tayammum of bath

Question: If a junub did tayammum of janabah, because of shariah excuse, will it be nullified by the nullifier of wudu?

Tayammum can be done for the following prayers the water is available, because is not a condition for them, but it is recommended. They are:

- 1- Greeting with salam or replying it
- 2- Entering masjid
- 3- Visiting graveyards
- 4- Burring deads
- 5- Calling Azan and Iqamat
- 6- Visiting patient
- 7- Reciting the glorious Quran without touching
- 8- Before sleeping etc. (Raddul Muhtar. Vol.1 p. 241, 242) (Taharat ke ahkam wa masail. Anees)

ولو احتلم فيه، (أي المسجد) إن خرج مسرعاً تيمم ندباً، وإن مكث لخوف فوجوئاً، ولا يصلى ولا يقرأ.

If one had wet dream in masjid, he is recommended to do tayammum to exit hastily. If he stays there because of fear, tayammum is necessary and he will neither perform salah nor recite. (Al-Durrul Mukhtar.vol.1 p. 172, Saeed)

وفي الشامي: أقول: والظاهر أن هذا في الخروج، أما في الدخول فيجب التيمم

It is written in Al-Shami: I say: It is clear that this is about exiting while it is necessary to enter.... Then I have studied in Al-Hilyah referring to Al-Muheet which is supporting it as he said: If he got impurity in the Masjid, it is said that he is not allowed to exit without tayammum considering on entering. It is also said that he is allowed. So, the difference is about exiting not about entering and the reason is not hidden on any intellectual. (Al-Durrul Mukhtar.vol.1 p. 172, Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p. 26. Chapter:1 about the things which are essential for tayamm)

¹ ويصلى بتيمم ما شاء من الفرائض والنوافل. He can perform what he wishes out of obligatory and supererogatory salah with one tayammum. (Al-Hidayah. Book of tayammum. Vol.1 p. 55) But if any nullifier of wudu accure, wudu will break and tayammum of bath will remain. There is no need to take bath.

Answer: If junub did tayammum because of shariah excuse, it will be nullified when that excuse ended. For example, a person did tayammum because of not finding water, when he found water and became able to use water, tayammum of janabah will be nullified. Or if he did tayammum, because of illness, it will be nullified as he got healing or any reason that mandates bath occurred and the nullifier of wudu cannot break that tayammum unconditionally. To take an example, if he did tayammum of janabah or because of not finding water and then the reason that mandates wudu only occurred, it will not break tayammum of janabah.¹ (Fatawa Darul Uloom. Vol.1 p. 258, 259)

(وَنَاقِضُهُ نَاقِضُ الْأَصْلِ) وَلَوْ غَسَلَ، فَلَوْ تَيَمَّمُ لِلْجَنَابَةِ ثُمَّ أُحْدِثَ صَارَ مَحْدُثًا لَا جَنَابَ الْتَمَّ (وَقَدْرَةُ مَاءٍ) ... (كَافٍ لَطَهْرِهِ) ... (فَضْلٌ عَنْ حَاجَتِهِ) الْتَمَّ¹

The thing that nullifies main, will nullify it also though it is washing. If he did tayammum of janabah then he discharged minor impurity, he will be minor impure not junub..... his ability to use water which is sufficient to get purity more than he needs. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p. 234. Zafeer)

Nullifier of tayammum

Nullifier of tayammum means the things that breaks tayammum and becomes necessary to do it again. Two points should be noticed here in this regard:

1-

- (a) The things that breaks wudu and it becomes necessary again like doing hadath, flowing blood etc., if it is done with the person who did tayammum, his tayammum will break.
- (b) Similarly, if he did tayammum of bath, and the things that nullifies is done with the person who did tayammum like seminal impurity, menstruation or blood after childbirth, his tayammum will break. It will be necessary for him to do tayammum of bath.
- (c) If you did one tayammum for bath and wudu both and the nullifier of wudu came, tayammum of wudu will be nullified only and it will remain for bath until the nullifier of bath came.

2- If he did tayammum, because of an excuse, tayammum will be nullified as the excuse ended though and other excuse occurred just after that.

3- Being able to use water. As he did tayammum in the absence of water then he got water and became able to use it, tayammum will be nullified. If he got water but he is not able to use it, tayammum will not be nullified. To have an example, a person is travelling by train and saw the fountain of water, his tayammum will not be nullified. Or a person did tayammum of bath; he was riding on the vehicle, he passed near the water but he was sleeping and did not know, his tayammum will not be nullified.

If a person is performing salah with tayammum and he saw water during salah, his tayammum will be nullified. (Raddul Muhtar. Vol.1 p. 254-257. Fatawa Tatarkhaniyah. Vol.1 p. 249-255)

If the followers saw water and Imam did not and they completed salah, the person who saw water, he salah is nullified. He should repeat it after making wudu and other people's salah is correct. (Fatawa Tatarkhaniyah. Vol.1 p. 249-255)

If some people are performing salah with tayammum in congregation and someone brought water and told that whosoever wants to make wudu you can do, all people's salah is nullified. Imam should make wudu and lead salah again. (Fatawa Tatarkhaniyah. Vol.1 p. 249-255) (Taharat ke ahkam wa masail. P.200, 201. Anees)

Nullifying wudu does make any harm for tayammum of sexual impurity

Question: If a sexually impure person did tayammum, because of an excuse and then his wudu is nullified and he is unable to take bath till now, does he need to do tayammum for both wudu and bath or one tayammum is enough?

Answer: One tayammum of janabah is enough till the excuse remains. If the reason of mandating is not found, he does not require to do tayammum of janabah again until he became able to use water. However, he has to make wudu only, if any nullifier of wudu is found. But if he had wet dream again or had intercourse, he has to do tayammum again.

Ibrahim Al-Halabi (r) said:

قال إبراهيم الحلبي: وإن كان الماء يكفي للوضوء ولا يكفي للمعة يتوضأ به ولا ينتقض تیمم الجنابة لأن الماء في حق المعة كالمعدوم لعدم كفايته لها.

If water is enough for wudu only, not for the left portion, he will make wudu and his tayammum of janabah will not be nullified, because the water is not available for the left portion, because it is not enough for that.¹ (Kabeeri. Book of tayammum. p. 86) (Fatawa Haqqaniyah. Vol.2 p. 552, 553)

Tayammum because of cold

Question: A person required bath and he cannot do it because of cold. Is it allowed for him to teach the glorious Quran without touching it to the children?

Answer: It is not allowed to do tayammum of bath, because of cold only. He will not get purity in this way. However, if he fears from falling ill by taking bath, tayammum is allowed. His salah, teaching the glorious Quran and its recitation will be correct.² Allah knows the best.

لَوْ كَانَ مَاءُ الْجَنْبِ مَا يَكْفِي لِلْوُضُوءِ يَتَيَمَّمُ وَلَا يَجِبُ التَّوَضُّؤُ بِهِ إِلَّا إِذَا كَانَ مَاءُ الْجَنْبِ حَدَّثَ يُوجِبُ الْوُضُوءَ.¹

If a sexually impure person has water that can be enough for wudu, he will do tayammum and wudu will not be necessary, but if he has another impurity that mandates wudu. (Al-Fatawa Al-Hindiyah. Chapter: 3 about miscellaneous. Vol.1 p. 30)

² Because tayammum is allowed in such cold that water can kill or make ill. Only feeling cold cannot allow tayammum. Mujahid

(من عجز)... (عن استعمال الماء)... (بعده)... (مبلاً)... (أوبرد) يهلك الجنب أو يمرضه... (تيمم) -

Performing salah with tayammum, because of illness

Question: If a person is involved with major impurity and cannot take bath because of illness, how will he perform salah in congregation?

Answer: If he cannot take bath, he should wash the impurity and perform salah with wudu without taking bath. If he can perform salah in congregation, he should do it. If he required bath, and he cannot take bath, he should wash the impurity then perform salah after making tayammum with the intention of bath.¹ Allah knows the best.

Abdus Samad Rahmani. (Fatawa Imarat Shariah. Vol.2 p. 82)

The person who is unable to use water because of distance of one mile or of cold that can kill junub or make him sick, he will do tayammum. (Al-Durrul Mukhtar on Raddul Muhtar. Book of tayammum. Vol.1 p.395-401)

¹ The previous margin

MATTERS OF HAIDH (MENSTRUATION)

Allah says:

”وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ، قُلْ هُوَ آذَى، فَاعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ وَلَا تَقْرَبُوهُنَّ حَتَّى يَطْهُرْنَ” -

And they ask you about menstruation. Say, "It is harm, so keep away from wives during menstruation. And do not approach them until they are pure.

(Suratul Baqarah: 222)

Matters of Haidh (Menstruation)

Age of puberty

Question: When does a girl reaches the age of puberty and what will be her age?

Answer: Her age of puberty is to begin menstruating and getting pregnancy. If these signs are not found, 15 year will be completed for her puberty.¹

Written by Muhammad Mustaqeem Nadwi. Authenticated by Nasir Ali Nadwi. (Fatawa Nadwatul Ulama. Vol.1 p.248)

The exact criteria for a girl's puberty age according to shariah

Question: (1) What is the exact sign and criteria for a girl's puberty age according to shariah?

(2) Is growing pubic hair clear evidence of puberty for a girl according to shariah?

(3) If menstruating is a sign of puberty, when it begins in 8-9 years for some girls while neither their pubic hair grew nor there is any sign of puberty, can we consider them adult?

(4) It is clear that adult girls have their choice for their marriage and it will not be correct without their permission. What is the sign of puberty in this regard?

(5) Will the girl be considered virgin after menstruating or not?

(6) What is the sign of teenagers?

¹ وللجارية الاحتلام والحيض والحبل ----- فإن لم يوجد منها شيء فحتى يتر لكل منهما خمس عشرة سنة، به يفتى.

The sign of puberty for a girl is having wet dream, menstruating and getting pregnancy..... If no sign is found, 15 year will be completed for her puberty according to fatwa. The reason is that the edges are short in our era. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p.226)

And so in Kifayatul Mufti. Vol.2 p. 273

(7) Puberty is a condition in witnesses; what will be the sign of puberty here?

(8) What are the signs of puberty in boys?

Answer: (1) Menstruation, wet dream and getting pregnancy or complete 15 years of age are the signs of puberty.

(2) Not.

(3) If 9 years old girl began menstruating, she will be considered adult.

(4) Menstruating properly and or getting in 15 year of age. (Wet dream and pregnancy take place after menstruation)

(5) Yes, she is called virgin i.e. menstruation does not harm virginity.

(6) The boy or girl about to reach the age of puberty are called teenagers. Its sign in girls is breast rise etc.

(7) The signs mentioned above.

(8) Wet dream, ejaculation or completing the age of 15 years.

Written by Muhammad Kifayatullah (May Allah help him) (Kifayatul Mufti. Vol.2 P.273)

Background of starting menstruation; how and when

Question: When did the menstruation start; how and from whom that is continue till today? Please cover all detail of this matter.

Answer: Menstruation is a kind of disease that Allah Almighty afflicted the daughters of Adam (PBH) with it. Hazrat Hawwa (rz) ate the forbidden wheat or any other thing. Therefore, Allah made her to suffer from this disease and it is continuing for her daughters till today.

Al-Haskafi (r) said:

”وسببه ابتداء ابتلاء الله لحواء عليها السلام لأكل الشجرة“ - وفي الشامي: أي وبقي في بناتها إلى يوم القيامة. وما قيل: إنه أول ما أرسل الحيض على بني إسرائيل فقد رده البخاري بقوله: وحديث النبي صلى الله عليه وسلم أكبر. وهو ما رواه عن عائشة رضي الله تعالى عنها قالت: قال رسول الله صلى الله عليه وسلم في الحيض: هذا شيء كتبه الله على بنات آدم عليها السلام. قال النووي: ”أي إنه عام في جميع بنات آدم عليها السلام“

It started from when Allah Almighty afflicted Hawwa (rz) for eating from forbidden tree. It is mentioned in Shami: That this disease continued in her daughters till the Day of

Judgment. It is said that menstruation is decreed firstly for the Children of Israel, but Imam Bukhari (r) rejected it saying: The word of the Prophet (saws) is the great that narrated Aisha (rz): Allah's Messenger (saws) said about menstruation: 'That is something that Allah, the Mightily and Sublime, has decreed for the daughters of Adam (PBH). Imam Nawawi (r) said: It means it is common for all daughters of Adam (PBH). (Raddul Muhtar. Vol.1 p.283, 284. Book of menstruation)² (Fatawa Haqqaniyah. Vol.2 p.559)

Will the women be rewarded for bearing menstruation inconvenience?

Question: The women bear menstruation inconvenience every month. Will they be rewarded for that or not?

Answer: Yes, they will be rewarded for menstruation inconvenience as it is mentioned in hadith:

”ما يصيب المسلم من نصب ولا وصب ولا هم ولا حزن ولا أذى حتى الشوكة يشاكها إلا كفر الله بها من خطاياها“ -

"Never a believer is stricken with a discomfort, an illness, an anxiety, a grief or mental worry or even the pricking of a thorn but Allah will expiate his sins on account of his patience". (Muslim. Vol.2 p. 318)

Another hadith says:

”ما من مسلم يصيبه أذى شوكة فما فوقها إلا كفر الله بها سيئاته وحطت عنه ذنوبه كما تحط الشجرة ورقها“ -

"No Muslim is afflicted with any harm, even if it were the prick of a thorn, but that Allah expiates his sins because of that, as a tree sheds its leaves." (Muslim. Vol.2 p. 318)

These ahadith clearly establishes that if any Muslim is afflicted with any harm, he gets the reward a lot even that discomfort is due to menstruation or anything else.

قال الشيخ السيد أحمد الطحطاوى: ”(قوله وسببه ابتداء) أى السبب فى حصوله أولاً (قوله ابتلاء الله لحواء عليه السلام) فيه رد²

Al-Shaikh Al-Sayyid Ahmad Al-Tahtawi (r): His statement (وسببه ابتداء) it means the reason for which it is sent down on them first. His statement (ابتلاء الله لحواء) it denies what is said: menstruation is decreed firstly for the Children of Israel, because hadith goes for all the daughters of Adam (PBH) and hadith is stronger that narrated Aisha (rz): Allah's Messenger (saws) said about menstruation: 'That is something that Allah, the Mightily and Sublime, has decreed for the daughters of Adam (PBH). (Tahtawi the margin of Al-Durrul Mukhtar. Vol.1 p.146. Book of menstruation)

However, menstruation is not a kind of trouble or calamity, but it is a kind of bounty of Allah that he made it a source of humanity though it carries some disturbance. Umdatul Qari reads:

إِنَّ اللَّهَ تَعَالَى قَطَعَ حَيْضَ بَنِي إِسْرَائِيلَ عِقُوبَةً لَّهُنَّ وَلِأَزْوَاجِهِنَّ لَكُفْرَةٍ عِنَادِهِمْ مَضَتْ عَلَى ذَلِكَ مَدَّةٌ ثُمَّ إِنَّ اللَّهَ تَعَالَى رَحِمَهُمْ وَأَعَادَ حَيْضَ نِسَائِهِمْ لِأَنَّ مِنْ حُكْمِ اللَّهِ تَعَالَى أَنَّهُ جَعَلَ الْحَيْضَ سَبَبًا لَوْجُودِ النَّسْلِ أَلَا تَرَى أَنَّ الْمَرْأَةَ إِذَا رَفَعَتْ حَيْضَهَا لَا تَحْمِلُ عَادَةً.

Allah Almighty stopped the menstruation of the women of Israel as a punishment for them and their husbands for their extreme rigidity. It lasted till a long time later Allah sent down mercy upon them and continued their menstruation. For it is Allah's command that he made menstruation a source of generation. Do you not notice that when the menstruation of a woman ceased, she does not get pregnancy. (Umdatul Qari. Vol.3 p. 96) (Fatawa Darul Uloom Zakariya. Vol.1 p. 573, 574) Allah knows the best.

What is the injunction about water discharges before menstruation?

Question: Is the water discharges before menstruation considered as menstruation or not?

Answer: If this water is quite white, it will not be considered as menstruation. If this water differs in colour and discharges after the pain of menstruation started, it should be mailed with detail to consider. Al-Hindiyyah reads:

وَيَتَوَقَّفُ كَوْنُهُ حَيْضًا عَلَى أُمُورٍ (إِلَى قَوْلِهِ) وَالمَخْتَارُ أَنَّ مَارَاتِهِ إِنْ كَانَ دَمًا قَوِيًّا كَانَ حَيْضًا كَذَا فِي شَرْحِ المَجْمَعِ لِابْنِ المَلِكِ (إِلَى قَوْلِهِ) (وَمِنْهَا) أَنْ يَكُونَ عَلَى لَوْنٍ مِنَ الْأَلْوَانِ السَّيِّئَةِ السَّوَادِ وَالْحُمْرَةِ وَالصَّفْرَةِ وَالْكَدْرَةِ وَالْخَضْرَاءِ وَالتَّرْبِيَةِ هَكَذَا فِي النِّهَايَةِ -

Its being menses depends on something (till his statement) what is chosen is that if she notices deep blood, it will be menstruating blood as it is written in Sharah Al-Majma authored by Ibn Al-Malik. (Till his statement) out of them is its colour matches one of six colours: Black, red, yellow, brown, green and earthen. So is written in Al-Nihayah. Vol.1 p.36) Allah knows the best. (Fatawa Darul Ifta Wa Darul Qadha Jamia Binnawriyah Pakistan. Serial No. 13124)

The condition of pain to define menstruation

Question: It is written that menstruation is the blood which discharges during periods without pain. If the blood discharges with pain is it menstruation or not?

Answer: This condition is wrong. It has nothing to do with pain. Pain is caused by illness.³
(Baqiyat Fatawa Rasheediyyah. P.138)

The meaning of tuhr (a period of purity)

Question: What is the meaning of three periods of purity (tuhr)?

Answer: The duration of at least 15 days between two menstruations is called one tuhr.⁴
Written by Muhammad Mustaqeem Nadawi. Authenticated by Nasir Ali. (Fatawa Nadwatul Ulama. Vol.1 p.248)

Irregular tuhr (a period of purity)

Question: A woman experienced 20 days blood after delivery first time. Later she lasted pure 19 days and then the blood returned on 20th day. Which kind of this blood is? If it continued till her usual period will it be menses or nifas (bleeding after childbirth)? Can she perform Salah and keep fast during 19 days of purity in between? If she cannot, she had to make up for Salah or not and if she perform Salah, is her salah valid or not? What is the injunction about having intercourse in this duration? If it happened during the month of Ramadan and she kept fast in the duration of purity, her fast is valid or not?

Answer: 19 days of Tuhr (period of purity) after 20 days, was irregular tuhr which is like continuous bleeding.⁵ It is not permissible to perform salah or to keep fast or to have intercourse. If she kept fast in the month of Ramadan in that duration, she should keep fast again and she has to make up for salah if she did not perform and if she had intercourse, she should ask repentance from Allah. Allah knows the best.

Written by Mahmood (May Allah forgive him). Darul Uloom Deoband. 03/06/1391
(Fatawa Mahmoodiyah. vol.5 p.199)

How many days will be considered for menses if it is irregular?

Question: A woman experiences menses for five days always. After some months it became irregular. Sometimes it came one drop and stopped for four days then it came

³ لا لولادة. الحيض: هو... دم من رحم ... لا لولادة. (menstruation is the blood that discharges from uterus not for delivery. (Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 283)

⁴ وأقل الطهر خمسة عشر يوماً ولا غاية لأكثره إلا إذا احتيج إلى نصب العادة التبر.

The least duration of tuhr is 15 days and there is no limit of its most, but when it is needed to fix the period. For example: If she became adult with continue bleeding, his menstruation period will be considered 10 days for every month. As it is mentioned in Al-Hidayah. (Al-Fatawa Al-Hindiyah. Vol.1 p.37)

⁵ Al-Durrul Mukhtar. Vol.1 p.302 and so is in Al-Tatarkhaniyah. Vol.1 p.394

on fifth day and then stopped or it continued or it came for one day and after 7 or 8 days it continued for five days regularly. How many days will be considered for menses in this case?

Answer: If this condition lasts more than 10 days, the previous period of five days will be for menses and the remaining days will be for istihadhah (irregular, non-menstrual vaginal bleeding)⁶ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 287)

If the menses is seen after it ceased

Question: The menstrual blood ceases after every three days. After becoming pure and performing 3/4/5 times salah some blood is seen and sometimes not. Does she has to make up for the salah she performed? Or if she takes bath with delay, the salah will be missed. Does she has to make up?

Answer: If the fixed period is for three days regularly and the blood stopped in three days, as soon as the bleeding ceased, it is necessary for her to take bath and perform salah if it is time of salah. If she did not perform, she has to make up.⁷ But to be safe side it is better for husband not to have intercourse till the blood is expected. Allah knows the best. (Fatawa Rahimiyah. Vol.3 p.12, 13)

The most of days will be cogitated if the menstruation period is not fix

Question: What do Ulama and jurists say in the guard to the matter that a woman does not have fixed days of menses. Sometimes it discharges four, five and till eight days. She took bath after six days when the secretion ceased and perform Zuhr salah. Then the discharge returned after zuhr salah and it lasted till Isha salah and then she did not see any sign. What is the injection for this woman? Can she calculate with her husband after taking bath or without taking following Isha?

فإن لم يجاوز العشرة فالطهر والدم كالمها حيض سواء كانت مبتدأة أو معتادة وإن جاوز العشرة ففي المبتدأة عشرة أيام والتم

If the bleeding did not extended from 10 days, the both period of tuhr and menses will be menses whether she is experiencing it first time or she has a fixed period; and if it extended from 10 days, these 10 days will be for menses if it is for first time and for the one who has her fixed period will be her fixed period and the remaining days will be for tuhr. (Alamgiri Kishori. Vol.1 p.35)

وإن انقطعت..... لعادتها.... (لا) يحل (حتى تغتسل) أو تتيمم بشرطه (أو يضي عليها زمن يسه الغسل) التـ

If the blood ceased because of his fixed period, it is prohibited to have intercourse until she took bath or made tayammum according to its terms or a duration of time passed in which she can take bath and can say tahrimah (she can start salah) it means at the end of the time for they are reasoning that it became essential upon her. (Al-Durrul Mukhtar. Vol.1 p. 294. Book of menstruation)

Answer: She should take bath again for Isha salah and her husband will not copulate with her till eight days completed.⁸ Allah knows the best.

Written by Rasheed Ahmad Gangohi. Majmuah Kulan. P. 131, 132 (Baqiyat Fatawa Rashadiyah. P. 138)

If a woman bleeds less than three days it is regarded as istihaadah (non-menstrual vaginal bleeding)

Question: A woman having fixed period saw bleeding for one-day and it did not come in the last day of period and she was experiencing only snow-white discharge in between. Will these days be regarded for menses?

Answer: If a woman having fixed period experienced discharging for one day then it stopped and she did not see any colour of bleeding and the blood did not return during the period, it is regarded as istihadhah (non-menstrual vaginal bleeding). Sharah wiqaya reads: وأقله ثلاثة أيام ولياليها "Its minimum duration is three days and nights."

It is further mentioned: وما نقص عن أقل مدة الحيض فهو استحاضة انتهى "If the bleeding is less than the minimum duration of menstruation, it will be istihadhah (non- menstrual vaginal bleeding) Allah knows the best."

Written by Abdul Wahhab (May Allah help him) (Fatawa Baqiyat Salihat. Vellore. P. 4, 5)

The bleeding ceased before fixed period

Question: A woman was experiencing the discharge five days every month, but currently it is ceased after four days. What is the injunction about performing salah and having intercourse with her?

Answer: Salah and fast is mandatory in this condition, but having intercourse is not allowed before completing five days and it is necessary to delay salah till the end of the recommended time.

⁸ فإب لدوب عادتها لريجل وتغتسل وتصل وتصور احتياطاً، وفي الشامية: (قوله: لريجل) أى الوطى وإب اغتسلت المـ

The reason is that it is not allowed before completing her fixed period, but she will take bath, perform salah and keep fast prudently. Al-Shamiyah reads: his statement (لم يجل) means intercourse though she took bath, because the most probability is to return usually. Bahr. His statement "she will take bath and perform salah" means in the end of recommended time and it is necessary to delay it to that time in this case, but it is recommended when the menses ceased with fixed period as it mentioned in Al-Nihayah, Al-Fath and so on. (Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 294)

Al-Ala (r) said:

فإن لدون عادتها لم يحل وتغتسل وتصلّى وتصوم احتياطاً، وفي الشامية: (قوله: لم يحل) أى الوطى وإن اغتسلت، لأب العود في العادة غالب بحر (قوله تغتسل وتصلّى) أى في آخر الوقت المستحب وتأخيره إليه واجب هنا أما في صورة الانقطاع لتمام العادة فإنه مستحب كما في النهاية والفتح وغيرهما -

The reason is that it is not allowed before completing her fixed period, but she will take bath, perform salah and keep fast prudently. Al-Shamiyah reads: his statement (لم يحل) means intercourse though she took bath, because the most probability is to return usually. Bahr. His statement "she will take bath and perform salah" means in the end of recommended time and it is necessary to delay it to that time in this case, but it is recommended when the menses ceased with fixed period as it mentioned in Al-Nihayah, Al-Fath and so on. (Raddul Muhtar. Book of menstruation. Vol.1 p. 271) Allah knows the best.

27th Jumadal Ukhra, 1392 A.H. (Ahsanul Fatawa. Vol. 2 p. 68, 69)

Blood secretion after fixed period

Question: A woman was experiencing the discharge five days every month, but sometimes it discharges on 6th day is also and even it happens when she had performed 2-3 salah after taking bath then she experiences blood. What is injection for her?

Answer: When the discharge ceased after passing five days, she should perform salah after taking bath and when she noticed blood, says stop salah.⁹ Allah knows the best. 3rd Rabi Al-Akhir, 1396 A.H. (Ahsanul Fatawa. Vol. 2 p. 68)

⁹ عن أبي سعيد الخدري رضي الله عنه قال: خرج رسول الله صلى الله عليه وسلم في الأضحية - قال: أليس شهادة المرأة مثل نصف شهادة الرجل؟ الحديث

Narrated Abu Sa'id Al-Khudri (rz): Once Allah's Messenger (ﷺ) went out to the Musalla (to offer the prayer) of 'Id-al-Adha He said, "Is not the evidence of two women equal to the witness of one man?" They replied in the affirmative. He said, "This is the deficiency in her intelligence. Isn't it true that a woman can neither pray nor fast during her menses?" The women replied in the affirmative. He said, "This is the deficiency in her religion." (Bukhari. Chapter: A menstruating women should leave observing Saum (fasting) p. 53, No. 304)

'A'isha (rz) reported: Fatimah b. Abu Hubaish came to the Apostle (ﷺ) and said: I am a woman whose blood keeps flowing (even after the menstruation period). I am never purified; should I, therefore, abandon prayer? He (the Holy Prophet) said: Not at all, for that is only a vein, and is not a menstruation, so when menstruation comes, abandon prayer, and when it ends wash the blood from yourself and then pray. (Bukhari. Book of Istihadhah. P. 53, No. 306)

The woman will not be pure until she noticed quite white discharge during menstrual period

Question: Is it necessary to notice white discharge to cease the menstruation?

Answer: Yes, it is necessary. It means there should not be any other colour except white on the sanitary pad as it is mentioned in Muatta Imam Muhammad:

قال محمدٌ: لا تطهر المرأة ما دامت ترى حمرة أو صفرة أو كدرة حتى ترى البياض خالصاً وهو قول أبي حنيفةٍ، انتهى

Imam Muhammad said: The women will not be pure if she sees reddish or yellowish or dirty looking discharge until she noticed snow white discharge and it is the view of Imam Abu Hanifah (r).

Sharah Wiqayah reads:

وما رأت في المدة سوى البياض حيض، انتهى

Whatever she noticed during the period will be regarded as menses except whitish discharge.¹⁰ (Fatawa Baqiyat Salihat. Vellore. P. 3, 4)

Blood coming before 15 days is not menses

Question: A woman experiences menstrual blood two times in a month. Should she abandon prayer and fast or what should she do?

Answer: If the blood came after completing the menstrual period and 15 days, it is regarded as menstruation. So she should abandon prayer and fast. If the blood came before 15 days, it will be regarded as istihadhah (non-menstrual bleeding)¹¹ Allah knows the best. (Baqiyat Fatawa Rashidiyah. P. 138)

¹⁰ كان نساء يبعثن إلى عائشة رضي الله عنها بالدرجة فيها الكرسف فيه الصفرة فتقول: لا يعجلن حتى ترين القصة البيضاء تريد بذلك الطهر من الحيضة

"Women used to send little boxes to A'isha, umm al-muminin, with a piece of cotton cloth in each one on which was yellowness from menstrual blood, asking her about the prayer. She said to them, 'Do not be hasty until you see a white discharge.' By that she meant purity from menses. (Bukhari. Chapter of coming menstruation and ending. P. 46, No. 1320)

¹¹ (وأقل الطهر) بين الحيضتين أو النفاس والحيض (خمسة عشر يوماً) وليا لهما إجماعاً (ولا حد لاكثره) -

The minimum duration of tuhr (period of purity) between two menstrual period or nifas and menstruation is 15 days and nights with the consent of all and there is no maximum direction for tuhr. (Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 285)

Question: If the bleeding ceased at the end of the time of salah, what is the condition that mandates this salah? If it happened at the quite end of night in the month of Ramadan, will the fasting of that day be obligatory or not?

Answer: If her usual period is less than 10 days, salah will be obligatory when she can perform obligatory acts of bath and say takbeer tahrimah as soon as the bleeding ceased, though there is no time for sunnah acts of bath. If the bleeding is complete 10 days and this completed just before a little time in which she can say takbeer tahrimah without taking bath, salah of this time will be obligatory. So, she has to make up for it in the same injunction goes for fasting that if she found the time of takbir tahrimah after taking bath in first case and she found only the time of takbir tahrimah in the second, fasting of that day will be correct else not.

It is mentioned in Sharah Al-Tanweer:

(أويمض عليها زمن يسع الغسل) ولبس الثياب (والتحريمية) يعني من آخر وقت الصلوة لتعليقهم بوجوبها في ذمتها (إلى قوله) وهل تعتبر التحريمية في الصوم؟ الأصح لا، وهي من الطهر مطلقاً، وكذا الغسل لولا أكثره وإلا فمن الحيض، فتفتق إن بقي بعد الغسل والتحريمية ولولعشرة فقددر التحريمية فقط لثلاثا تزيد أيامه على عشرة فليحفظ، وفي الشامية: (قوله يسع الغسل) أي مع مقدماته كالإستقاء وخلع الثوب والتستر عن الأعين - وفي شرح البزدوى: ولم يذكروا أن المراد به الغسل المسنوب أو الفرض، والظاهر الفرض لأنه يثبت به رجحان جانب الطهارة كذا في شرح التحرير لابن أميرحاج (قوله والتحريمية) وهي "الله" عند أي حنيفة ّ و"الله أكبر" عند أبي يوسف ّ، والفتوى على الأول كما في المضمرة، قهستاني، وقال تحت (قوله الأصح لا): هذا ما صححه في المجتبى -

ونقل بعده في البحر عن التوشيح والسراج: أنه لا يجزئها صوم ذلك اليوم إذا لم يبق من الوقت قدر الاغتسال والتحريمية (إلى قوله) ونحوه في الزيلعي - وقال في البحر: وهذا هو الحق فيما يظهر آه قال في النهر: وفيه نظر، ولم يبين وجهه (إلى قوله) فالذى يظهر ما قال في البحر أنه الحق -

Or a passage of time passed that can be enough for taking bath, wearing clothes and takbir tahrimah; it means at the end of the time for they are reasoning that it became essential upon her. (Till his statement) will tahrimah be considered in regard of fasting? No, but it will be from tuhr (the period of purity) unconditionally. Similarly, bathing if it is after maximum days otherwise it will be from menstruation. So, she has to make up for if she find time after taking bath and tahrimah. If it is on 10th day, the time of tahrimah will be enough to mandate, so that her days cannot exceed from 10 days. Notice it. It is mentioning Al-Shamiyah: (قوله يسع الغسل) means including its contents like ascites, taking of clothes and hiding from sights. It is written in Sharah Al-Bazdawi: The

jurists did not mention that here bathing means with sunnah and obligatory acts, but it is obvious that with obligatory acts is meant, because the preponderance of purity calls for it. So is written in Sharah Al-Tahrir authored by Ibn Ameer Haaj. (قوله والتحرية) means saying the word of “الله” in the view of Abu Hnifah (r) and “الله أكبر” in the view of Abu Usuf (r) and fatwa is according to the first as it is stated in Al-Muzmarat. Quhastani. And he said and the statement (قوله الأصح لا) it is what authenticated in Al-Mujtaba.

It is referred in Al-Bahr to Al-Tawsheeh wa Al-Siraj: The fasting of that day is not allowed for her if there is no time for taking bath and tahrimah. (Till his statement) and so is denoted in Al-Zailai. Al-Bahr reads: It is that true as declared. Al-Nahr reads: It carries some doubts. But the reason is not mentioned. (Till his statement) so the true is what is said in Al-Bahr. (Raddul Muhtar. Vol.1 p. 273) Allah knows the best. 26th Rabi Al-Akhir, 1397 A.H. (Ahsanul Fatawa. Vol.2 p. 70, 71)

Is the bleeding after abortion regarded as menses or not?

Question: A women's pregnancy aborted. Doctors and nurses informed her that some parts are aborted and some are remaining and the doctors regards her pregnant till now. If the blood discharges in this condition, will it be regarded as menses or not?

Answer: If she is pregnant, the blood discharging in the period of pregnancy will not be menses. If it is aborted and she is no longer pregnant while the abortion was not clear and the blood discharged at least three days with abortion and before that it was the period of complete purity, that blood will be regarded as menses otherwise istihadhah (non-menstrual bleeding).

فإن لم يظهر له شيء فليس بشيء، والمرئي حيض إن دام ثلاثاً وتقدمه طهر تام وإلا استحاضة أبـ“ درمختارـ (قوله: والمرئي) أي الدم المرئي مع السقط الذي لم يظهر من خلقه شيء -- (أقله ثلاثة أيام بلياليها) الثلاث، فالإضافة لبيان العدد المقدر بالساعات الفلكية لا للاختصاص، الخ

If nothing appeared with abortion, it is nothing and it will be regarded as menses if it lasts for three days and before that it was the period of complete purity otherwise it would be regarded as istihadhah (non-menstrual bleeding) Durre Mukhtar. His statement(والمرئي) the blood that is seen with unclear abortion¹²..... Its minimum duration is three days and nights. The addition is to define the estimated number according to the astronomic hours not to specify.¹³ Allah knows the best.

¹² Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p.303. Beirut

¹³ Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p.284. And so is in Al-Tatarkhaniyah. Vol.1 p. 324

One day means 24 hours for a woman

Question: A woman experiences discharging two days and sometimes three days regularly and then it ceases completely and then it returns for two or three times or one or two hours and then ceases and likewise it returns for one time after one day and ceases. The calculation is seven days. It happens usually and it lasts at least four days and at most seven days. What to do in this condition? What is the command of Allah and his Messenger? Sometimes it appears after six days when she performs salah after taking bath. It becomes seven days in this condition. How many hours are mean by one complete day? Is it 24 hours? For example; a woman begins discharging at 11 AM on Friday, three days will be completed at 11 AM on Sunday. Is it meant?

Answer: This woman will be regarded as menstruating woman for seven days then she will take bath and perform salah. 24 hours are equal to one day and night. One day and night is called the duration from 12 PM to 12 PM next day.¹⁴ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 03/02/1391. A.H. Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. 04/02/1391 A.H. (Fatawa Mahmoodiyah. vol.5 p. 199-201)

The injunction for the woman who forgot her fixed period

Question: A woman experienced menstrual bleeding more than 10 days and she did not recall her previous usual period that how many days the menstruation lasted the previous month. How many days she has to make up for salah?

Answer: She should guess that how many days the menses lasted. The days she guessed in all probability, she will suppose her menstruating woman in those days and will not make for salah of those days, and the days she guessed for tuhr in all probability, she will be supposed pure and she will make up for salah of these days. The day in which she doubts, she will make up for salah of this day to be safe aside. In the next month, if the bleeding exceeded from supposed period, she will act upon her guessing in the guard of salah times. That means the time which she guessed the menstruation in all probability, she will take bath and perform salah; and when she supposes herself a menstruating woman or pure woman that means her previous days ended, she will take bath and

¹⁴ Bazlul Majhood. Vol.1 p.158. Book of Engaging In Sexual Intercourse With A Menstruating Woman. Imdadiyah Multan.

perform salah. In this case it is better to make up before performing present salah after taking bath next time.¹⁵ When she doubts that she is pure or in menses, she will perform salah after making wudu. So is understood by the text of Al-Durrul Mukhtar and Raddul Muhtar as it is mentioned: وحاصله أنها تتحرى، الخ (In short, she will guess)

8th Jumada Al-Ukhra, 1329 A.H. (First excursus. P.6) (Imdadul Fatawa Jadeed. Vol.1 p. 85, 86)

She experienced menstrual bleeding more than 10 days and she forgot her usual days

Question: How many days will be considered for menses if she experienced menstrual bleeding more than 10 days and she forgot her previous usual days?

Answer: She will consider 10 days for menses and the remaining will be istihadah (non-menstrual bleeding)¹⁶ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 279)

What is the injunction for the woman who does not remember number of menstruating days and its date or only date

Question: The woman who does not remember number of menstruating days and its date and then she used to discharge non-menstrual bleeding regularly. What is the injunction for her? What is the injunction for the woman who recalls the days of menstruation but she forgot its date?

Answer:

قال ابن عابدين في رسالته منهل الواردين من مجار الفيض في أحكام المصلاة: اعلم أنه يجب على كل امرأة حفظ عادتها في الحيض والنفاس والظهر عدداً ومكاناً ككونه خمسة مثلاً من أول شهر أو آخره مثلاً وأطلق المكان على الزمان تجوزاً فإن جئت أو أغنى عليها

¹⁵ Because it is doubt that she may be menstruating when she make up for previous salah and she became pure after performing before passing that time. That's why she will make up for the previous salah. As it is mentioned in Shami: لا حتمال حيضها في وقت الأولى وطهرها قبل خروجه فيلزمها القضاء احتياطاً (Shami. Vol.1 p. 265 Saeed Ahmad)

¹⁶ (أكفره عشرة) بعشرة ليال، الخ. (والناقص... والزائد الخ استحاضة... إلأ عند)... نصب عادة... الدمـ

The maximum duration is 10 days and night..... If it is less or more than that it will be regarded as istihadah (non-menstrual bleeding) but when the usual period are fixed. (Al-Durrul Mukhtar on the margin of Raddul Muhtar. Book of menstruation. Vol.1 p. 262. Zafeer)

Narrated Wathilah bin Al-Asqa': Allah's Messenger (saws) said: the minimum days of menses are three and maximum days are ten. (Al-Dara Qutni. Book of menstruation. Vol.1 p. 225. No. 836)

Narrated Abu Umamah Al-Bahili (rz): Allah's Messenger (saws) said: when she sees the blood more than 10 days, she will be mustahadah (the woman discharging non-menstrual bleeding) (Al-Dara Qutni. No. 834)

أو تساهلت في حفظ ذلك ولم تهتمّ لدينها فسقاً فنسيت عادتھا فاستمر الدم فعليها بعد ما أفأقت أو ندمت أن تتحرى بغلبة الظن كما في اشتباه القبلة وأعداد الركعات فإن استقرظنها على موضع حيضها وعدده عملت به وإلا فعليها الأخذ بالأحوط في الأحكام فما غلب على ظنها أنه حيضها أو طهرها عملت به وإن ترددت تصلى وتصوم احتياطاً على ما يأتي تفصيله، ولا تدخل المسجد ولا تطوف إلا للزيارة لأنه ركن الحج فلا يترك لإحتمال الحيض بخلاف القدوم فإنه سنة ثم تعيد طواف الزيارة بعد عشرة أيام ليقع أحدهما في طهرين، وإلا للصدر فلا تتركه لوجوبه على غير المكي ولا تعيده، ولا تمس المصحف ولا يجوز وطئها أبداً لأن التحرى في الفروج لا يجوز نص عليه محمدٌ، محيط، ولا تقرأ القرآن في غير الصلوة وتصلّي الفرض والواجب والسنن المشهورة أى المؤكدة، بحر، لكونها تبعاً للضرائع، وتقرأ في كل ركعة الفاتحة وسورة قصيرة على الصحيح وقيل تقتصر على المفروض، بحر، سوى ما عدا الأولين من الفرض فلا تقرأ في شيء من ذلك السورة بل تقرأ الفاتحة فقط لوجوبها في رواية عن أبي حنيفة، محيط، وقيل: لا تقرأ أصلاً، والصحيح الأول، تتارخانية، وتقرأ القنوت وسائر الدعوات والأذكار -

وكما ترددت بين الطهر ودخول الحيض صلت بالوضوء لوقت كل صلاة وإن ترددت بين الطهر والخروج من الحيض فتصلّي بالغسل كذلك أى لوقت كل صلاة ثم تعيد في وقت الثانية بعد الغسل قبل الوقتية وهكذا تصنع في وقت كل صلاة، انتهى، مثاله امرأة تذكر أن حيضها في كل شهر مرة وانقطاعه في النصف الأخير ولا تذكر غير هذين فإنها في النصف الأول تتردد بين الدخول والطهر وفي النصف الأخير بين الطهر والخروج وأما إذا لم تذكر شيئاً أصلاً فهي مترددة في كل زمان بين الطهر والدخول فحكمه حكم التردد بين الطهر والخروج بلافراق، وإن سمعت سجدة فسجدتها للحال سقطت عنها وإلا أعادتها بعد عشرة أيام وإن كانت عليها فاتة فقفزتها فعليها إعادة عشرة أيام من يوم القضاء قبل أن تزيد المدة على خمسة عشر وهو الصحيح، وأما حكم الصوم فإنها لا تفطر في رمضان أصلاً لإحتمالها طهارتها كل يوم ثم لها حالات (ذكرها مفصلة فليراجع) وهذا حكم الإضلال العام أى إضلال العدد والمكان بحيث تكون في كل يوم مترددة بين الحيض والطهر وما يقربه أى ما يقرب من العام وإن علمت عدد أيامها لكن أضلت مكانها في جميع الشهر وأما الخاص وهو الإضلال في المكان فقط وإن علمت عدد أيامها وأضلت مكانها في بعض الشهر كالعشر الأول منه مثلاً والإضلال في العدد فقط مع العلم بالمكان فموقوف على مقدمة (فذكرها مع الأمثلة فليراجع ثم ذكر بعده الإضلال في النفاس أيضاً فليطالع -

قلت: وهذا هو مذهب الحنفية في البضلة، والعلم والعمل عسير جداً لنساء زماننا، فرأينا الإفتاء بقول أحمدٍ فيها أولى وأيسر، وهو ما ذكره ابن قدامة في المغني بما نصه: فإن كانت لها أيام نسيها فإنها تقعد ستاً أو سبعاً في كل شهر، وقوله ستاً أو سبعاً الظاهر أنه ردّها إلى اجتهدا ورأيها فيما يغلب على ظنها أنه أقرب إلى عادتها أو عادة نساءها أو ما يكون أشبه بكونه حيضاً، ذكره القاضي في بعض المواضع، وهل تجلس أيام حيضها من أول كل شهر أو بالتحري والاحتياط، فيه وجهان: أحدهما تجلس من أول كل شهر إذا كانت يحتمل لأن النبي صلى الله عليه وسلم قال لحمنة رضي الله عنها: "فتحيي ستة أيام أو سبعة أيام في علم الله ثم اغتسلي وصلي أربعاً وعشرين ليلة أو ثلاثاً وعشرين ليلة وأيامها" فقدم حيضها على الطهر ثم أمرها بالصلوة والصوم في بقيته ولأن المبتدأة تجلس من أول الشهر مع أنه إعادة لها فكذلك الناسية -

القسم الثالث: الناسية لوقتها دون عددها وهذه تتنوع نوعين: أحدهما أن لاتعلم لها وقتاً..... أصلاً وتعلم أن حيفها خمسة أيام فإنها تجلس خمسة من كل شهر إما من أوله أو بالتحري على اختلاف الوجهين ثم - وقول الشافعي ّ موافق لقول الحنفية في الباب كما ذكره في المغنى -

Summary of the answer:

Allamah Ibn Abideen Shami (r) authored a booklet named Manhalul Warideen min Biharil Faiz fi Ahkam Al-Mudillah in which he explain well the matter of the woman who does not remember number of menstruating days and its date. It is summarized here as follow:

It is necessary for every woman to remember her specific days and date for menses, nifas and tuhr. To have an example: it is five days in the beginning of the month or in the last. Hence, if a woman went insane or fainted or she is careless about remembering her days and masail of Deen and she forgot her usual period of every month while she is discharging continuously, it is necessary for her after getting cure and repentance to guess the usual period of every month that how many days and from which date, as it is guessed when does not know the direction of Qiblah or forgot the number of rakah. If she knew the days of her menses and its date after guessing in all probability, she will act upon it otherwise she has to act to be safe aside according to shariah. So when she knew in all probability that these are the days of menses or tuhr, she will act accordingly. If she has doubt yet, she will perform salah and observe fast, but will not enter masjid and did not do tawaf (circumambulation) except ziyarah tawaf (Visiting circumambulation), because it is one of the tenets of Hajj (pilgrimage). So, it will not be missed due to doubt of menses alike arrival tawaf, because it is sunnah, but she will not skip Tawaf al-Sadr, because it is necessary for the person who does not belong to Macca; and she will not repeat it. Later she will repeat tawaf ziyarah after 10 days, so that one tawaf can be performed in tuhr certainly. She will not touch the glorious Qur'an. It is never permissible to have intercourse with her, because guessing is not allowed in this regard. Imam Muhammad (r) explained it. (Muheet) She will not recite Qur'an out of salah, even she will perform obligatory, necessary and emphasized sunnah salah only because they are followed with obligatory salah. Moreover, she will recite only Surah Al-Fatiha and a small surah in every rakah according to one of the statements. It is also said that she will recite minimum quantity of obligation only and will not recite any surah but Surah Al-Fatiha besides first to rakah of obligatory prayer, because Imam Abu Hanifah (r)'s one statement is to be necessary. It is also said that she will recite anything at all.

the first statement is preferred (Tatarkhaniyah). She can recite Qunoot and other Du'as and zikr.

And whenever she doubts about tuhr and beginning menses, she make wudu at every time of salah and if she doubts about ceasing blood and tuhr, she will take bath for every time of salah and will repeat the first prayer after taking bath at the time of second. She will do the same for every time of salah. To take an example: a woman remembers that her menses comes once in a month and it ceases in the last of the month; she does not know anything else. It means she doubts about tuhr and beginning menses in first half of the month and she doubts about ceasing blood and tuhr in last half of the month. If she does not remember anything, it means she doubts about tuhr and beginning menses in whole month. So, the injunction of having doubt about ceasing blood and tuhr will be applied for this kind without any difference. If she listened Ayah of Sajdah (prostration verse) and did sajdah at once, it will elapsed otherwise she has to repeat it after 10 days. If she made up for past sajdah that was bounden on him, she has to repeat it after 10 days from when she performed it before completing 15 days. The right statement is this.

The injunction of observing fast, however, she will not miss it at all, because she doubts every day about the purity. Then here are more conditions and kinds that Allamah Shami (r) as mentioned in this booklet. You can study there.

These are injunctions are about idhlal Aam means forgetting specific number of days and date as she doubts between menses and tuhr or like that she remembers number of days but she does not know date of the month.

However Idhlal Khas means that she does not remember the specific date only. For example; C knows the number of days, but she does not know in in which part of the month is it or what was the date in first 10 days or any other days or she remembers the date, but she does not remember the number of days (This can be one kind of Idhlal Khas) it depends on context. (Allamah Shami (r) describe it also along with examples. Then he denoted Idhlal –e- nifas that can be studied there. (P.99-106)

I (The author of Imdadul Ahkam) say: It is Hanafis schools of thought for the woman or forgot the number of days and date of her period. It is difficult to understand and to act upon these masail for the women of our era.... So, we think easy and better to give fatwa according to Imam Ahmad (r)'s view in this regard. Imam Ahmad's view is the one that Allamah Ibn Qudamah explained in Al-Mughni. The interpretation of text is as follow:

If that woman has more than one period and she forgot them, she will stop salah and fast for six or seven days every month. It is clear that he denoted six or seven days according to her guess and estimation which is nearer to her usual period or to the period of women of her family or the like. Qadhi (r) mentioned it in some places. Will this women stop prayer and fast in her menses in the beginning of every month or she will guess and estimate; it is of two kinds. 1. She will stop in the beginning of every month if it is probable, because the Prophet (saws) said to Himna (rz) that her menses will be six or seven days. In this hadith the Prophet (saws) preferred menses over tuhr and then he ordered for salah and fast, and because first-time menstruating women stops salah and fast in the beginning of the month. Similarly, the woman forgot her period will do the same. 3. The woman did not forget menses days, but she forgot the time. It is also of two kinds: 1. she does not know what is the time of her menses, but she knows that it is five days. She will stop five days in the beginning of the month or so will estimate and guess according to the difference of both kinds. (p. 340- 344) Shafa'ee view is like the one of Hanafis in this regard as it is mentioned in Mughni. (Vol.1 p. 341)

Allah knows the best. His knowledge is all complete and all perfect.

13th Ziqadah, 1347 A.H. (Imdadul Ahkam. Vol.1 p. 368-370)

Blowing on menstruating woman

Question: Is it permissible to blow on mistreating and in childbed woman after reciting the glorious Quran?

Answer: It is permissible. Allah knows the best. 11th Rabi Al-Awwal, 1395 A.H. (Ahsanul Fatawa. Vol.2 p. 68)

The injunction about blowing on menstruating woman

Question: If menstruating or in childbed woman or junub got ill, is it allowed to blow on them by reciting Quranic verses?

Answer: Purity is not regarded as a condition for reciting incantation and dikr. It can be blown without purity. When purity is not necessary for the person blowing, it will not be necessary for the person blown. So, it is allowed to blow on menstruating and in childbed woman though she is not pure. Because Al-Allamah Al-Haskafi (r) said:

(ولا بأس) لحائض وجنب (بقراءة أدعية ومسها وحملها وذكر الله تعالى، وتسبيح) وزيارة قبور، ودخول مصلى عيد-

There is nothing wrong for menstruating women and junub in reciting Du'a, touching it, carrying it, doing dikh of Allah Almighty, counting tasbeeh, visiting graveyards and entering the place of Eid salah. (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 293. Book of menstruation)¹⁷ (Fatawa Haqqaniyah. Vol.2 p. 566)

Can the menstruating woman answer to Azan or not?

Question: Is it recommended for woman to answer to Azan? What is the injunction, if she is menstruating?

Answer: It is recommended for woman to answer to Azan, but if she is menstruating the views of Fuqaha differed. She should not answer to Azan according to the view of major Fuqaha, because answering indicates to attend the place of salah leaving works and the woman is helpless from carrying it out though she is not performing in masjid.

It is mentioned in Raddul Muhtar:

(ويجب) وجوباً، وقال الحلواني: ندباً، والواجب الإجابة بالقدم (من سمع الأذان) يفهم منه أنه لو لم يسمع لصمراً أو لبعد أنه لا يجب، (قوله لاحقاً ونفساً) لأنهما ليسا من أهل الإجابة بالفعل فكذا بالقول إمداد، أي بخلاف الجنب فإنه مخاطب بالصلوة، ولأن حدثه أخف من الحيض والنفاس لإمكان إزالته سريعاً.

He will answer to Azan necessarily. Al-dHalwani said: It is recommended and what is necessary is to answer by feet for the one who listened Azan. It is understood that if one did not listen due to being deaf or distance, answering will not be necessary. His statement not for menstruating and in childbed women, because they are not from those who has to answer with action so the same will be with word. Imdad. Unlike junub, because he is addressed for salah and because his impurity is lighter than menstruation and nifas as it can be removed instantly. (Raddul Muhtar. Vol.1 p.396)

Fatawa Hindiyah reads:

ويجوز للجنب والمجانن الدعوات وجواب الأذان ونحو ذلك كذا في السراجية-

قال السيد أحمد الطحطاوي: (تحت قوله: ويجوز قراءة آية من القرآن إلا بقصد الذكر) الخ¹⁷

Al-Sayyid Ahmad Al-Tahtawi said: (under his statement) it is forbidden to recite any verse of Quran, but with the intention of dikh or Allah's praise and Du'a if the verse contains them according to the authentic narrations. It is mentioned in Al-O'yoon: If one recited Surah al-Fatiha or any other verse that carries the meaning of Du'a and he did not intend to recite the glorious Quran, there is nothing wrong. (Al-Tahtawai margin of Maraqqi Al-Falah. P. 114. Book of menstruation. And so is in Al-Bahr Al-Raique. Vol.1 p. 199. Book of menstruation)

It is allowed to recite Du'as and answer to Azan and the like, as it is mentioned in Al-Sirajiyah. (Fatawa Hindiyah. Vol.1 p.38)

Al-Fiqhul Islami reads:

وقال الحنفية: تشمل الإجابة من سمع الأذان ولو كان جنباً لاحائضاً ونفساء.

Hanafiyah said: Answering includes the person who listened Azan though he is sexually impure not the menstruating and in childbed women. (Al-Fiqhul Islami wa Adillatuhu. Vol.1 p. 554)

Hashiyah Al-Tahatawi states:

ويجب الجنب للاحائض والنفساء لعجزهما عن الإجابة بالفعل أى فسقطت بالقول تبعاً للفعل.

Junub will answer not the menstruating and in childbed women, because they are helpless to answer with action. So, it will be elapsed with word following with action. (Hashiyah Al-Tahatawi. Vol.1. p. 110) Allah knows the best. (Fatawa Darul Uloom Zakariya. Vol.1 p. 591)

Sajdah of recitation will not be necessary in the state of menses and nifas

Question: Will Sajdah of recitation be obligated if menstruating and in childbed women listened it?

Answer: It is not be obligated.¹⁸ Allah knows the best. (Baqiyat Fatawa Rashidiyah. P. 139)

Will the menstruating women do dikr and Du'a in the time of salah or not?

Question: My wife participates in Dawah and Tablighi (preaching islam) programs. She listened a matter in one them and wants its authentication that it is recommended for a menstruating woman to sit on musallah at the time of salah after making wudu and

¹⁸ In the state of menstruation and nifas, the woman is not addressed for salah and sajdah is a part of salah. So, she will not be addressed for it also. Saeed Ahmad Palanpuri

(يمنع صلاة) مطلقاً ولو سجدة شكر الله، وفي الشامي: قوله يمنع: أى الحيض وكذا النفاس، خزائن..... قوله مطلقاً الخ-

It forecloses salah unconditionally though it is sajdah of thanking. It is written in Al-Shami: it means menstruation and nifas foreclose. Khazain..... His statement "مطلقاً" means completely and partially, because foreclosing something requires foreclosing along with its parts. Nahr. His a statement "ولو سجدة شكر" means its recitation. So, they will not be correct and they will be forbidden. Bahr (Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 190, 191. Beirut)

recite tasbeeh, durood and dikr for the time she used to perform salah. Is it correct? Please answer with evidences.

Answer: It is correct and reciting dikr and tasbeeh is not forbidden. Besides virtues on making it a usual task, the other benefit is that her habit for salah and worship will be strong.

ويستحب لها أن تتوضأ لوقت كل صلاة وتقعّد على مصلاها وتسبح وتكبر بقدر أدائها كي لا تنسى عادتها وفي رواية: يكتب لها ثواب أحسن صلاة كانت تصلي.

It is recommended for her to make wudu for every time of salah, sit on her musallah, recite tasbeeh, "لا إله إلا الله" and "الله أكبر" so that she may not forget his habit. It is reported that she will be rewarded equal to the best salah she ever performed. (Shami. Vol.1 p. 213)¹⁹ Allah knows the best. Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris, Multan. (Khairul Fatawa. Vol.2 p. 144) (Fatawa Haqqaniyah. Vol.2 p. 560)

Menstruating woman is asked to recite Du'a and dikr

Question: Some women asked that should they read in menstruating period the manzil of your book named "قربات عند الله وصلوات الرسول ومناجات مقبول" includes verses of the glorious Qur'an and hadith or not?

Answer: Al-Durrul Mukhtar reads:

أحكام الجنب: (و) يحرم به (تلاوة قرآن) ولودون آية على المختار (بقصد) فلو قصد الدعاء أو الثناء أو افتتاح أمر أو التعليم ولقن كلمة كلمة حل في الأصح آه في رد المختار: (قوله على المختار) أي من قولين مصححين ثانيهما أنه لا يحرم مادون آية، ورجحه ابن الهمام بأنه لا يعد قارئاً بما دون آية في حق جواز الصلوة فكذا ههنا واعترضه في البحر تبعاً للحلية بأن الأحاديث لم تفصل بين القليل والكثير، والتعليل في مقابلة النص مردود.²⁰

¹⁹ Al-Allamah Alim bin Ala Al-Ansari (r) said:

"ويستحب للمرأة الحائض إذا دخل عليها وقت الصلوة أن تتوضأ وتجلس عند مسجد بيتها" وفي السراجية: مقدار ما يمكن أداء الصلوة التي

It is recommended for a menstruating woman that the time of salah reached she should make wudu and sit where she used to perform salah. It is written in Al-Sirajiyah: She will sit for the time she was performing salah when she was pure, and recite tasbeeh, and "لا إله إلا الله" so that her habit may not go away. (Fatawa Al-Tatarkhaniyah. Vol.1 p. 332. Book of menstruation. A kind of injunction related to menstruation) and so is in Al-Hindiyah. Vol.1 p. 38. Book: 6 about Du'a particularly for women. Chapter: 4 about injunctions of menstruation)

²⁰ Al-Durrul Mukhtar with Raddul Muhtar. Matters about bath. The meaning that Du'a is called what contains praise of Allah. Vol.1 p.172 Beirut.

قلت (أى أشرف على التهانوى): بأنه ليس تعليلاً بل تفسير للحديث الناهى كحديث ابن عمر رضي الله عنهما مثلاً عن النبي صلى الله عليه وسلم: "لا تقراء الحائض ولا جنب شيئاً من القرآن" أخرجه الترمذى رحمته الله فإن النهي تعلق بالقرآن وما دون آية لا يسمى قرأناً والنصوص واردة على محاورات أهل اللسان فهو أيضاً عمل بالحديث، ثم ذكر في الدر المختار، في أحكام الحيض: (وقراءة قرآن) بقصده الخ في رد المحتار: (قوله بقصده) فلو قرأت الفاتحة على وجه الدعاء أو شيئاً من الآيات التي فيها معنى الدعاء ولم ترد القراءة لأبأس به كما قدمناه عن العيون لأبي الليث، ²¹ قلت: وهو ما نقل في أحكام الجنب ونصه: قال في العيون لأبي الليث: قرأ الفاتحة على وجه الدعاء أو شيئاً من الآيات التي فيها معنى الدعاء ولم يرد القراءة لأبأس به، وفي الغاية: أنه المختار، واختاره الحلواني، لكن قال الهند واني: لا أفقي به وإن روى عن الإمام الخ ²².

The about texts explain some points:

1. Junub and menstruating woman are not allowed to recite the glorious Quran with the consent of all. It is also understood that it is not allowed to recite one complete verse.
2. It is allowed to recite hadith with the consent of all.
3. It is not allowed to recite less than one verse in the view of some Ulama.
4. If the glorious Quran is not recited with the intention of recitation but with the intention of Du'a, when it contains the matters of Du'a it is allowed in the view of major Ulama while some of them did not give fatwa to be allowed.
5. Since, the opposite meanings of fiqhi reports are regarded as evidences. That's why the same reports will be evidence to allow to read hadith particularly the one contains Du'a. We got the answer to the question in detail by this discussion.

This was about injunctions that was required and it does not need to give evidences to act upon it, but I want to point out the evidences to enjoy for the scholars.

Evidence of first point is mentioned in the text:

لا تقراء الحائض ولا الجنب الخ وفي الباب أحاديث كثيرة غير ما ذكر-

The menstruating woman and junub will not recite. There is more than one hadith in this chapter.

²¹ Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 293

²² Al-Durrul Mukhtar with Raddul Muhtar. Matters about bath. The meaning that Du'a is called what contains praise of Allah. Vol.1 p.172 Beirut.

The evidence of the second part of the first point is the same ahadith, because reciting the glorious Quran fits on it.

The evidence of the second point is the same ahadith, because reciting the glorious Quran does not fit on it. Moreover, all the authors of six authentic books narrated the following hadith except Bukhari and Nasai.

كَانَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَذْكُرُ اللَّهَ فِي كُلِّ أَحْيَانِهِ

The Prophet (saws) used to do Dikr of Allah all the times. So is mentioned in Ihyaus Sunan.

It is clear that it includes hadith and Quran generally, since the prohibition is narrated from reciting the glorious Quran, it became particular and reciting hadith remained under general meaning. Moreover, the Prophet (saws) used to speak in this situation while every his every word is hadith. So the permission of reciting hadith is proved by functional authority.

The evidence of the third point (Prohibition) is these ahadith wordly, because the meaning of recitation encloses it literally. And the evidence of allowing is the same ahadith by concept, because it is not called recitation in alias and idioms.

The evidence of fourth point (majority) can be following hadith:

عَنْ عَائِشَةَ. أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا أَرَادَ أَنْ يَنَامَ وَهُوَ جُنُبٌ تَوَضَّأَ وَضُوءَهُ لِلصَّلَاةِ.

‘A’ishah (rz) reported: when the prophet (ﷺ) intended to sleep while he was sexually defiled, he would perform ablution as he did for prayer. (Muslim)

‘A’ishah (rz) reported: when the prophet (ﷺ) intended to eat while junub, would wash his arms and rinse out his mouth. Then he would eat. (Dara Qutni and said it is correct as stated in Ihya Al-Sunan)

The other ahadith are reporting to read بِسْمِ اللَّهِ in the beginning of eating and الحمد لله at its end. Wadu according to shariah cannot remove the sexual impurity, while wudu in literal meaning is not wudu. So, it is true to say بِسْمِ اللَّهِ and الحمد لله in the state of sexual impurity while it is proved with frequency that بِسْمِ اللَّهِ is the word of Quran and they enclose complete الحمد لله and incomplete الحمد لله. The word of الحمد لله enclosing incomplete verse of Quran is also Quran. But reciting الحمد لله and الحمد لله was not with the intention

of recitation while it was to get blessings at the beginning and end. That's why it is permitted. So, the statement of major Ulama is proved in fourth point. However, it looks that the statement of some people in that point based on being safe side, so that people may not cross the limit. Therefore, they did not give fatwa to allow to close this door, otherwise they are also allowing **بسم الله** and **الحمد لله**, because when there is no doubt to be Quran, how it would be doubted to cross the limit.

The description of second point is enough for the evidence of 5th point.

Note: (A) Since, the injunctions of junub and menstruating woman are the same, the injunctions and evidences mentioned above will be applied for both.

In short, the answer to the question is that it is allowed for menstruating woman to recite Du'a from Quran and hadith to get the pleasure of Allah, but with the condition of intending Du'a only in Du'a of Quran not with the intention of recitation. Where prudence is not expected scientifically and functionally, it will be better not to recite to be safe side. It may be that Faqih Hindwani (r) forbade people for this reason.

Note: (B) It would be understood that the purpose of all persons of Fatwa is to follow hadith though the way of proving may differ. Allah knows the best.

Ashraf Ali (May Allah forgive him) 4th Shaban, 1365 A.H. (Al-Noor Ramadan 1357 A.H.) (Imdadul Fatawa Jadeed. Vol.1 p. 88-91)

can a woman read tasbeeh in the state of menses and nifas or not?

Question: Is it allowed for women to read Dalail Al-Khairat, Hizb Al-Azam and other wazaif like **سبحان الله ، الحمد لله** or **الله أكبر** etc.? Does he have to care not to read verse of Quran if that book encloses it?

Answer: It is allowed to read tasbeeh and tahleel (**لا إله إلا الله**). It is also allowed to read the verses of Quran with the intention of Du'a.

Durrul Mukhtar reads:

(ولا بأس) لحائض وجنب (بقراءة أدعية ومسها وحملها وذكر الله تعالى، وتسبيح الخ) وفي الشاشي: "فلو قرأت الفاتحة على وجه الدعاء أو شيئاً من الآيات التي فيها معنى الدعاء ولم ترد القراءة لا بأس به" -

There is nothing wrong for menstruating women and junub in reciting Du'a, touching it, carrying it, doing dikr of Allah Almighty, counting tasbeeh.²³ Al-Shami states: If one recited Surah al-Fatiha or any other verse that carries the meaning of Du'a and he did not intend to recite the glorious Quran, there is nothing wrong.²⁴ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 280)

How will she complete wazifah of 40 days?

Question: It is mentioned in a book referring to an Alim describing the virtues of Surah Yaseen that if a person recites it 40 days similarly, his Du'a will be accepted for what he did. If a woman wants to act upon it for her matter she has to face menses in this duration. How will she complete 40 days in this condition?

Answer: She should complete her 40 days in her purity period. She will get the same virtue إن شاء الله.

Written by Muhammad Zafar Alam Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 252)

Dikr is allowed in the state of menses

Question: Can she do dikr and read tasbeeh in the state of menstruation?

Answer: It is allowed to all kinds of dikr in the state of menses except recitation of the glorious Quran. It is also allowed to read the verses of Quran with the intention of Du'a.²⁵ Allah knows the best. 2nd Zil Hijj, 1389 A.H. (Ahsanul Fatawa. Vol.2 p. 67)

Reading "Munajat Maqbool" during menses

Question: Can women read "Munajat Maqbool" during menses? Some people say that Arabic Du'a in this book contains the verse of the glorious Quran. So, the Urdu poem version should be read separately. Is it correct?

²³ Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p.271

²⁴ Raddul Muhtar. Book of menstruation. Vol.1 p.271

عن هشام بن حسان قال: الجنب يسبح و يحمد الله، ويدعو، ولا يقرأ آية واحدة. Hisham Ibn Hassan narrated: Junub can read and can do Du'a, but will not recite a complete verse of Quran. (Musannaf Abdur Razzaque. Book: Can menstruating woman and junub do dikr of Allah. Vol.1 P. 261. No. 1311)

Imam Tirmizi writes: Fuqaha said: Menstruating woman and junub will not recite anything from Quran, but a part of verse, word and the like. They allowed them to read سبحان الله and لا إله إلا الله. (Tirmizi. Book: What Has Been Related About The Junub And The Menstruating Persons That They Do Not Recite The Qur'an)

²⁵ Margin Np. 1.

Answer: It is correct to read Urdu Du'a holding it with piece of clothing or handkerchief.²⁶ Allah knows the best. Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 209, 210)

Reciting "Ayatul Kursi" in the state of menses

Question: If a woman was usually reciting five kalimah, Ayatul Kursi, All four Surah "Qul" and Surah Al-Fatiha at the time of sleeping, what should she do in the duration of menses?

Answer: She should recite them with the intention of Du'a.²⁷ Allah knows the best.

20th Shaban, 1397 A.H. (Ahsanul Fatawa. Vol.2 p. 71)

She reads the verses of the glorious Quran with the intention of dikr or Du'a in Arafat

Question: A woman says that the verse لَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ إِنِّي كُنْتُ مِنَ الظَّالِمِينَ cannot be recited in the state of menses in Arafat. Can she not recite the verses, Surah Al-Ikhlās and the Manzil of Saturday in Munajat Maqbool orally in the state of menses?

Answer: The cannot recite any verse of the glorious Quran with the intention of recitation in the state of menses. However, if she wants to recite she can recite the verses that contains Du'a, praise of Allah with the intention of Du'a and dikr.

Maraqi Al-Falah reads:

ويحرم قراءة آية من القرآن إلا بقصد الذكر إذا اشتملت عليه لأعلى حكم أو خبر... الخ

²⁶ It is allowed without any dislike to read Arabic Du'a in this book contains the verse of the glorious Quran with the intention of Du'a. However, it is not allowed to read it with the intention of recitation.

“(قوله بقصده): فلو قرأت الفاتحة على وجه الدعاء أو شيئاً من الآيات التي فيها معنى الدعاء ولم تُرد القراءة، لا يأنس به”

(His statement with the intention of recitation) If one recited Surah al-Fatiha or any other verse that carries the meaning of Du'a and he did not intend to recite the glorious Quran, there is nothing wrong. (Raddul Muhtar. Vol.293. Book of menstruation. Saeed. And so is in the margin of Al-Tahtawai on Al-Durrul Mukhtar. Vol.1 p. 150)

²⁷ عن ابن عمر رضي الله عنهما عن النبي صلى الله عليه وسلم قال: “لا تقرأ الحائض ولا جنب شيئاً من القرآن.”

Narrated Ibn Umar (rz): The Prophet (saws) said: Menstruating women and junub will not recite anything from glorious Quran. (Tirmizi. Book: What Has Been Related About The Junub And The Menstruating Persons That They Do Not Recite The Qur'an. Abu Dawood. Book about junub who recites the glorious Quran)

It is prohibited to recite any verse of the glorious Quran, but with the intention of dikh if it contains dikh not command and information.

Tahtawi reads:

(قوله إلا بقصد الذكر): أى أو الثناء أو الدعاء إن اشتملت عليه فلا بأس به فى أصح الروايات، قال فى الحيوان: ولو أنه قرأ الفاتحة على سبيل الدعاء أو شيئاً من الآيات التى فيها معنى الدعاء ولم يرد به القرار فلا بأس به، آه، واختاره الحلوانى وذكر فى غاية البيان: أنه المختار، كما فى البحر والنهر.

(His statement but with the intention of dikh) like praise of Allah or Du'a; if the verse contains them there is nothing wrong to recite it according to the most authentic narrations. He said in Al-Haiwan: If one recited Al-Fatiha or any other verse enclosed the meaning of Du'a with the intention of Du'a and did not intend Quran, it makes no harm. Al-Hulwani (r) preferred it and it is mentioned in Ghayatul Bayan: It is preferred as it is in Al-Bahr and Al-Nahr also. (Maraqi Al-Falah and Tahtawi on Maraqi Al-Falah. Vol.77)

Bahishti Zewar mentions: Mas'alah: The menstruating, in childbed woman and the one who requires bath are not permitted to enter masjid, to do Tawaf (circumambulation) of Kabah, to recite and to touch the glorious Quran.

It reads further: Mas'alah: If she recited complete Surah Fatiha or the other Du'a mentioned in Quran with the intention of Du'a not with the intention of recitation, it is correct. It carries no sin. To site an example of following Du'a:

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ

And the Du'a: رَبَّنَا لَا تُؤَاخِذْنَا إِنْ نَسِينَا أَوْ أَخْطَأْنَا. till the end of the Surah Baqarah or any other Du'a that Quran recommends; it is correct to recite them all with the intention of Du'a. (Bahishti Zewar. P.77,78. Part.2 The injunctions of menses and nifas)

So, it the case mentioned above a woman can recite Surah Ikhlas (قُلْ هُوَ اللَّهُ), but she should not recite it with the intention of recitation. It is narrated that reciting this wazifah in Arafat has a lot of virtues.

It is narrated the believer who stayed in Arafat after sun declining on the day of Arafah (9th Zil Hijj), faced Kabah and then read “ لا إله إلا الله وحده لا شريك له، له الملك وله الحمد وهو على كل شئ قدير ” hundred times, “ قُلْ هُوَ اللَّهُ أَحَدٌ ” hundred times “Durood of salah” (Durood Ibrahimī) hundred times, Allah says: O My angels! What is the reward of my slave who uttered my glorification, declared my Greatness (i.e. He said: لا إله إلا الله) None has the right to be worshipped but Allah), praise me and send the peace and mercy upon My

Prophet? I have forgiven him and I accepted his recommendation for himself and if he will recommend for the staying people in Arafat, I will accept whatever he will ask. (Muallim Al-Hujjaj. P.175, 176. How to stay on the Day of Arafah)

Similarly, you can read Saturday manzil of Munajat Maqbool with the intention of Du'a.

Maraqi Al-Falah reads:

ويحرم (مسها) أى الآية لقوله تعالى: "لَا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ"، سواء كتب على قرطاس أو درهم أو حائط (الإبغلاف) متجاف عن القراء والحائل كالخريطة في الصحيح.

It is prohibited to touch the verse of the glorious Quran, because Allah Almighty said: "لَا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ" None touch it except the purified. Whether it is written on paper or coin or wall, but with separated cover from Quran. The barrier is like chart according to right statement.

Tahtawi states:

وفيما عدا المصحف إنما يحرم من الكتابة لا الحواشي ويحرم الكل في المصحف لأن الكل تبع له كما في الحدادي وغيره الخ.

It is prohibited to touch the text of the Quran not the margin in other than Quran while it is prohibited completely in Quran, because the that is followed to Quran as it is mentioned in Al-Hidadi and the like. (Tahtawi on Maraqi Al-Falah. P.77) Allah knows the best (Fatawa Rhimiyah. Vol.9 p.117-119)

The injunction of teaching Quran for menstruating woman

Question: What do Ulama and Islamic jurists say in regard to the matter that a woman teaches children, should he leave to teach in the days of menses? Is it allowed to read other Du'a and Durood Shareef etc.?

Answer:

قال في شرح التنوير: (و) يمنة... (قراءة قرآن) بقصده (ومسه) (إلى أن قال) (ولا بأس) لحائض وجنب (بقراءة أدعية ومسها وحملها وذكر الله تعالى، وتسيب) وفي الشامية: (قوله: قراءة قرآن): أى ولودون آية من المركبات لا المفردات، لأنه جوز للحائض المعلمة تعليمه كلمة كلمة (قوله بقصده): فلو قرأت الفاتحة على وجه الدعاء أو شيئاً من الآيات التي فيها معنى الدعاء ولم ترد القراءة لا بأس به (رد المختار: ٢٤٠/١) وفي غسل شرح التنوير: (و) يحرم به (تلاوة قرآن) ولودون آية على المختار (بقصده) وفي الشامية: (قوله على المختار): أى من قولين مصححين ثانيهما أنه لا يحرم ما دون آية (إلى قوله) أقول: ومحلّه إذا لم تكن طويلة، فلو كانت طويلة كان بعضها كآية لأنها تعدل ثلاث آيات ذكره في الحلية عن شرح الجامع لفخر الإسلام.

The following points are extracted from the about texts:

- (1) It is not allowed with the consent of all for menstruating woman to recite one complete verse or more than with the intention of recitation.
- (2) Fuqaha have different opinions about allowing to recite a part of verse on condition that it should not be equal to the shortest verse (six letters), but the prohibition is preferred.
- (3) It is allowed with the consent of all to recite the single words one by one.
- (4) It is allowed to the verse of the Quran contains the meaning of Du'a with the intention of Du'a.
- (5) It is allowed to read Du'a Mathurah, touching it, recalling Allah etc. Allah knows the best.¹

13th Shaban, 1395 A.H. (Ahsanul Fatawa. Vol.2 p.67, 68)

Teaching children in the period of menses

Question: What do Ulama and Islamic jurists say in regard to the matter follows:

- (1) Can a woman study Urdu books of Fiqh, hadith and interpretation of the glorious Quran in the state of menstruation and nifas?
- (2) Is it allowed for her to teach the girls their lessons? Can she touch the book or is there any other option?

Answer: (1) She can study.²

¹Mahmoodul Fatawa. Vol.1 P. 382.

² (ولا يكره النظر إليه) أى القرآن (لجنب وحائض ونفساء) لأن الجنابة لا تخل العين (ك) ما لا تكره (أدعية) أى تحريماً، وإلا فالوضوء لمطلق الذكر مندوب، وتركه خلاف الأولى، وهو مرجع كراهة التنزيه.

(Al-Durrul Mukhtar with Raddul Muhtar. Matters about bath. The meaning that Du'a is called what contains praise of Allah. Vol.1 p.174 Beirut)

(2) Though she is recommended not to touch, she can do it in need. The menstruating woman, junub and minor impure person or equal in regard of Quran, but the difference is only in reciting.

وفي الخلاصة: يكره من كتب الأحاديث والفقهاء للمحدث عندهما وعند أبي حنيفة رحمه الله الأصح أنه لا يكره (ثم قال بعده) والمستحب أن لا يأخذ كتب الشريعة بكر أيضاً بل يجدد الوضوء كلما أحدث الخـ

(Al-Bahrur Raique. P.202) Allah knows the best.

Mahmood (May Allah forgive him) Mufti Madrasa Qasimul Uloom, Multan. 1375 A.H. (Fatawa Mufti Mahmood. Vol.1 p. 451)

Explanation of two texts in regard of touching Quran

Question: “ولا تمس هؤلاء أى الحائض والمجنب والنفساء والمحدث مصحفاً إلا بغلاف متجاف أى منفصل عنه”

this text is explained in the interpretation of Sharah Wiqayah: It means that it is not allowed to touch the glorious Quran for minor impure person also. Allah Almighty said:

“لَا يَمَسُّهُ إِلَّا الْمُطَهَّرُونَ”

(None touch it except the purified) and it is reported in hadith:

“عن حكيم بن حزام قال: لما بعثني رسول الله صلى الله عليه وسلم إلى اليمن قال: “لا تمس القرآن إلا وأنت طاهر”

(Narrated Hakeem (rz) Ibn Hizam: When the Prophet (saws) sent me towards Yemen told me: “Do not touch the glorious Quran, but you are pure.” There is a similarity between verse and hadith, but the text indicates that “إلا بغلاف متجاف أى منفصل عنه” (but we separated cover from it). But I could not understand that menstruating and in childbed women can touch the glorious Quran. Please explain it. In which condition is it allowed?

Answer: There is no contradiction in both texts. “إلا بغلاف متجاف أى منفصل عنه” means you can catch it with cover of cloth without wudu. Touching with separated cover is not call touching the glorious Quran, but it is touching the cover.

Written by Muhammad Mustaqeem Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 251, 252)

The girl reached puberty in the course of memorizing the glorious Quran by heart. Is there any method to keep memorized the previous lessons?

Question: A girl is memorizing the glorious Quran by heart and he reached puberty and her period began. Due to this, she has to skip eight days every month. She can recite the glorious Quran in remaining days, but the problem is that it will take the time too long. When she leaves reciting in period, she started forgetting and she has to memorize again. Is there any way that she can revise what she memorized?

Answer: She is not allowed to recite the glorious Quran in the period due to the mention reason. There are two ways to keep memorized what she did:

- (1) She should open the glorious Quran with cover of cloth or the like, turn the pages with pen or the like and revising in the heart looking in the glorious Quran, but she should not move her tongue.
- (2) If someone is reciting, she should sit with him and listen. It can be memorized by listening also. These two ways are allowed and they will be sufficient to keep memorized what is done if Allah wants. Allah knows the best.

9th Shawwal Al-Mukarram, 1401 A.H. (Ahsanul Fatawa. Vol.2 p. 66)

Touching the book contains the verses of the glorious Quran in the period of menses

Question: If it is the time when women are prohibited to touch the glorious Quran, is it allowed to touch or read the book contains the 10-12 or one or two verses of the glorious Quran? (Questioner: 108 Meer Abdul Ghafoor Sahab. Ex-judge Shimla. 22nd Rajab, 1352 A.H. corresponding 12th November, 1933 C.E.)

Answer: It is not allowed to touch the glorious Quran or the pages having the verses of the glorious Quran of the book in which the verses of the glorious Quran are written, but it is allowed to touch that book and to hold it.¹

عن عبد الله بن أبي بكر عن أبيه قال: كان في كتاب النبي صلى الله عليه وسلم لعمر بن حزم ألا تمس القرآن إلا على طهر.

(Al-Dara Qutni. Book about prohibiting impure person from touching the glorious Quran. Sunan Al-Baihaqi. Book of menstruation, she will not touch the glorious Quran and will not recite it.)

عن عامر وسالم قال لا يمس الرجل الدراهم فيها كتاب الله وهو جنب قال وقال عطاء والقاسم يسها إذا كانت مصرورة في خرقة.

(Muannaf Ibn Abi Shaibah. Book of the person touching the coin while he is sexually impure. Musannaf Abdur Razzaque. Book of touching the glorious Quran and the coin contains Quran.)

عن ابن عمر رضي الله عنهما عن النبي صلى الله عليه وسلم قال: "لا تقرأ الحائض ولا جنب شيئاً من القرآن."

Narrated Ibn Umar (rz): The Prophet (saws) said: Menstruating women and Junub will not recite anything from glorious Quran. (Tirmizi. Book: What Has Been Related About The Junub And The Menstruating

Can a menstruating woman sit near the dead body?

Question: Can a menstruating woman sit near the dead body?

Answer: It is better for a menstruating woman not to sit near the dead body.

Have a cast to Al-Fiqhul Islami:

قال الحنفية: ويخرج من عنده الحائض والنفساء والجنب لا متناء حضور الصلاة بسببهم.

(Al-Fiqhul Islami Wa Adillatuhu. Vol.2 p. 454)

Al-Bahrur Raique reads:

قال ابن نجيم: ويخرج من عنده الحائض والنفساء.

(Al-Bahrur Raique. Vol.2 p. 171)

Raddul Muhtar reads:

قال ابن عابدين: (ويخرج من عنده الحائض والنفساء والجنب) في النهر: وينبغي إخراج الحائض -- وفي نور الإيضاح: واختلف في إخراج الحائض.

(Raddul Muhtar. Vol.2 p. 193)

Tahtawi on Maraqqi Al-Falah states:

طحطاوى على مراقى الفلاح مينعت: (واختلفوا في إخراج الحائض) إخراجهم على سبيل الأولوية إذا كانت عن حضورهم غيب فلا ينافي ما ذكره الكاكي من أنه لا يمنع حضور الجنب والحائض وقت الإحضار ووجه عدم الإخراج أنه قد لا يمكن الإخراج للشفقة أو للاحتياج إليهن.

(Tahtawi on Maraqqi Al-Falah. P. 308)

To sum up, it is better that menstruating woman should not stand near the dead body.

الأولى أن لا تجلس عند الميت الحائض والنفساء والجنب.

Allah knows the best. (Fatawa Darul Uloom Zakariyah. Vol.1 p. 578, 579)

Performing ziyarah tawaf (visiting circumambulation) in the state of impurity

Question: A woman performing Hajj does not become pure from menstruation till 12th Zil Hijj. He has to depart on 13th Zil Hijj according to the rule. If she performed ziyarah tawaf (visiting circumambulation) in the state of menstruation and give one Dam (fine) for it, is her ziyarah tawaf correct or not? What should she do in this condition?

Answer: Her Hajj will be complete and she will be free from Ihram completely according to the question asked above. It is mentioned in Umdatul Qari:

أَبَ الحائض لَا تَطُوفُ بِالْبَيْتِ فَإِنَّ هَجَمَتْ وَطَافَتْ وَهِيَ حَائِضٌ فَفِيهِ تَقْصِيلٌ وَإِنْ كَانَتْ حَائِضًا وَكَانَ الطَّوْفُ طَوَافَ الْقُدُومِ فَعَلَيْهَا شَاةٌ وَإِنْ كَانَ طَوَافُ الرُّكْنِ فَعَلَيْهَا بَدَنَةٌ.

(Umdatul Qari Sharah Sahih Al-Bukhari. Book of menstruation. Vol.1 p. 177)

written by Muhammad Mustaqeem Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 254)

Having intercourse with menstruating woman

Question: What is the difference between Jim'a (sexual intercourse) Mubasharat (intimacy)? Some Murshideen studied what is mentioned in Al-Bukhari book of intimating with menstruating woman. P. 207 and say that the person who cannot control himself, he can fulfil his desire with his menstruating wife putting up cloth on her vagina. But Hakeemul Ummat Maulana Ashraf Ali Thanwi (r) has written in Bahishti Zewar referring to Durre Mukhtar. Vol.1 p. 194: It is not correct to live with man i.e. having intercourse besides all things are allowed like eating, drinking and sleeping.¹

Allamah Shrunbulali (r) has written in Noorul Idhah. Book of menstruation nifas and non-menstrual discharging:

"It is prohibited to enjoy with any part that is below the navel and above the knee. Of menstruating woman."

So you are requested to explain the matter and meaning of Jim'a.

Answer: Everyone knows Jim'a. There is nothing to explain. Mubasharat means: to touch skin with skin. Sometime it is meant: Touching the vagina with man's sexual organ

¹ Bahishti Zewar. Book No.26. Injunctions of menstruation. Mas'alah: 4 p. 168. Darul Ish'at Deoband.

with desire and without any barrier, that is called Mubasharat Fahisha (intimating without any barrier) as it is mentioned in Al-Maraqi Al-Falah.¹

Intimating with a menstruating woman falls into three categories:

- 1- Being intimate and having intercourse with her in the vagina. This is haram.²
- 2- Being intimate by kissing, embracing, touching etc. parts that are above the navel and below the knee. This is permissible according to scholarly consensus.
- 3- Being intimate with regard to the area between the navel and the knee, except sexual intercourse. The scholars differed as to whether this is permissible. Imam Azam Abu Hanifah (r) is of the view that this is haram. It is written in detail in Aujaz Al-Masalik. Vol.1 p.163 (interpretation of Muatta Imam Malik)³

You narrated the statement of some Murshideen. You should search in Bukhari Sharif that by which hadith it is supported.

To have a glance what Aisha (rz) said in this regard:

”وَأَيْكُمْ يَمْلِكُ إِرْبَهُ كَمَا كَانِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَمْلِكُ إِرْبَهُ“ -

“And who among you can control his desire as the Messenger of Allah (ﷺ) could control his desire.”⁴

مباشرة فاحشة وهي من فرج أو دبر بذكر منتصب بلا حائل يمنع حرارة الجسد -

(Maraqi Al-Falah. P. 92. The things that breaks wudu. Qadeemi. And so is in Khulasatul Fatawa. Vol.1 p. 15. Third chapter about wudu. Amjad Academy, Lahore)

اعلم أن مباشرة الحائض على ثلاثة أنواع: أحدها: المباشرة في الفرج بالوطى وبو حرام بالنص والإجماع، ومستحله يكفر على الاختلاف فيما بينهم في وجوب

الكفارة على من أتاها إلخ -

(Aujaz Al-Masalik. Vol.1 p.163)

”وَيَسْتَلُوْنَكَ عَنِ الْمَحِيضِ، قُلْ هُوَ آذَنٌ، فَأَعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ وَلَا تَقْرُبُوهُنَّ حَتَّى يَطْهُرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ اللَّهُ، إِنَّ اللَّهَ يُحِبُّ الْمُتَوَاطِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ“ -

And they ask you about menstruation. Say, "It is harm, so keep away from wives during menstruation. And do not approach them until they are pure. And when they have purified themselves, then come to them from where Allah has ordained for you. Indeed, Allah loves those who are constantly repentant and loves those who purify themselves." (Surah Al-Baqarah 2:222)

اعلم أن مباشرة الحائض على ثلاثة أنواع: أحدها: المباشرة في الفرج بالوطى وبو حرام بالنص والإجماع، ومستحله يكفر على الاختلاف فيما بينهم في وجوب

الكفارة على من أتاها إلخ -

(Aujaz Al-Masalik. Vol.1 p.163)

⁴ Al-Sahih Al-Bukhari. Vol.1 p.44. Book: Fondling a menstruating wife. Qadeemi.

It means that the Messenger of Allah (ﷺ) used to say to cover with cloth the part of the body between navel and knee during menses. Then he sleeps with her and yet he used to control his desire completely and did not fulfil his desire. Does anyone among you has such control that he does not fulfil his desire. Allah knows the best.

Written by Mahmood Gangohi (Fatawa Mahmoodiyah. vol.5 p. 205, 206)

How to play with menstruating women

Question: A man touches with his organ wrapping in cloth his menstruating wife's part of the body below the navel and above the knee except the interior vagina while it is covered with cloth and he ejaculated. What is the injunction about this action according to shariah?

Answer: If the cloth is the barrier in between, this method is not prohibited.

”فيجوز الإستمتاع بالسرّة وما فوقها والركبة وما تحتها ولو بلا حائل، وكذا بما بينهما بجائل بغير الوطء ولو تلطخ دماً“ -

(Shami. Vol.1 p. 194)¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 203)

Having intercourse during menses is haram

Question: Is having intercourse with woman during menses a major sin and strict threatening is narrated?

Answer: Having intercourse during menses is regarded haram according to the text of Quran and it is a major sin. If one committed this by mistake and it is in the beginning of the period, it is better to give one Dinar and if it is in the last of the period, it is better to give half Dinar in charity. He should ask forgiveness and repentance.² 6th Jumada Al-Uoola, 1340 A.H. (Imdadul Ahkam. Vol.1 p. 362)

¹ Raddul Muhtar. Vol.1 p. 292. Book of menstruation. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p. 39, and Tabyeenul Haqaique. Vol.1 p. 164)

² ”وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ، قُلْ هُوَ أَذًى، فَاعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ وَلَا تَقْرَبُوهُنَّ حَتَّى يَطْهُرْنَ“ -

And they ask you about menstruation. Say, "It is harm, so keep away from wives during menstruation. And do not approach them until they are pure.

(Surah Al-Baqarah 2:222)

عن مجاهد في قوله عز وجل (وَلَا تَقْرَبُوهُنَّ حَتَّى يَطْهُرْنَ) حتى ينقطع الدم فإذا تطهرن، قال: يقول إذا اغتسلن -

Enjoying intimacy during menses

Question: Zaid's wife is in menses period and it is quite possible that he will fall in adultery due to sexual desire. Can he have intercourse with his wife in menses period? Please mention if there is any other option.

Answer: Having intercourse with five in menses period is haram and adultery is already haram, what to say about it. He can enjoy intimacy with the whole body other than below the navel and above the knee.¹ Zaid should keep patient in the period of menses or he should keep fast or marry with a woman. Allah knows the best.

written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 14/07/1387 A.H. (Fatawa Mahmoodiyah. vol.5 p. 207)²

(Sunan Al-Baihaqi. Book of not having intercourse with menstruating woman until she became pure and took bath. Vol.1 p. 462, No. 1482)

سمعت ميمونة رضي الله عنها تقول: "كان رسول الله صلى الله عليه وسلم إذا أراد أن يبشر امرأة من نسائه أمرها فأتزرت وهي حائضـ

(Bukhari. Book: Fondling a menstruating wife. P. 53. No. 303)

عن ميمونة رضي الله عنها قالت: إن النبي صلى الله عليه وسلم كان يبشر المرأة من نسائه وهي حائض إذا كان عليها إزار إلى أنصاف الفخذين أو الركبتين تحتجز بهـ

(Abu Dawood. Book: A Person Has Relations with Her Other Than Intercourse. P. 48. No. 267)

عن بعض أزواج النبي صلى الله عليه وسلم قالت: إن النبي صلى الله عليه وسلم كان إذا أراد من الحائض شيئاً ألقى على فرجها ثوباًـ

(Abu Dawood. Book: A Person Has Relations with Her Other Than Intercourse. P. 49. No. 272)

عن مجاهد في الحائض ينقطع عنها الدم قال: لا يأتيها حتى تحل لها الصلوةـ

(Musannaf Ibn Abi Shaibah. Book about the woman whose blood ceased and her husband engages with intercourse before bathing. Vol.1 p. 92. No. 1027)

فيجوز الاستمتاع بسرة وما فوقها والركبة وما تحتها ولو بلا حائل وكذا بما بينهما بجائل بغير الوطء ولو تلتطمح دماًـ¹

Raddul Muhtar. Vol.1 p. 292. Book of menstruation. Saeed. And so is in Hashiyah Al-Tahtawi on Maraqqi Al-Falah. P. 145. Book of menstruation. Qadeemi. And so is in Hashiyah Al-Tahtawi on Al-Durrul Mukhtar. Vol.1 p. 149. Darul Ma'rifat. Beirut. And so is in Al-Bahrur Raique. Vol.2 p. 411. Book of menstruation. Rasheediyah)

عائشة رضي الله عنها قالت: كان رسول الله صلى الله عليه وسلم يأمر أحداً إذا كانت حائضاً أمرها رسول الله صلى الله عليه وسلم أن تتزتر ثم يبشرهاـ

It was narrated that 'Aishah (rz) said: "The Messenger of Allah (ﷺ) would tell one of us, if she was menstruating, to tie her Izar (waist wrap) tightly then he would fondle her." (Sunan Al-Nasai. Chapter: Fondling The Menstruating Woman)

² Having intercourse in menses period

Question: If one had intercourse with his wife in menses period which he does not know that she is in menses or pure and his wife did not inform him, but informed him after intercourse that she was menstruating. I want to ask that will the husband be committer a major sin or not? Moreover, what should he do if the woman insisted her husband to have intercourse due to sexual arousal? It is also feared that she will commit evil thing if her desire is not fulfilled.

Making habit to have intercourse with wife in menses period

Question: If a person has intercourse with wife in menses period and made it habit, what is the injunction about him according to shariah?

Answer: Making it habit does not mean to believe it lawful, but it is persistence which must be a major sin not disbelief. It will not be decided to separate due to insisting on major sin. Only seeking forgiveness and repentance is enough. Yet if it is supposed that this insistence leads to believe it lawful, there is no injunction to separate between spouses.

The person who believes intercourse in menses period as lawful is not regarded unbeliever according to fatwa as it is declared in Al-Tahtawi on Maraḡi Al-Falah.¹ (p. 47. Under the chapter of menstruation and nifas)

”وصح صاحب الخلاصة عدم كفره وقال في الفصل الثاني من ألفاظ الكفر: أن من اعتقد الحلال حراماً أو على القلب يكفر إذا كان حراماً لعينه وثبتت حرمة دليل قطعي أما إذا كان حراماً لغيره دليل قطعي أو حراماً لعينه بخبر الأحاد لا يكفر إذا اعتقده حالاً فعلى هذا لا يفتى بكفر مستحله لأن حرمة لغيره وبوالأذى”-

Therefore, Fatwa of disbelieving or separating is wrong. Nikah will remain as usual in the matter questioned above, but that man should repent, leave this evil committing and it is better to give something in charity for this guilty. Allah knows the best.

Written by Nizamuddin Azami. Mufti Darul Uloom Deoband, Saharanpur. 26/09/1385 A.H. (Muntakhabat Nizamul Fatawa. Vol.1 p. 136, 137)

sleeping with menstruating woman

question: Can a man sleep with his wife when she is menstruating or in nifas?

Answer: Yes, he can sleep. Ibn Abideen (r) said:

”يجوز مباشرة الحائض فوق الإزار وإن لم يرم منه التلطخ بالدم”

Answer: If the husband had intercourse in menses period unknowingly while the wife knows, she is the doer of major sin. Moreover, if the woman insisted her husband to have intercourse due to sexual arousal, it is not allowed for the husband to have intercourse in this condition.

”ووطأ في الفرج عالماً بالحرمة عامداً مختاراً ثم هو كبيرة لاجابلاً ولأناسياً ولا مكرباً”-

(Al-Bahrur Raique. Vol.1 p. 198) written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 207, 208)

¹ Tahtawi on Maraḡi Al-Falah. P.47. Publication: Sulaiman Mustafa (Damascus)

Written by Mahmood (May Allah forgive him) Mazahir Uloom, Saharanpur. 08/02/1361 A.H. (Fatawa Mahmoodiyah. vol.5 p. 203)

The injunction about intimacy with the body below the navel and above the knee in menses

Question: When it is allowed to intimate by kissing, embracing, touching etc. in menses period, does having intercourse with her below the navel without entering in the vagina allow or not?

Answer: According to the opinion of Imam Abu Hanifah (r) it is not allowed to touch without barrier the body below the navel and above the knee in menses period and according to the opinion of Imam Muhammad (r) it is allowed to enjoy intimacy of all kinds except having intercourse in the vagina. So, what is mention in question is allowed, but it is better to adapt Imam Abu Hanifah's opinion to be safe side and fatwa is also the same. The view of Imam Muhammad also can be adapted in need.

قال في الدر: "(وقربان ماتحت إزار) يعنى ما بين سرّة وركبة ولوبلاشهوة، وحل ماعداء مطلقاً، آه وقال الشامي: فيجوز الإستمتاع بالسرة وما فوقها والركبة وما تحتها ولوبلا حائل، وكذا بما بينهما بجائل بغير الوطأ (إلى أن قال) وقال محمد: يجتنب شعار الدم يعنى الجماع فقط -

(Vol.1 p. 301) Tahtawi. (P.83) On Maraqui Al-Falah:

وخص محمد التحريم بشعار الدم وهو موضع خروجه كما في الجوهرة وفي شرح التاويلات ويقول محمد نقول، ورجحه صاحب الغاية وقد علمت ما به الفتوى، آه وهو قول الشيخين -

(Imdadul Ahkam. Vol.1 p. 363)

قوله: ما بين سرّة وركبة، فيجوز الإستمتاع بالسرة وما فوقها والركبة وما تحتها ولوبلا حائل، وكذا بما بينهما بجائل بغير الوطأ ولولطخ دماء 1

(Raddul Muhtar. Vol.1 p. 292. Book of menstruation. Saeed)

أرسلته ﷺ قالت: بينما أنا مضطجعة مع رسول الله صلى الله عليه وسلم في الحميلة إذ حضت فأنسللت فأخذت ثياب حيتي فقال رسول الله صلى الله عليه وسلم: أنفست؟ قلت: نعم، فدعاني فاضطجعت معه في الحميلة -

Umm Salamah (rz) narrated: "While I was lying down with the Messenger of Allah (ﷺ) under a blanket, my period came, so I slipped away and put on the clothes I used to wear when I was menstruating. The Messenger of Allah (ﷺ) said: 'Are you menstruating?' I said: 'Yes.' Then he called me and I lied down with him under the blanket." (Sunan Al-Nasai. Book of Lying Down with A Menstruating Woman)

What is the injunction about the husband intimating the menstruating woman with barrier?

Question: Is it allowed to intimate and fulfil desire with menstruating woman naked or clothed?

Answer: It is not allowed without barrier, but it is allowed with cloth.¹ (Baqiyat Fatawa Rasheediya. P. 139)

Intimating with menstruating woman in need and masturbating by sexual arousal

Question: (1) One direly needs to have intercourse while his wife is having her menses. Is it allowed to discharge semen by rubbing above the anus or in buttocks being confident that he will not enter in private part? Or is there any other way?

Question: (2) Zaid does not have his wife with him, he is living out of his home country or his bachelor. When his eyes look to the women we desire, his mind and heart disturb and he cannot ponder his attention towards salah. Can he masturbate rarely not habitually to decrease his desire when he is disturbed too much?

Answer:

- (1) This kind of intimacy is a lawful, but if he puts it on calf or belly or hand and it ceased down by ejaculation, he can prevent from sin and it is correct.²
- (2) If he fears that he will fall in adultery in all probability if he does not do so, it is expected that he will not get any torment in doing so to prevent from adultery.³ Allah knows the best. Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 204)

If one had intercourse in menses unknowingly, does it carry sin or not

Question: A woman used to experience the menses in last week of the month. She got married in second week of the month. Her discharging began from having intercourse

قال في الدر: "(وقربان ماتحت إزاد) یعنی مابین سره وركبه ولو بلا شهوة. وحل معاده مطلقاً. آه وقال الشافى: فيجوز الإستمتاع بالسرة وما فوقها والركبة 1 وما تحتها ولو بلا حائل وكذا بما بينهما بجائل بخير الوطأ

(Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 292. Book of menstruation. Beirut)

وكذا الاستمتاع بالكف وإن كره تحريماً لحديث "ناكح اليد مملوءة" ولو خاف الزنى يرجى أن لا وبال عليه 2

(Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p. 399. And so is in Khulasatul Fatawa. Vol.1 p. 260. Another kind of having intercourse and what is in its meaning. Book of fast. Amjad Academy)

³ Bahishti Zewar. Chapter: 26, the injunctions of menstruation. Mas'alah No.4. p. 168, Darul Isha'at.

in the first night, but the husband had intercourse again unknowingly. Will anyone be sinner in this condition? What is the quantity of expiation for this? Her menses began coming in the second week of the month after marriage.

Answer: None of them will be sinner, if it happened unknowingly.¹

Muhammad Kifayatullah (May Allah help him) Delhi. (Kifayatul Mufti. Vol.2 p. 253)

The punishment of having intercourse in the period of menses by misunderstanding

Question: A woman was experiencing her period four days usually. The menses ceased at 5 o'clock in the morning. She bathed on the same day and her husband had intercourse with her at 12 o'clock in the night. Later she came to know that the menses continued and the blood ceased in the morning. Misunderstanding that the menses stopped they copulated at 12 o'clock in the afternoon while the blood continued that they knew later. The blood ceased next morning. What punishment of shariah will be applied for them? Both are poor and they committed it unknowingly and by misunderstanding particularly the woman told that the menses ceased which is proved by her bathing and removing the sanitary towel.

Answer: There is no aviation expiation according to shariah for what they did in Hanafis schools of thoughts. They should ask forgiveness what they did by misunderstanding.

”اختلف العلماء في وجوب الكفارة، فقال الشافعي رحمه الله في أصح قوليهِ وهو الجديد ومالك وأبو حنيفة رحمهما الله وأحمد رحمه الله في إحدى الروايتين وجماهير السلف: إنه لا كفارة عليه، وعليه أن يستغفرو ويتوب“

(Bazlul Majhood. Vol.1 p.158. Book of engages in sexual intercourse with a menstruating woman knowingly)²

It is recommended to give one of half dinar in charity. So that they can be cautious.

ثم هو أي وطأ الحائض كبيرة لوعامداً مختاراً عالماً بالحرمة، لا جاهلاً أو مكرهاً أو ناسياً، فتلزمه التوبة، ويندب تصدقه بدينار أو نصفه.

(Durre Mukhtar)³ Allah knows the best.

”ووطأها في الفرج عالماً بالحرمة عامداً مختاراً، ثم هو كبيرة لاجابلاً ولا ناسياً ولا مكرهاً“ - 1

(Al-Bahrur Raique. Vol.1 p. 198)

² Al-Durrul Mukhtar. Vol.1 p.297. Book of menstruation. Saeed. Al-Fatawa Al-Alamgiriyyah. Vol.1 p.39. Chapter.4 about the injunctions of menses. Rasheediyah.

³ Raddul Muhtar. Vol. 1 p.292. Book of menstruation. Saeed. And so in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.39. Chapter.4 about the injunctions of menses.

Written by Mahmood (May Allah forgive him) Assistant Mufti Madrasa Mazahir Uloom Saharanpur. 20th Zil Hijj, 1367 A.H.

Authenticated by Saeed Ahmad (May Allah forgive him) 22nd Zil Hijj, 1367 A.H. (Fatawa Mahmoodiyah. Vol. 5 p.202)

It is necessary to have bath twice after having intercourse with wife in her menses period?

Question: (1) When I was in menses four or five passed, but I could not take bath that my husband came and copulated with me though I forbid him. Do I have to take bath two times; one for menses and other for having intercourse? Women of Ijtim'a told that you have to take 11 clods, wash the head and the body till the navel beneath. Then make wudu and take bath. Later you should wash the body till the navel beneath again, make wudu and take bath. Now you will be pure. You are requested to inform me according to Shariah. (2) My husband met me in night and no one of us found the time to take bath and we spent three nights in this condition. Do we have to take bath three times or one bath is sufficient? The women of Ijtim'a told to take three bath. You are requested to explain the way to take bath for women.

Answer: (1) It is not necessary to have bath twice, but one bath is sufficient for both impurities.¹ Such quantity of water is enough that is sufficient for one bath. The purification with 11 clods is wrong at all.² (2) Delaying bath three nights and missing salah is a major sin. It is a curse, but three bath will not be necessary by having intercourse three days; only one will be sufficient.³ The one who told to take bath two or three times said wrong. Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p.110-112)

¹ ويكفي غسل واحد لعيد وجمعة اجتماعاً من جنابة كما لغرض جنابة وحيض.

Al-Durrul Mukhtar. Vol.1 p.169. Matters of bath. Saeed. And so is in Al-Fatawa Al-Alamgiriyyah. Vol.1 p.61. Rasheediyah. And so is in Al-Fiqhul Islami wa Adillatuhu. Vol.1 p.54. Rasheediyah

² It is mentioned in hadith to get purification with three clods only even it is a desirable act.

قال العلامة الحصكفي: وليس العدد ثلاثاً -- بل مستحب -- (الدر المختار) وقال العلامة ابن عابدين: (بل يستحب) أشار إلى أن المراد في السنة المؤكدة لأصلها لما ورد من الأمر بالاستنجاء بثلاثة أحجار ولم نقل إن الأمر للوجوب -- لأن قوله عليه الصلوة والسلام: "من استجمر فليوترق من فعل فحسن ومن لا فلا حرج" -- دليل على عدم الوجوب.

(Raddul Muhtar. Vol.1 p.337. Book of purity. Chapter about purification. Saeed)

The way of taking bath is mentioned in Bahishti Zewar. You should act on that. (Bhishti Zewar. Description of Bathing. P.70-72. Darul Isha'at, Karachi)

³ Margin No.1.

Having intercourse in anus in the period of menses

Question: It is prohibited to have intercourse with woman in her anus. What is its reason and what sin it owes and what is its expiation? Is it allowed or not in dire need e.g. if one has intercourse in anus in the period of menses?

Answer: It is strictly prohibited in hadith to have intercourse with woman in her anus and in the period of menses.

عن ابن عباس رضي الله عنه قال: أوحى إلى رسول الله صلى الله عليه وسلم **”نِسَائُكُمْ حَرْثٌ لَكُمْ فَأَتُوا حَرْثَكُمْ“** (الخ) أقبل وأدبر واتق الدبر والحیضة۔

Narrated Ibn 'Abbas (rz): Allah revealed this Ayah to the Messenger of Allah (ﷺ): 'Your wives are a tilth for you, so go to your tilth when or how you will (2:223).' From the front, the back, avoiding the anus, and menstruation." (Sunan Al-Tirmizi. Books of Quran interpretation. Chapter: From Surah Baqarah. Hadith No.3162)

There are many other ahadith that announce the curse for the one who has intercourse in anus. Therefore, it is obligatory to prevent from it. A large collection of ahadith reporting the curses on person having sex in anus that proves to be a major sin. Therefore, it is obligatory to repent for that person.¹

Repainting means that he should be very remorseful heartily and he should determine not to commit this major sin and should not imagine it again.

Written by Muhammad Masuood Hasan Hasani Nadwi. Authenticated by Nasir Ali Nadwi. (Fatawa Nadwatul Ulama. Vol.1 p. 262)

Is there any expiation for having intercourse in the state of menses?

Question: If a person had intercourse with his wife in her period of menses, does he has to pay any kind of expiation or not?

Answer: It is mentioned in Durre Mukhtar that having intercourse with wife in her menses period is strictly prohibited and a major sin. It is necessary to ask forgiveness

¹ ملعون من أتى امرأته في دبرها۔

The Prophet (ﷺ) said: He who has intercourse with his wife through her anus is accursed. (Sunan Abu Dawood. Book of Marriage (Nikah), Chapter: Regarding Intercourse. Hadith No. 2162)

and it is recommended to give one or half Dinar as a charity.¹ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 278)

If one engaged with intercourse after menses before bathing, does it calls for expiation or not?

Question: Is having intercourse allowed before bathing when the menses period ended? If one did it before taking bath, does it calls for expiation? What is the expiation for having intercourse in the period of menses?

Answer: If the blood ceased on the maximum duration (10 days), it is right to have intercourse before bathing though it is better to have after taking bath. It is written in Al-Durrul Mukhtar:

ويحل وطؤها إذا انقطعت حيفها أكثره بلا غسل وجوباً بل ندباً² الخ -

If the blood ceased in less than 10 days but it was according to her usual period e.g. it ceased on seven days, having intercourse with her is not correct until she took bath or passed a passage of time in which can start salah after having bath and dressing. Or it can be said that a time of salah passed after her blood ceased.³ If he had intercourse in the period of menses, he has to seek repentance as expiation and give one or half Dinar in charity.⁴ One Dinar is equal to 4.50 Mashah golden coin. Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 279)

¹ ثم هو كبيرة لو عامداً مختاراً عالماً بالحرمة لاجهاً أو مكرهاً أو ناسياً فتلزمه التوبة ويندب تصدقه بدينار أو نصفه ومصرفه كزكوة وهل على المرأة تصدق قال في الفياء: الظاهر لا - درمختار باب الحيض قوله: ثم هو أى وطئ الحائض -

(Durre Mukhtar. Book of menstruation. Vol.1 p. 275)

عن ابن عباس قال: إذا أصابها في أول الدم فدينار وإذا أصابها في انقطاع الدم فنصف دينار -

(Abu Dawood. Book of engaging in sexual intercourse with menstruating woman. P. 40. No. 265)

If the colour of blood was black at the time of having intercourse, it is recommended to give one or half Dinar as a charity and if it was yellow colour, it is recommended to give half Dinar. Shami. Vol.1 p. 218 referring to Mahmoodul Fatawa. Vol.1 p. 385) One Dinar is equal to 4.50 Mashah golden coin. (One Dinar means to give such gold or its price in charity) (Awzan Shariyah referring to Mahmoodul Fatawa. Vol.1 p. 385)

² Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 271. Zafeer)

سأل إنسان عطائاً قال: الحائض ترى الطهر ولا تغتسل أم لا؟ قال: لا حتى تغتسل -

(Musannaf Ibn Abi Shaibah. Book regarding the person who said: When she became pure and she is in journey, she will do tayammum and her husband can meet her)

³ وإب لأقله الخ لا يحل حتى تغتسل أو تيمم بشرطه أو يمضي عليها زمن يسه الغسل ولبس الثياب الخ -

(Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 272. Zafeer)

⁴ ويندب تصدقه بدينار أو نصفه ومصرفه كزكوة وهل على المرأة تصدق قال في الفياء الظاهر: لا -

The injunction about engaging with intercourse after passing the period of menses before bathing

Question: If the menstruating woman did not take bath for one or two days after her blood ceased and her usual period passed, is it allowed to have intercourse allowed before taking bath?

Answer: When her usual menstruating period passed, the blood ceased before 10 days and the time of one complete salah passed, it is allowed to have intercourse with her whether she took bath or not. If it ceased at 10 days, there is no need of passing one time of salah.¹ Allah knows the best. 20th Muharram, 1345 A.H. (Imdadul Ahkam. Vol.1 p. 363, 364)

She will take bath after menstruation if her period began just after having intercourse

Question: A person had intercourse with his wife and her menses began from morning. Is it obligatory to have seminal bath or not?

Answer: It is not obligated to have seminal bath; she will take bath after ending the menses.² (Fatawa Darul Uloom. Vol.1 p. 167)

When will she take bath, if her menses began during janabah

Question: I want to ask that when the spouses had intercourse and bathing became obligatory, her menses began from the same night before taking bath. Will she take seminal bath or not?

Answer: Though one bath is enough for both (janabah and menses), but if she wants to take bath, she can if she does not fear from illness.

ويكفي غسل واحد لعيد وجمعة اجتماعاً مع جنابة كما لفرضي جنابة وحيض. الخ

(Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 75. Zafeer)

¹ ويجل وطوباً إذا انقطعت حيضها لأكثره) بلاغسل وجوباً بل ندباً. (واب... لأقله) الخ (لا) يجل (حتى تغتسل) أو تتيمر بشرطه (أو يفي عليها زمن يسه الغسل)

وليس الثياب الخ

(Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 294, 295. Beirut)

² (وفرض) الغسل (إلى قوله) عند (انقطاع حيض ونفاس) الخ أي يجب عنده (در مختار) أي عند تحقق الانقطاع ونحوه، والمراد بعده.

(Raddul Muhtar. Matter about bath. Vol.1 p. 153)

لإجماع على أنه لا يجب الوضوء على المحدث والغسل على الجنب والحائض والنفساء قبل وجوب الصلوة أو إرادة ما لا يجل إلا به. كذا في البحر الرائق.

(Alamgiri Kishori. The things that mandates bath. Vol.1 p. 15)

وفي الفقه الإسلامي وأدلته: ومن اغتسل لحنابة أو نحوها كحيض مع غسل جمعة أو عيد أجزأه الغسل عنهما (إلى قوله) كما اغتسل لفرضي جنابة وحيض اتفاقاً - إلخ -

(Al-Fiqhul Islami Wa Adillatuhu. Vol. 1 p. 388) Allah knows the best.

(Fatawa Darul Ifta Wal Qadha, Jamia Binnawriyah Pkistan. Sr. No.13071)

Taking bath during menses

Question: Is it obligated to take seminal bath during menses? Is it unlawful to take bath after ending the period?

Answer: It is not obligated to take bath during menses. If she took bath in this duration, yet she will remain impure. She has to take bath when her period ended.¹ It is prohibited to have sexual relation during menses.²

Written by Muhammad Mustaqeem Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 240, 241)

She can take bath during her days of impurity

Question: I listened that she should not take bath during the days of impurity, because the body will not enter Paradise by this bath and if she washed her head because of warm climate, the head will not enter Paradise. It means that the impurity will be washed at least after seven days and it is difficult to remain unbathed for seven days in summer. Please inform me, should she not take bath during her period?

Answer: She is permitted to take bath during her days of impurity and this is for cooling not for getting purity. The one who said that the body will not enter Paradise because of bathing in this period, is false to the core. (Aapke Masail Aur Unka Hal. Vol.3 p. 136)

Staying away from bed for menstruating and childbed woman; defecating in the state of bowing (Ruku)

Question: What is the injunction about menstruating and childbed woman defecating in the state of bowing, staying away from bed, not cooking without bath thinking that

¹ (Al-Durrul Mukhtar. Book of menstruation. Vol.1 p. 165. Beirut) (وفرض) الغسل (إلى قوله) عند (انقطاع حيض ونفاس)

² (فَاعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ - So keep away from wives during menstruation.) Surah Al-Baqarah. 222

bath will be obligatory upon one who touched her, saying to wash clothes and vessels necessarily and regarding grave sin if she does not do it? Similarly, what is about thinking haram the cooked food by childbed woman?

Answer: To defecate whilst bowing is the habit of beasts and animals not the habit of human being. Preventing to eat the cooked food by menstruating and childbed women, their touching clothes and vessels and separating their beds in the way Jews. Islam has forbidden from it. However, it is necessary to prevent from unlawful engagement.

“(يمنع) (الحيض) ... (قربان ما تحت إزار) يعني ما بين سرة وركبة (در مختار) وفي الشامي: فيجوز الإستمتاع بالسرة وما فوقها، والركبة وما تحتها ولو بلا حائل، وكذا بما بينهما مجائل بغير الوطء ولو تطلخ دماً، ولا يكره طبخها ولا استعمال ما مسته من عجين أو ماء أو نحوهما، إلا إذا توضأت بقصد القرية كما هو المستحب، فإنه يصير مستعملاً وفي الولوالجية: ولا ينبغي أن يعزل عن فراشها، لأن ذلك يشبه فعل اليهود، بحر-“¹

Allah knows the best.

Written by Mahmood Gangohi (May Allah forgive him) Assistant Mufti Madrasa Mazahir Uloom, Saharanpur

Authenticated by Saeed Ahmad (May Allah forgive him) and Abdul Lateef

9th Safar, 1359 A.H. (Fatawa Mahmoodiyah. vol.5 p. 208, 209)

The injunction about clothes that are used during menses

Question: Some women throw their used sanitary towels outside in the streets that leads the mind a lot of filthy thoughts. I want to ask that what is the injunction of Islamic shariah in regard to these clothes?

Answer: It is a part of modesty that sanitary towels should be burnt if it is not able to reuse. It is quite unfair to throw these kinds of clothes outside in the streets.

قال العلامة الحصكفي: “كل عضو لا يجوز النظر إليه قبل الانفصال لا يجوز بعده كشعر عاتته وشعر رأسها وعظم ذراع حرة ميتة وساقها وقلامه ظفر رجلها دون يدها وأن النظر إلى ملاءة الأجنبية بشهوة حرام”²

(Raddul Muhtar. Vol. 6 p. 371. Book of the detestable acts. Chapter about looking)

¹ Raddul Muhtar. Vol.1 p.292. Book of menstruation. Saeed.

² It is written in Khairul Fatawa: It should be burnt if it is not able to reuse after washing. (Khairul Fatawa. Vol.2 p. 139. Book of menstruation)

The injunction about the clothes of menstruating woman

Question: If an impure person including menstruating and childbed women got on a cloth or covered with it, will this cloth be impure? For example; If a menstruating woman covered with Dupatta, can a pure woman performs salah wearing this?

Answer: If there is no impurity on cloth, wearing junub or menstruating woman this cloth will not make it impure.¹

Written by Masuood Hasan Hasani Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 263)

The injunction about the clothes of menses

Question: Should the close of menses be buried or thrown in dustbin?

Answer: It is better to bury and it is also right to throw putting in bag.

It is written in Fatawa Hindiyah:

يدفن أربع الظفر والشعر وخرقة الحيض والدم كذا في فتاوى عتابية۔

(Fatawa Hindiyah. Vol.5 p. 96)

Majma Al-Zawaid reads:

عن أم المؤمنين سعد امرأة زيد بن ثابت رضي الله عنه قالت: سمعت رسول الله صلى الله عليه وسلم "يأمر بدفن الدم إذا احتجم" - رواه الطبراني في الأوسط وفيه هياج بن بسطام وهو ضعيف۔

Narrated Umme Sa'ad wife of Zaid Ibn Thabit (rz): I listened Allah's Messenger that he ordered to bury the blood when he treated with cupping.

(Majma Al-Zawaid. Vol.5 p. 94)

It is understood by above hadith that the Prophet (saws) ordered to bury the blood. Therefore, the clothes involved with blood should be burid.

Allama Ibn Qudamah narrated:

¹ (Raddul Muhtar. Vol.1 p. 486) ولا يكره طبخها ولا استعمال ما مسته من عجين أو ماء أو نحوهما۔

عن أبي جريح عن النبي صلى الله عليه وسلم قال: "كأن يعجبه دفن الدم" -

Narrated Juraij from The Prophet (saws) that he said: "He liked to bury the blood"

(Al-Mughni. Vol.1 p. 72)

So, it is better to bury the clothes of menstruation. Allah knows the best. (Fatawa Darul Uloom Zakariyah. Vol.1 p. 574, 575)

The injunction about furniture used during menses

Question: Do inform about the things used during menses. For example; Sofa set, new clothes, cot or the thing that cannot be washed with water.

Answer: These things do not become impure by using until they got impurity.¹ (Aapke Masail Aur Unka Hal. Vol.3 p. 141, 142)

It is allowed to apply henna during period

Question: Most of aged women said that the henna should not be applied during period, because the hands will not be pure until the henna is removed completely. They also said that if she applied for the period began, there is nothing wrong. She can be pure weather it remained or not?

Answer: It is allowed to apply henna during period for women. The opinion, that the henna becomes impure in menses period, is wrong.²

(Aapke Masail Aur Unka Hal. Vol.3 p. 141)

Injunction about stopping menses by injection

Question: Nowadays such injections are available that stop menses. Particularly, it is injected to women during the days of Hajj. If a woman has her fixed period and the blood did not come that month because of the injection, can this woman perform salah and keep fast during the days of menses while the blood stopped because of injection?

¹ (Raddul Muhtar. Vol.1 p. 292) ولا يكره طبخها ولا استعمال مامسته من عجين أو ماء أو نحوهما.

² جنب اختضب واختضبت امرأته بذلك الحضاب قال أبو يوسف رحمه الله تعالى: لا بأس به ولا تصلى فيه وإن كان جنب قد غسل موضع الحضاب فلا بأس بأن يصلى فيه. كذا في فتاوى قاضيخان.

(Al-Fatawa Al-Alamgiriyyah. Vol.5 p. 359)

Answer: The menstruation is meant to see the blood that flow from uterus without any other reason. Thus menstruation is called to flow the blood. Since, it is stopped by injection, only that fixed days will not be called menstruation nor the injunctions of menstruation will be applied. It is allowed rather necessary for that woman to perform salah, keep fast and perform Tawaf etc.

قال العلامة عالم بن العلاء الأنصاري: "يجب أن يعلم بأن حكم الحيض والنفاس والاستحاضة لا يثبت إلا بخروج الدم وظهوره وهذا هو ظاهر مذهب أصحابنا وعليه عامة المشائخ" -

(Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 330. Book of menstruation. Talking about when the injunction of menstruation will be applied)¹

(Fatawa Haqqaniyah. Vol.2 p. 565)

What is the injunction about salah and fast if the blood comes in days other than period because of medicine?

Question: If the blood comes in days other than fixed period because of medicine, will she perform salah and keep fast or not?

Answer: If the menses comes because of medicine, she will stop salah and fast, but if it is non-menstrual bleeding, she will not stop.² Allah knows the best.

(Baqiyat Fatawa Rasheediya. P. 138)

Coming menses without period

Question: If the menses begins in a way that some drops appeared first day then the blood did not come for 10 days at all and after passing 10 days it began in large that continues for five or six days, from when the days of menses will be counted for purity and performing salah. For example; The drops of menses appeared on 21st July and it

¹ وفي الهندية: "إذا رأت المرأة الدم تترك الصلاة من أول ما رأت، قال الفقيه: وبه تأخذ" -

(Al-Fatawa Al-Hindiyah. Vol.1 p. 38. Book:6. Chapter:4. Injunctions of menstruation and nifas)

² Similarly, if the menses does not appear at all in fixed period because of medicine, she will be pure, but if the least degree of blood appeared, she will be regarded menstruating woman. The injunction about the medicine that women take it on the occasion of Hajj is that if the blood comes because of medicine after 15 days or the maximum days of purity and continues for three days, it will be regarded menses though it is in days other than fixed period as Maulana described. There is no difference between coming itself and coming because of medicine as there is no difference between stopping itself and stopping by medicine. Saeed Ahmad Palanpuri.

began to flow to much from 31st July that continues till 4th August. From which date will the days of menses be counted and the till when?

Answer: When the drops appeared at first and there was no sign of blood, these drops will not be regarded as menstruation. So, these 10 days will be for purity. Later when the blood continues flowing in large for five days. So, these five days will be regarded for menses. In the question above, the days between 21st July and 30th July will not be for menses, but it will be from 31st July to 4th August.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p. 212)

When will the woman be considered old (who does not expect menstruation)

Question: A woman's menses stopped who was experiencing it earlier. What is the period of time in which the menses stopped that is taken in to account to consider her old woman who does not expect menstruation?

Answer: According to hanafis opinion, the woman reaches in the age of not expecting menstruation in 55 years. The blood of menses may come up to this age.² Allah knows the best.

Written by Mahmood Gangohi (May Allah forgive him) Asst. Mufti Madrasa Mazahir Uloom Saharanpur.

Corrected by Saeed Ahmad (May Allah forgive him) and Abdul Lateef. 19th Rabi Al-Thani, 1357 A.H. (Fatawa Mahmoodiyah. vol.5 p. 201)

(هو) ... (دم من رحم ... لالولادة ... وأقله ثلاثة أيام ربيالها) الثلاث ... (وأكثره عشرة) بعشرة ليال (والناقص) عن أقله ¹ (والزائد) على أكثره، الخ -

(Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p. 284. Book of menstruation. Imdadiyah. And so is in Al-Fiqhul Islami wa Adillatuhu. Vol.1 p. 615. Second matter. The duration of menses and purity. Rasheediyah)

² "لا يجد إياس بمدة الخ. (وقيل: يجد بخمسين سنة، وعليه المعول) والفتوى في زماننا الخ ... وحده في الحدة بخمس وخمسين، قال في) ² الضياء: وعليه الاعتماد" -

(Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p. 301. Book of menstruation. Matter about injunctions of the woman who does not expect menstruation. Saeed)

A research about the age of not expecting menstruation

Question: When does the age of not expecting menstruation begin and what is the injunction about the blood comes after that?

Answer: According to the statement of fatwa, the age of not expecting menstruation is to 5 years. So, the blood comes within this duration will be considered menstruation. It is mentioned in Durre Mukhtar:

(وقيل: يجد خمسين سنة وعليه المحول) والفتوى في زماننا، مجتبى وغيره (تيسيراً) وحده في العدة بخمس وخمسين، قال في الضياء: وعليه الاعتماد- (الدرالمختار)

وفي الشامية: (قوله وحده) أى المصنف في باب العدة. قال في البحر: وهو قول مشايخ بخارى، وخوارزمى وخط الشارح في هامش الخزان، قال قاضيخان وغيره: وعليه الفتوى، وفي نكت العلامة قاسم عن المفيد أنه المختار، ومثله في الفيض وغيره-

(Shami. Vol.1 p. 304)

وقال أيضاً: أنها إذا كانت عادتها قبل الإياس أصفر فرأته كذلك أو علقاً فرأته كذلك كان حيضاً-

(Shami. Vol.1 p. 304)

These above texts tell that the blood comes before 55 years of age is menstruation there is no difference between its coming itself or because of medicine. But the blood that comes after 55 years will be considered menstruation when its colour matches with the colour of the blood that comes before 55 years. For example; Its colour was red earlier but now (after 55 years) it is earthen yellow, it will not be menstruation and if it is red or black, it will be menstruation. Allah knows the best. (Fatawa Darul Uloom Zakariyah. Vol.1 p. 537, 538)

There is no verse of Quran to become pure from menstruation

Question: Is there any worse of the glorious Quran to become pure from menstruation?

Answer: No, which is known by women that the woman becomes pure by reading some particular verses of the glorious Quran or kalimah, is wrong to the core. An impure

person becomes pure by washing with water¹ not by reciting verses of the glorious Quran or kalimah. (Aapke Masail Aur Unka Hal. Vol.3 p. 136)

ثبت بالدليل القطعي المجمع عليه أن الطهارة واجبة شرعاً وأن المفروض منها هو الوضوء أو الغسل من الجنابة والحيض والنفاس¹ بالماء -- واتفق الفقهاء على جواز التطهير بالماء الطهور أو المطلق وهو ما يسمى ماءً --

قال تعالى: "وَأَنْزَلْنَا مِنَ السَّمَاءِ مَاءً طَهُوراً"، "وَيُنَزِّلُ عَلَيْكُمْ مِنَ السَّمَاءِ مَاءً لِيُطَهِّرَكُمْ بِهِ" --

(And We send down from the sky pure water.) (And sent down upon you from the sky, rain by which to purify you.) (Al-Fiqhul Islami Wa Adillatuhu. Vol.1 p. 92)

MATTERS ABOUT NIFAS (POST- PARTUM BLEEDING)

Matters About Nifas (Post-Partum Bleeding)

Matter about Nifas (post-partum bleeding)

Question: A woman's postpartum bleeding stopped after 14 days first time and she started salah after taking bath. She noticed blood after two days that ceased after 20 days and then second time the blood ceased at 20 days, but she did not take bath and said that she should wait for one or two days. Later she noticed again some sign of blood but it was only that time that was not seen again. What will be the duration of nifas in this case? Is it allowed for her to wait and stop salah for one or two days? Will she make up for these salah are not? Blood 14 days. Purity 2 days. Blood 20 days. Total 36 days.

Clarification: what does "second time" mean?

Answer of clarification: Second time means nifas of second time of delivery.

Answer: First time her days of nifas were all 36 days and second time she should perform salah after getting purity before her nifas period, at least she should wait till the end of the commended time, but when she saw the blood in the last it declared that this day was from nifas. So, it is not necessary to make up for salah, but intercourse is detestable before 36 days.

لوانقطعه دمها دون عادتها يكره قربانها وإن اغتسلت حتى تمضي عادتها وعليها أن تصلي وتصوم للإحتياط، هكذا في التبيين، وقال بعد سطر: ومتى طهرت المبتدأة دون العشرة أو المعتادة دون العادة أخرت الوضوء والاعتسال إلى آخر الوقت بحيث لا تدخل الصلوة في الوقت المكروه، كذا في الزاهدى-

(Al-Alamgiriyyah. Vol.1 p.24) (Imdadul Ahkam. Vol.1 p. 364, 365)

Answer to a question about a kind of matter of nifas

question: Salah is not performed in the duration of the blood after delivery, but sometimes it stops and comes for two and it continues. Should she perform salah or she will make up for it? She cannot take bath again and again in this duration; is it allowed for her to perform salah with tayammum? Can she do tayammum for bath and wudu or only for bath and make wudu with water? Sometime the blood did not come but like

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water discharges sometimes it happens naturally and sometimes because of having medicine for one month. Is it allowed to perform salah in this condition are not?

Answer:

قال ابن عابدين ̎ في رسالته منهل الواردين: "ثم إن المرأة كلما رأت الدم تترك الصلوة مبتدأة كانت أو معتادة كما سيأتي في الفصل السادس (بشرط كون الرؤية في خلال المدة لا بعدها) وكلما انقطعت دمها في الحيض قبل ثلاثة أيام تصلى لكن تنتظر آخر الوقت أي المستحب وجوباً فإن لم يرد في الوقت توضأ وتصلى وتصوم وإن انقطع ليلاً وتشبه بالصائم إن انقطع نهاراً وإن عاد في الوقت أوبعده في العشرة كما يأتي بطل الحكم بطهارتها فتتعد عن الصلوة والصوم وبعد الثلاثة إن انقطع قبل العادة فكذلك الحكم لكن هنا تصلى بالغسل كلما انقطع لا بالوضوء لأنه تحقق كونها حائضاً برؤية الدم ثلاثة فأكثر أو بعد العادة فالحكم أيضاً كذلك لكن هنا تأخير الغسل لأجل الصلوة مستحب لا واجب وإن عاد الدم في العشرة ولم يتجاوزها بطل الحكم بطهارتها فلوتجاوزها فالعشرة حيض لومبتدأة وإلا فأيام عادت، ولو اعتادت في الحيض يوماً دماً ويوماً طهراً هكذا إلى العشرة فإذا رأت الدم في اليوم الأول تترك الصلوة والصوم وإذا طهرت في الثاني توضأت وصلت ولا غسل بعد دم كونها حائضاً بعده وفي الثالث تترك الصلوة والصوم وفي الرابع تغتسل وتصلى هكذا إلى العشرة كذا في التتارخانية ونحوه في صدر الشريعة، والنفاس كالحيض في الأحكام المذكورة غير أنه يجب الغسل فيه كلما انقطع على كل حال سواء كان قبل ثلاثة أوبعدها لأنه لا أقل له ففي كل انقطاع يحتمل خروجها من النفاس فيجب الغسل بخلاف ما قبل الثلاث في الحيض.

(Manhal Al-Warideen. P. 93)

To sum up, when she saw the blood within the duration of nifas (40 days) she should stop salah and fast until the blood ceased. If it stopped in any time and did not come till the end of recommended time, she should perform salah after taking bath. If it is stopped in night and did not come before dawn, it is necessary to keep fast and if it came before dawn she should spend the day like keeping fast on condition that the blood did not come the whole day otherwise it will not be necessary to be like keeping fast. It should be noticed at the time of stopping blood that it stopped before previous period after that. If it is before that, it is necessary to perform salah after taking bath, but she should wait till the end of recommended time and if it stopped after previous period, it is necessary to perform salah this time also, but now it is liked to wait till the end of recommended time. These all are injunctions about coming and stopping blood within 40 days. If the blood came more than 40 days, the days of previous period will be counted for nifas and the remaining blood will be regarded due to illness. So, she has to make up for salah of the remaining days after previous period; she missed because of blood.

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This was the intention of nifas that was asked. Now we are going to explain the injunction of menstruation as accomplishment:

she should stop salah and fast when she saw blood before passing three days until the blood ceased. If it stopped in any time she should wait till the end of recommended time, if the blood started she should stop salah and fast and if the blood did not come that time she should perform salah after making wudu and she does not need to take bath. If it is stopped in night and did not come before dawn, it is necessary to intend for keeping fast in the month of Ramadan and if it stopped in day and did not come till the end of the time of salah, it is necessary for her to be like keeping fast.

The injunction after passing three days when menses period started is that she should stop salah and fast when she saw the blood until it ceased. Then she should perform salah when it ceased as it described above. However, it should be noticed that the blood stopped before the previous period or after that. It is before, it is necessary to wait till the end of recommended time for taking bath and performing salah. If it is after the previous period, it is liked to wait till the end of recommended time not necessary. This injunction will be applied if the blood started within 10 days, but if the blood exceeded 10 days, she has to make up for salah of the remaining days after previous period; she missed because of blood. The days of menstruation will be according to previous period. These injunctions were about salah and fast.

The injunction of meeting her husband is that if the blood of nifas stopped before 40 days and the blood of menstruation stopped before 10 days according to fixed period or after fixed period, it is allowed for her to meet her husband after taking bath or making tayammum in excuse or passing the time of one salah. If the blood stopped before fixed period, it is not allowed to meet her husband until the fixed period passed though she started salah after taking bath, because the injunction of having intercourse is different from the injunction of salah and fast.

The injunction of coming water during menstruation and nifas is that brownish water is from menstruation and nifas if it comes within 10 and 40 days, but white water is not from menstruation and nifas rather it is the sign of stopping blood. The woman required bath for performing salah, but she is unable to take bath due to illness or weakness, she is allowed to make tayammum for bath, but if wudu does not harm her, it is necessary to make wudu. Allah knows the best. 4th Shaban, 1347 A.H.

Complement (1): The colour of the water is considered at the time of discharging. If it was white at the time of discharging, but it turned to earthen or brownish by getting on

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cloth, she will be pure from menstruation and nifas. Further changes will not be accepted as it is mentioned in the foreword of Manhal Al-Warideen.

Complement (2): If menstruation stopped at 10 days and nifas at 40 days, sexual intercourse is allowed without waiting and taking bath as fuqaha explained it in their books.

Complement (3): If menstruation stopped at 10 days and nifas at 40 days, but it restarted after one or two days, this duration will be considered for menstruation or nifas and it will be understood that the menses came more than 10 days and nifas more than 40 days. The injunction in this regard is that if the woman knows her fixed period in menstruation and nifas already, that known period will be for menstruation and nifas and the remaining days will be for non-menstrual bleeding (istihadhah). Therefore, if she did not perform salah in the days other than fixed period because of bleeding she has to make up for it. However, if the blood is stopped for 15 days after 10 days of menstruation and 40 days of nifas, this duration will not be considered for bleeding, but it will be second period of blood. If it can be a period of bleeding, for example; it came three days completely, it will be considered second menstruation. Allah knows the best.

لوعاد الدم بطل الحكم بطهارتها كما لم تظهر. قال في التتارخانية: وهذا إذا عاد في العشرة ولم يتجاوزها وطهرت بعد ذلك خمسة عشر يوماً فلو تجاوزها أو نقص الطهر عن ذلك فالعشرة حيض لو مبتدأة وإلا فأيام عادتها.

(Manhal Al-Warideen. P. 93) 4th Shaban, 1347 A.H. (Imdadul Ahkam. Vol.1 p. 365-368)

Is bath obligatory if nifas did not come after delivery?

Question: If nifas did not come after delivery, it is necessary for her to take bath?

Answer: Yes, the preferable statement is that bath is necessary as it is explained in Durrul Mukhtar. Vol.1 p. 113.² Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 09/04/1390 A.H. (Fatawa Mahmoodiyah. vol.5 p. 210)

² "ولو ولدت ولم تزدتها، لا يجب الغسل عند أبي يوسف..... لكن يجب عليها الوضوء... وعند أبي حنيفة رحمه الله تعالى يجب الغسل، وأكثر المشايخ أخذوا بقوله، وبه كانت يفتي الصدر الشهيد، بكذا في المحيط، وقال أبو علي الدقاق: وبه نأخذ الخ." "بقره، وبه كانت يفتي الصدر الشهيد، بكذا في المحيط، وقال أبو علي الدقاق: وبه نأخذ الخ."

(Al-Fatawa Al-Alamgiriyyah. Vol.1 p.37. Chapter:2 about nifas. Rasheediyah. And so is in Al-Durrul Mukhtar. Vol.1 p. 299. Book of menstruation. Saeed)

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The injunction about nifas in case of delivery by operation

Question: Sometimes the child is taken out by big operation due to problems in normal delivery. What will be injunctions about nifas in this case?

Answer: If the blood flows from uterus, it will be in the injunction of nifas. All the injunctions of nifas will be applied for it, but if the blood comes from spot of operation and it did not come from uterus, it will be in the injunction of wound. So, salah and other prayers will not be dropped.

فلو ولدته من سرتها إن سأل الدم من الرحم فنفساء وإلا فذات جرح وإن ثبت له أحكام الولد اهـ (درمختار) (قوله من سرتها) عبارة البحر: من قبل سرتها، بأن كان يبطنها جرح فانشقت وخرج الولد منها.

(Shamiyah. Vol.1 p. 219) Allah knows the best.

Written by Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris Multan. 02/05/1410 A.H. (Khairul Fatawa. Vol.2 p. 146)

The injunction about the blood flows after delivery by operation

Question: Nowadays sometimes delivery of a child takes place by operation. What is the injunction about the blood flows after that? Is it nifas or not?

Answer: Nifas is the blood that flows from uterus after delivery weather it took place normally or by operation. If the blood is coming from uterus, it will be nifas and if it is from the spot of operation, it will not be nifas. Salah and fast will be necessary for her in this condition.

لما قال الحصكفي: " (والنفاس) لغتاً: ولادة المرأة. وشرعاً: (دم) ... (يخرج) من رحم فلو ولدته من سرتها إن سأل الدم من الرحم فنفساء، وإلا فذات جرح وإن ثبت له أحكام الولد (عقب ولد) أو أكثره ولو متقطعاً عضواً عضواً أقله - "

(Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p. 299. Book of menstruation)³ (Fatawa Haqqaniyah. Vol.2 p. 563)

قال الشيخ السيد أحمد الطحطاوي: " (قوله: فلو ولدته من سرتها) بأن كان بها جرح فانشقت وخرج الولد منها (قوله: فنفساء) لأنه وجد خروج الدم من ³ الرحم عقب الولادة (قوله: إلا فذات جرح) يعني لا تحيط حكم النفساء (قوله: وإن ثبت له أحكام الولد) من انقضاء العدة وصيرورة الأمة به أمر الولد ولوعلق الطلاق بولادتها وقم لوجود الشرط - "

(Tahtawi Margin of Durrul Mukhtar. Vol.1 p. 153. Book of menstruation. And so is in Al-Hindiyah. Vol.1 p. 37. Book: 6 about the blood related to the women. Chapter:2 about nifas)

FATAWA ULAMA AL-HIND VOL.2 Matters About Nifas (Post-Partum Bleeding)

She will not stop salah and fast if the blood comes during the days of pregnancy

Question: A woman experiences menses usually in the days of pregnancy. Will she perform salah and keep fast or not? Similarly, if a pregnant woman experiences menses in days other than fixed period, what is the injunction about it?

Answer: The menses does not come during pregnancy. So, it will be istihadhah (non-menstrual bleeding).⁴ That's why she will not stop salah and fast. Allah knows the best. (Baqiyat Fatawa Rasheediyah. 139)

The injunction about water comes before delivery

Question: In my home, the water was flowing before 10-12 hours from delivery that ceased shortly before delivery. Pajamas got wet and it was needed to change it many times. Should she perform salah in this condition or not? If she performs salah yet the water flows.

Answer: This water is not nifas or menstruation but it is impure liquid.⁵ This discharging is not against salah and it is necessary for her to perform salah. If it comes during the whole time of salah and she does not find a time free from this liquid, she will be excused and salah will be correct with that discharging. But if there is no problem in putting sanitary towel that can stop impurity to come out in exterior vagina, it is necessary to put it before salah and wudu.

8th Zil Hijj, 1344 A.H. (Imdadul Ahkam. Vol.1 p. 364)

If the water discharges from vagina after passing maximum duration of nifas, will it be considered nifas or not?

Question: Blood of nifas stopped, but some water still comes because of medicine. Will this water be considered nifas or not? If it is not blood but it is water, should she perform salah after taking bath or not? If this water continues after taking bath, will bath be obligatory again or not?

⁴ عن الحسن في الحامل ترى الدم قال: هي بمنزلة المستحاضة تغسل كل يوم مرة عند صلاة الظهر.

(Musannaf Abdur Razzaque. Book: The pregnant woman sees blood. Vol.1 p. 316. Nol. 1210)

⁵ It is non-menstrual bleeding (istihadhah).

والدم الذي تراه الحامل ابتداءً، أو حال ولادتها قبل خروج الولد استحاضة، وإن كان ممتدداً.

(Al-Hidayah. Chapter of Nifas.)

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Answer: Is this water clean or yellowish? If it is quite clear, it is not nifas and it will be necessary to perform salah as mentioned above. If it is not clean, but it is earthen or yellowish, it will be nifas till 40 days and salah will be dropped. All is clear for the one who has some intellect in jurisprudence.

8th Zil Hijj, 1344 A.H. (Imdadul Ahkam. Vol.1 p. 364)

What is the injunction if woman of nifas touched clay pot?

Question: Believing the clay pots touched by woman of nifas impure while there is no doubt to contaminate, observing the atheistic tradition, for example; piercing ears on the name of religious person, spoiling the rights of human beings and absorbing it and being strict in receiving rights and rejecting with oath; if these all evil qualities are found in a leader of nation, should he be considered as leader according to shariah or not? How should Muslims with him?

Answer: The hands of menstruating and childbed women are not impure when there is no visible impurity and the clay and copper pots do not become impure if they touched them.⁶

it is haram to pierce babies' ears on the name of religious person. Similarly, it is also haram to seize one's right and absorbing it. Such person is not worthy to be leader who oppress and grab people's wealth unlawfully.

Muhammad Kifayatullah (May Allah help him) (Kifayatul Mufti. Vol.2 p. 253, 254)

Does the room become impure by delivery?

Question: The room where mother and newborn baby stay after delivery, is washed and coloured well after 40 days. It does not become pure before that while woman's impurity has nothing to do with that house or room. You are requested to answer to this non-Islamic tradition according to Quran and hadith.

Answer: Washing and cleaning is a good thing, but the thought of impurity of room or house is a kind of superstition. (Aapke Masail Aur Unka Hal. Vol.3 p. 140, 141)

⁶ ولا يكره طبخها ولا استعمال ما مسته من عجين أو ماء أو نحوهما

(Raddul Muhtar. Vol.1 p. 292. Book of menstruation)

How many days are between menses and nifas?

Question: A woman experienced the blood of nifas 36 days later she saw three days purity then one day blood then three days purity then 10 days blood then one day purity then one day blood then nine days purity and nine days blood. After that she is pure till now. She experienced already the blood of nifas that was 35 days and she was experiencing menses 8 days usually, but she forgot the date. How many days will be for nifas, purity and for menstruation in the case mentioned above? May Allah did not make! But if it happened again in future, how the days of menstruation and purity will be counted? Therefore, you are requested to inform any rule. How many days are between menses and nifas?

Answer: 40 days will be for nifas and after that she will be pure. was the blood of menstruation coming in the days of breastfeeding earlier or not? Answer to this question so that we can answer further.

Muhammad Kifayatullah (May Allah help him) Delhi. (Kifayatul Mufti. Vol.2 p. 254)

Complement of question: The answer to what is asked about his that yes, the blood of menstruation was coming in the days of breastfeeding earlier which is mentioned that she was experiencing menses 8 days usually, but the date is forgotten. So, how many days will be counted for purity and menstruation from remaining days?

Respected Sir, I send the same question Mufti Ismail Bismillah Sahab (Mufti Jamia Dabhel) with some changing that is the last days of purity are 19 days in your question and it is 5 days in his question. The reason is that I wrote to him and he replied and then I wrote to you and I added the days of purity that passed.

He answered that the days of purity are not 15 days of purity that should be between two blood. Therefore 35 days will be for nifas according to her fixed period and the remaining will be for non-menstrual bleeding (istihadhah). So, she has to perform salah and keep fast after 35 days. Thus, 8 days in which she was experiencing menstrual bleeding will be for menses and the remaining will be for non-menstrual bleeding.

According to my poor opinion that I understood is that if 40 days are counted for nifas, yet it will not be 15 days in between both. So, besides the last purity period which is 19 days that increased till 28 days this time all will be for non-menstrual bleeding. Thus, her previous fixed period of nifas will return and this nifas also will be for 35 days. After that the purity period will be for 15 days prudently and after 15 days, her menses period will be for 8 days according to her previous fixed period and then till now will be for purity

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period. It may not happen, if the purity period would not for 15 days, it would be 22 days for purity then 8 days for menstruation then 22 days for purity then add days for menstruation and it would continue. Because the women experience menses once in a month. How does this matter not coming menses has something to do with the above mentioned matter?

Answer: If she has her fixed period 35 days for nifas, but it came 36 days different from fixed period that stopped for three days and came on 40th day and then it stopped for some days. So, 40 days will be counted for nifas in this case. However, if the blood would continue that crosses 40 days, difinetly, the days other than fixed period would have counted for istihadhah (non-menstrual bleeding).

Durre Mukhtar reads:

أما المعتادة فترد لعادتها وكذا الحيض-

It is mentioned in Shami:

إذا كانت عادتها في النفاس ثلاثين يوماً فانقطع دمها على رأس عشرين يوماً وطهرت عشرة أيام تمام عادتها فصلت وصامت، ثم عاودها الدم فاستمر بها حتى جاوز الأربعين ذكر أنها مستحاضة فيما زاد على الثلاثين-

In another place it is written:

صورته في النفاس كانت عادتها في كل نفاس ثلاثين ثم رأت مرة إحدى وثلاثين ثم طهرت أربعة عشر ثم رأت الحيض فإنها ترد إلى عادتها وهي ثلاثون. ويحسب اليوم الزائد من الخمسة عشر التي هي طهر-

Because there should be at least complete 15 days between nifas and menses.

أقل الطهر بين الحيضتين أو النفاس والحيض خمسة عشر يوماً وليا إليها إجماعاً-

If she forgot her period, that if it was in first 10 days of the month or in second 10 days or third 10 days, he will think and act upon his thought in all probability.

ومن نسيت عادتها إما بعدد أو بمكان أو بهما أنها تتحرى، الخ-

Mufti Abdul Ghani (May Allah forgive him) Ziqadah, 1373 A.H. (Kifayatul Mufti. Vol.2 p.254-256)

Can the menses come just after completing 40 days of nifas?

Question: Can the menses come just after completing 40 days of nifas without any purity period in between?

Answer: The menses cannot come after completing 40 days of nifas until at least 15 days of purity passed. If the blood continues after 40 days, it will be istihadhah (non-menstrual bleeding).

It is written in Raddul Muhtar:

قوله: والزائد على أكثره) أى فى حق المبتدأة. أما المعتادة فما زاد على عادتها ويجاوز العشرة فى الحيض والأربعين فى النفاس يكون استحاضة -

(Raddul Muhtar. Vol.1 p. 285)

لورأت الدم بعد أكثر الحيض والنفاس فى أقل مدة الطهر فما رأت بعد الأكثر إن كانت مبتدأة وبعد العادة إن كانت معتادة استحاضة -

And on the page No.40

إذا جاوز الأربعين ولها عادة فى النفاس ردت إلى أيام عادتها -

(Fatawa Hindiyyah. Vol.1 p. 37)

وأكثره - عند الحنفية والحنابلة: أربعون يوماً وما زاد على ذلك فهو استحاضة، بدليل قول أم سلمة رضي الله عنها: كانت النساء تجلس على عهد رسول الله صلى الله عليه وسلم أربعين يوماً وأربعين ليلة - رواه أبو داود والترمذى وابن ماجه وأحمد -

(Al-Fiqhul Islami Wa Adillatuhu. Vol.1 p. 467)

It is written in Imdadul Ahkam:

So, in the case questioned above, her nifas will be according to the previous fixed period and the remaining days will be for istihadhah (non-menstrual bleeding) not for menstruation, because menses cannot come until 15 days passed after nifas. However, if the bleeding continues after 15 days after completion of nifas and these days are for menses, it will be considered for menses. (Imdadul Ahkam. Vol.1 363)

These texts declared that menses cannot come just after completing 40 days of nifas. Allah knows the best. (Fatawa Darul Uloom Zakariyah. Vol.1 p.588, 589)

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What will she do if her nifas disturbed

Question: On 8th Ramadhan a dead baby aborted at my home that was about of five or six months. His limbs were complete. From third or fourth day, in spite of nifas some yellowish or earthen liquid discharges. Will she stop salah and fast till she saw this spot?

Answer: The injection of shariah in this case is that if she does not have any fixed period for nifas, 40 days of nifas will be applied for her. She will not perform salah and keep fast etc. However, when she did not see any sign at all or her fixed period passed she should take bath and perform salah and keep fast.⁷ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p.281)

The blood of nifas stopped after some days then it came for some days and stopped again

Question: A woman experiences the blood of nifas like this: The blood stopped after 4 days then again it is stopped after coming 4 days and it continues till it reached 40 days. Will the days in with the blood did not come be counted for purity or nifas?

Answer: All 40 days will be counted for nifas in the question mentioned above and the duration of stopping blood will not be counted for purity if she has fixed period for 40 days.⁸ Allah knows the best. (Fatawa Rahimiyah. Vol.4 p. 262)

What is the injunction if the woman experiencing nifas has different fixed period?

Question: A woman experienced 35 days of nifas first time and 32 days second time while 30 days third time. When she will be pure third time and when her husband can meet her?

Answer: She will perform salah and keep fast, if it is Ramadhan, after 30 days, but having intercourse is disliked while it is correct after 32 days that was her fixed period.

أكثره أربعون يوماً لو مبتدءة أما المعتادة فترد لعادتها وكذا الحيض فإن انقطع على أكثرها أو قبله فالك نفاًس-⁷
(Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Vol.1 p.277)

عن عبد الله بن عمرو رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: تنتظر النفس أربعين ليلة، فإن رأت الطهر قبل ذلك فهي طاهر، وإن جاوزت الأربعين⁸
فهي بمنزلة المستحاضة، تغتسل وتصلّي، فإن غلبها الدم توضأت لكل صلوة.

(Al-Dara Qutni. Book of menstruation. Vol.1 p.288. No.847)

عن عائشة رضي الله عنها أنها قالت: قالت فاطمة رضي الله عنها بنت أبي حبيش لرسول الله صلى الله عليه وسلم يا رسول الله! إنّي لا أطهر أفاء الصلاة؟ فقال رسول الله صلى الله عليه وسلم: "إنما ذلك عرق وليس بالحيضة، فإذا أقبلت الحيضة فاتركي الصلاة فإذا ذهب قدرها فاغسلي عنك الدم وصلي" -

(Bukhari. Book of non-menstrual bleeding. P.53. No.306)

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It is written in Alamgiri:

”لوانقطعه دمها دور عادتھا بکمره قربانھا حتی یمضی عادتھا وعلیھا أن تصلى وتصوم للاحتياط“ هکذا فی التبيين -

(Almagiri. Vol.1 p.39) Allah knows the best. (Fatawa Rhimiyah. Vol.4 p.264)

What is the injunction if the blood came 12 days then white water and then the blood?

Question: What is the injunction, if a woman saw the blood of nifas 12 days then white water and then the blood?

Answer: The blood that comes within the duration of nifas (40 days) will be considered nifas and the days of non-bleeding also will be considered nifas. However, If the blood crossed 40 days, it should be noticed that if she has any fixed period for nifas or not. If it is, the days after that fixed period will be for istihadhah. For example; her fixed period is for 30 days and the blood continued till 50 days, 30 days will be for nifas and other 20 days will be for istihadhah as it is mentioned in Al-Hidayah and Sharah Al-Wiqayah. If her nifas period is not fixed, 40 days will be for nifas and other 20 days will be for istihadhah.⁹ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p.282)

Can she perform salah after completing her fixed period of nifas?

Question: A woman's blood of nifas used to stop after 10 or 15 days according to her fixed period. It is her usual period of nifas. Can she perform salah and keep fast after ceasing the blood? Can her husband have intercourse with her or not?

کفره أربعون يوماً ثم لو مبتدئة أما المعتادة فترد لعادتها وكذا الحيض فإن انقطع على أكثرهما أو قبله فإلک نفاس⁹

(Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Vol.1 p.277)

عن أم سلمة قالت: كانت النفساء تجلس على عهد رسول الله صلى الله عليه وسلم أربعين يوماً.

(Tirmizi. Book: What is narrated about how many days will childbed women stop. P.35. No.139. Abu Dawood. Book: What is narrated about the period of childbed women. P.49. No.312)

عن عبد الله بن عمرو رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: تنتظر النفساء أربعين ليلة. فإن رأت الطهر قبل ذلك فهي طاهر. وإن جاوزت الأربعين

فهي بمنزلة المستحاضة، تغتسل وتصلى، فإن غلبها الدم توضأت لكل صلوة.

(Al-Dara Qutni. Book of menstruation. Vol.1 p.288. No.847)

عن معاذ بن جبل رضي الله عنه عن النبي صلى الله عليه وسلم قال: ”إذا مضى للنفساء سبعة أشهر رأت الطهر فلتغتسل وتصل.

(Sunan Al-Baihaqi. Book of nifas. Vol.1 p.505. No.1617)

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Answer: If it is her fixed period, salah and fast with the obligatory on her after ceasing the blood and taking bath. Now it is correct for her husband to have intercourse with her.¹⁰ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p.281)

If the head of child came out and the time of salah is passing, can she perform salah?

An objection and its answer

Question: It is written in Fatawa Rahimiyah. Vol.1 p. 147:

“It is too much enough that a matter is mentioned in Hanafis Fiqh that if the woman is laying the child and the head came out while the time of salah is passing, it is obligatory on the woman to perform salah and not to miss.”

I studied this complete mas'alah, but I have an objection that there would be blood (nifas) with the head of child. How would be correct to perform salah in this impure condition?

Answer: This blood is not nifas, because the injunction of nifas is applied when half or more than half child came out. The blood that came out before that is istihadhah. When the time of salah is passing in a condition in which it is obligated to perform, she's not allowed to miss. This woman is in the injunction of excused person. So, if she does not fear from any harm for her child, it is necessary to perform salah.

(Maraqi Al-Falah with Tahtawi. P.80)

والنفاس هو الدم الخارج عقب الولادة أو خروج أكثر الولد-

it is written in Alamgiri:

لو خرج أكثر الولد تكون نفساء وإلا لا-

(Alamgiri. Vol.1 p.37) Allah knows the best. (Fatawa Rahimiyah. Vol.4 p.269, 270)

¹⁰ أما المعتادة فتد لعادتها، وكذا الحيض (در مختار) وفيه قيل: (وإرت) انقطعة (لأقله) النخ (لا) يحل (حتى تغتسل) أو تيمم بشرطه (أو يفي عليها زمن يسه الغسل) وليس الثياب (والتحريمية)، النخ

(Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Vol.1 p.272, Zafar)

عن معاذ بن جبل رضي الله عنه عن النبي صلى الله عليه وسلم قال: "إذا مضى للنفساء سبعة أشهر رأت الطهر فلتغتسل ولتصل-

(Sunan Al-Baihaqi. Book of nifas. Vol.1 p.505. No.1617)

Second objection and its answer:

Question: It was right that the injunction of nifas was not be applied, because it was istihadhah, but the objection is that how she will be in the injunction of excused person. The injunction of excuse is applied only when one complete time of salah passed while the blood is coming and she cannot find a time in which he can perform Salah with purity. The case is not so. It is clear that she was not excused in first time of salah rather she was pure at that time. This excuse did not cover the whole time; how can she perform salah without being pure. That's why she is not excused.

Answer: She should consider herself excused and perform salah. She is not allowed to miss. It is another matter that she will not be excused and will not make for missed salah, because the blood stopped later.

It is written in Shami:

ولو عرض بعد دخول وقت فرض انتظر إلى آخره فإن لم ينقطع يتوضأ ويصلي ثم إن انقطع في أثناء الوقت الثاني يعيد تلك الصلوة وإن استوعب الوقت الثاني لا يعيد لثبوت العذر حينئذ من وقت العروض.

He said describing the injunctions of excused person: "if the excuse occurred after entering the time of obligatory salah, he/ she should wait till the end of the time. If the excuse did not end, he will perform salah after making wudu. Later if it ended in another time, he will repeat salah and if the excuse lasted another time completely, he will not repeat that salah, because his excuse declared that time. (Shami. Vol.1 p. 281)

The case of the pregnant woman is the same. Therefore, istihadhah cannot stop salah. The blood of istihadhah is pure for the woman experiencing it. She can perform salah with that. It does not mean that the blood of istihadhah is pure in fact or it is forgiven. Allah knows the best. (Fatawa Rahimiyah. Vol.4 p.270)

Injunction of the blood comes after incomplete child delivery

Question: Some women's fetus is aborted before the time. Will the blood come after that be considered nifas or not?

Answer: If the parts (finger, nail and hair etc.) of the fetus were created, the blood come after that will be considered nifas. If the parts were not created, the blood will not be considered nifas. However, if the definition of menses comes true, it will be menstruation otherwise it is istihadhah (non-menstrual bleeding).

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والسقط إن ظهر بعض خلقه من أصبع أو ظفر أو شعر ولد فتصير به نفساء، هكذا في التبيين، وإن لم يظهر شيء من خلقه فلا نفاس لها فإن أمكن جعل المرئي حيضاً يجعل حيضاً وإلا فهو استحاضة۔

(Alamgiri. Vol.1 p.19) Allah knows the best.

Muhammad Anwar (May Allah forgive him) Mufti Jamia Khairul Madaris. Multan.

12/10/1410 A.H. (Khairul Fatawa. Vol.2 p.140, 141)

Injunction of the blood comes after abortion of four months' fetus while another child is inside

Question: A woman's fetus is aborted after passing four months, but it is checked that there is another child. The blood is coming normally. Will this blood be considered menses before the delivery of second child or it will be istihadhah or nifas?

Answer: This case is of two kinds: (1) If the second childbirth took place within 40 days from first child, the blood will be considered nifas 40 days from first childbirth and the remaining will be istihadhah. (2) If the second childbirth took place after 40 days from first child, the blood will be considered istihadhah not nifas.

It is mentioned in Durre Mukhtar:

والمرئي عقيب الثاني إن كان في الأربعين فمن نفاس الأول وإلا فاستحاضة۔

(Raddul Muhtar. Vol.1 p.301)

Tahtawi said:

قال الطحطاوى: ماتراه عقب الثاني إن كان قبل الأربعين فهو نفاس للأول لتمامها واستحاضة بعد تمامها فتغسل كما وضعت الثاني وهو الصحيح، كذا في البحر۔

(Al-Tahtawi on Al-Durrul Mukhtar. Vol.1 p. 154) Allah knows the best. (Fatawa Darul Uloom Zakariya. Vol.1 p. 590)

Injunction of nifas after incomplete child delivery

Question: If the child is incomplete i.e. some parts were created or not created at all, but it was a piece of flesh, will the injunction of nifas be applied for the blood comes after that incomplete childbirth?

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Answer: If it is only a piece of flesh and parts are not created at all and it is aborted by any mean, the blood come after that will be considered menses on condition that it continues till a period of menstruation. If it crossed the days of menses, the blood will be istihadhah. However, if the parts are created, the blood come after that will be considered nifas. It is said in Al-Hindiyah:

والسقط إن ظهر بعض خلقه من أصبع أو ظفر أو شعر ولد فتصير به نفساء (هكذا في التبيين) وإن لم يظهر شيء من خلقه فلا نفاس لها فإن أمكن جعل المرئي حيضاً يجعل حيضاً وإلا فهو استحاضة.

(Al-Hindiyah. Vol.1 p.37. Chaprer:2 about nifas)¹¹ (Fatawa Haqqaniyah. Vol.2 p. 557, 558)

If no part is clear after abortion

Question: If no part is clear after abortion and it is only blood or piece of flesh, will the blood is seen after abortion be menstruation or istihadhah?

Answer: If no part is clear, it will not be nifas. Now it should be noticed that if it did not stop within three days and a period of purity passed as it was, it will be menses otherwise istihadhah. Al-Durrul Mukhtar reads:

فإن لم يظهر له شيء فليس بشيء والمرئي حيض إن دام ثلاثاً وتقدمه طهر تام وإلا استحاضة“ آه. باب الحيض والنفاس-

(Book of menstruation and nifas)

9th Ziqadah, 1330 A.H. (First complement. P.10) (Imdadul Fatawa Jadeed. Vol.1 p. 84)

Will the blood of abortion or uterus lavage be menstruation or nifas?

Question: If the child is aborted or the woman goes under uterus lavage, will the blood come after that be menstruation or nifas?

Answer: If one or two parts of child are created, the blood come after abortion will be nifas and if no part is created and it was only flesh, it will not be nifas. However, if it can be menstruation, it will be otherwise it is istihadhah.

(Bahishti Zewar. Summarized. P. 62 Part.2)

قال الحصكفي: ”وسقط ظهر بعض خلقه كيد أو رجل أو أصبع أو ظفر أو شعر ولد حكماً فتصير المرأة نفساء والأمة أمر ولد فإن لم يظهر له شيء فليس بشيء والمرئي حيض إن دام ثلاثاً وتقدمه طهر تام وإلا استحاضة“ -

(Al-Durrul Mukhtar on Raddul Muhtar. Matter about the condition of abortion. Vol.1 p. 203. And so is in Al-Bahrur Raique. Book of menstruation. Vol.1 p. 218)

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Ibnul Humam (r) writes:

والسقط الذى استتار بعض خلقه كأصبع أو ظفر ولد فلو لم يستين منه شيء لم يكن ولداً فإن أمكن جعله حياً بأن امتد جعل إياه وإلا مستحاضة.

(Fatahul Qadeer. Vol.1 p. 187) Allah knows the best.

(Fatawa Darul Uloom Zakariya. Vol.1 p. 586, 527)

When will she take bath after delivery and what is the injunction about applying pethi (lap of wheat flour and turmeric)?

Question: Here is a tradition of taking bath after one month and 40 days from delivery. Is it correct? Is it correct to apply pethi (lap of wheat flour and turmeric) three times on the whole body in morning and evening before two days from bathing? How should a childbed woman take bath and when? What is the Islamic way?

Answer: Bath is necessary after ceasing the blood of nifas. However, she can take bath daily for cleanliness and health. It is not forbidden. Thinking that bathing after one month is sunnah and ordered by shariah is completely wrong. Whenever her blood stopped before 40 days, she should take bath for purity and start praying salah. If the blood continues till 40 days (the maximum period), she should take bath and start praying salah. There is no any other way for this bath.¹² Believing that taking bath after applying pethi is sunnah and necessity wrong. She can use soil, soap etc. for cleanliness. Allah knows the best. (Fatawa Rahimiyah. Vol.4 p. 256)

¹² (وأكثره أربعون يوماً)، كذا رواه الترمذى وغيره، الخ.

(Al-Durrul Mukhtar on the margin of Raddul Muhtar. Book of menstruation. Vol.1 p. 276)

(الدر المختار على هامش رد المحتار، باب الحيض: ٢٤٦٨) - اعلم أن هذه المسئلة على ثلاثة أوجه لأب الدم إما ينقطع لتمام العشرة أو دونها لتمام العادة أو دونهما؛ ففيما إذا انقطع لتمام العشرة يحل وطؤها بمجرد الإنقطاع ويستحب له أن لا يطأها حتى تغتسل وفيما إذا انقطع لما دون العشرة دون لا يقربها وإن اغتسلت ما لم تمض عادتها، وفيما إذا انقطع للأقل لتمام عادتها إن اغتسلت أو مضى عليها وقت صلوة حل وإلا لا، وكذا النفاس إذا انقطع لما دون الأربعين لتمام عادتها، فإن اغتسلت أو مضى الوقت حل وإلا لا، إلخ.

(Al-Bahrur Raique. Book of menstruation. Vol.1 p. 213)

FATAWA ULAMA AL-HIND VOL.2 Matters About Nifas (Post-Partum Bleeding)

If an excuses person stopped his excuse by any mean or remedy, will he remain excused or not?

Question: A woman suffering from drops of urine or non-menstrual bleeding, stopped it by any mean or remedy and perform salah after making wudu. Is her wudu and salah correct or not? Can she do this in menstruation?

Answer: Wudu and salah is correct, but this will not be useful in menstruation and salah will not be correct. Fatawa Khairiyah describes:

سئل في الحمصة التي توضع على الكلى ثم تربط بما يمنع السيلان هل يكون صاحبها صاحب عذر أم لا؟ (أجاب): لا يكون صاحب عذر كما هو صريح كلام الخلاصة وغيره وصاحب الجرح لو منع الجرح من السيلان يخرج من أن يكون صاحب الجرح السائل فأفاد أن كل صاحب عذر إذا منع نزوله بدواء أو غيره خرج عن كونه صاحب عذر بخلاف الحائض.

(Al-Fatawa Al-Khairiyah. Vol.1 p.5)

In short, if an excuses person stopped his excuse by any mean or remedy, he will no longer excused. Allah knows the best. (Fatawa Rahimiyah. Vol.4 p. 258)

Having intercourse during pregnancy

Question: What is the injunction about having intercourse with pregnant wife? If it is allowed, before how many days from delivery it should be stopped?

Answer: It is correct to have intercourse with pregnant wife when it does not harm the fetus. You should consult any gynecologist that when the intercourse harms fetus.¹³ Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p.207)

Till when the intercourse is prohibited after delivery?

Question: (1) Till when the intercourse is prohibited with the woman after childbirth?

If one had intercourse during the period of nifas, how will he recompense it?

Question: If one had intercourse in the duration of prohibition, what is the compensation on the spouses?

¹³ Hakeemul Ummat Mujaddidul Millat Ashraf Ali Thanawi (r) writes: The pregnant woman will not meet her husband, especially, it is more harmful before 4th month and after 7th month. (Bahishti Zewar. Part:9 Carefulness and ideas about pregnancy. P.620. Darul Isha'at. Karachi)

FATAWA ULAMA AL-HIND VOL.2 Matters About Nifas (Post-Partum Bleeding)

Answer: (1) The maximum duration of nifas is 40 days after childbirth for a woman. So, if a woman experiences blood continuously in this duration less or more, her husband cannot have intercourse with her till 40 days. Since, there is no minimum duration of nifas, if the blood ceased before 40 days, intercourse is allowed after taking bath.¹⁴

Answer: (2) He should ask forgiveness and repent; and should repeat it again.

It is written in Durre Mukhtar: If her husband had intercourse with her in the period of menses, he should ask forgiveness and it is recommended to give one or half Dinar in charity as it is mentioned in hadith. So, it is better to give charity because of having intercourse in the duration of nifas.¹⁵ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 283)

The woman who has first childbirth will not wait for 40 days for purification

Question: The woman who has first childbirth and the blood of nifas stopped after 4 days and did not come one day and night; can her husband have intercourse with her next day or not? Since, it is firstborn, there is no idea about fixed period. Is it necessary to wait for 40 days after firstborn? If it is not, after how many days he will have intercourse while the blood may come?

Answer: It is written in Al-Durrul Mukhtar:

في الدر المختار: وإن لعادتها (إلى قوله) (حتى تغتسل)... (أويضي)، في رد المحتار: (قوله وإن لعادتها): وكذا لو كانت مبتدأة

(Al-Durrul Mukhtar with Raddul Muhtar. Book of menstruation. Vol.1 p. 294)

¹⁴ (وأكثره أربعون يوماً) كذا رواه الترمذي وغيره، الخ فإن انقطع على أكثرهما أو قبله فالحل نفاساً.

(Al-Durrul Mukhtar on the margin of Raddul Muhtar. Book of menstruation. Vol.1 p. 276)

وتوطأ بلا غسل يتصرم لأكثره، ولأقله لا، حتى تغتسل أو يضي عليها أدنى وقت صلوة (كذا) علم أن هذه المسئلة على ثلاثة أوجه لأن الدم إما ينقطع لتمام العشرة أو دونها لتمام العادة أو دونهما؛ ففيما إذا انقطع لتمام العشرة يحل وطؤها بمجرد الإنقطاع ويستحب له أن لا يوطأ ما حتى تغتسل وفيما إذا انقطع لما دون العشرة دون لا يقربها وإن اغتسلت ما لم تمض عادتها، وفيما إذا انقطع للأقل لتمام عادتها إن اغتسلت أو مضى عليها وقت صلوة حل وإلا لا، وكذا النفاس إذا انقطع لما دون الأربعين لتمام عادتها، فإن اغتسلت أو مضى الوقت حل وإلا لا، الخ.

(Al-Bahrur Raique. Book of menstruation. Vol.1 p. 348- 352)

ثم هو أي وطؤها خائض كبيرة لوعامداً مختاراً عالماً بالحرمة لاجهاً أو مكرهاً أو ناسياً فتلزمه التوبة ويندب تصدقه بدينار أو نصفه ومصرفه كزكوة.

(Al-Durrul Mukhtar on the margin of Raddul Muhtar. Book of menstruation. Vol.1 p. 275)

FATAWA ULAMA AL-HIND VOL.2 Matters About Nifas (Post-Partum Bleeding)

As the injunction of menses and nifas is same in this regard, it is understood by the above-mentioned text that intercourse is allowed in the question asked.

16th Muharram, 1326 A.H. First complement. P.2. (Imdadul Fatawa Jadeed. Vol.1 p. 84, 85)

Bath is not obligatory, if she had wet dream during nifas

Question: If the woman experiencing nifas had wet dream, is bath necessary or not or one but is enough after ending nifas?

Answer: Only one bath is necessary after ending nifas.

قال في الخانية: المرأة إذا أجنبت ثم حاضت إرب شاءت اغتسلت وإرب شاءت أخرت الإغتسال لأنه لا فائدة في التعجيل فإنها إرب كانت تخرج من الجنابة لا تخرج من الحيض وحكمهما واحد.

Khaniyah. Vol.1 p.22) Allah knows the best. 17th Safar, 1388 A.H. (Ahsanul Fatawa. Vol.2 p. 32)

MATTERS OF NON- MENSTRUAL BLEEDING (ISTIHADHAH)

Matters of Non-Menstrual Bleeding (Istihadhah)

The injunction of one or two days bleeding of menses

Question: The minimum duration of menses is three days. It does not come less than three days, but if a woman experiences one or one and half or two days, what is the injunction about it? It will be considered menses or not?

Answer: That is not menstruation, but that is non-menstrual bleeding (Istihadhah). Such a woman has long purity period.

“أقل الحيض ثلاثة أيام ولياليها، وما نقص من ذلك فهو استحاضة –“

(Al-Hidayah. Vol.1 p. 62. Book of menstruation)¹⁶ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 02/05/1393 A.H.

Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. 03/05/1393 A.H. (Fatawa Mahmoodiyah. vol.5 p. 198)

The minimum duration of menses is three days, the blood come less than that is non-menstrual bleeding (Istihadhah)

Question: A woman experiences blood after every three months. Earlier, her period was for five days, but now the blood stops after one night.

A mas'alah is mentioned in Bahishti Zewar that the blood come less than three days and nights is not menstruation it is because of illness.

فلان انقطع على أكثر مما أوقبله فالكل نفاس“ (الدرا المختار) وقال ابن عابدين: “(قوله: أوقبله) أى وقبل الأكثر، وزاد على العادة“ – 16
(Raddul Muhtar. Vol.1 p.300. Book of menstruation. Saeed)

“الطهر المتخلل في الأربعين بين الدمين نفاس عند أي حنفية وإن كان خمسة عشر يوماً فصاعداً، وعليه الفتوى“ –
(Al-Fatawa Al-Alamgiriyyah. Vol.1 p. 37. Chapter:2 Nifas. Rasheediyah)

FATAWA ULAMA AL-HIND VOL.2 Matters of Non-Menstrual Bleeding (Istihadhah)
Which injunction will be applied for the blood of above-mentioned woman (Menses/ istihadhah)? She is 35 years old. What should she do for performing salah and recitation?

Answer: The blood came less than three days and nights is not menstruation.

It is written in Hidayah:

أقل الحيض ثلاثة أيام وما نقص من ذلك فهو استحاضة۔

(Vol.1 p. 54)¹ Allah knows the best. (Fatawa Rahimiyah. Vol.4 p. 257)

Injunction about non-menstrual bleeding woman

Question: I have two ask about menstruation that from the first time my purity period was for 15 days and sometimes it proceeded till 22 days, but it rarely happened. I take bath on eleventh day. From 3 or 4 years, sometimes I take bath after eight or nine days, but it is not often. This time I began to perform salah on 15th December and the blood came on 23rd December. So, I continued salah till 23rd December. Yet yellowish and earthen discharging continued. After completing 11 days, I restarted salah from 2nd January. This time discharging colour was clear or light dusty for one or half day. It passed 2-4 days, but the blood began from the time of Isha salah on 11th January. It was blood colour, but now it becomes earthen and sometimes pink. It continues till 15th January and I did not perform salah from 11th January. For when should I start salah and should I have two make up for missing salah or not? Later if the blood comes in between, should I perform salah or not? How to count the days?

Answer: You should remember when the blood started before 15th December and just after 10 days from then the period of purity will start. Then after 15 days the second period of menses will start whether the blood came in between or not. This calculation will be in all conditions. According to that you have two make up for salah of those days which was from purity period.² Allah knows the best. (Ahsanul Fatawa. Vol.2 p.72)

عن أبي أمامة الباهلي رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: "لا يكون الحيض للجارية والثيب الذي قد آتت من الحيض أقل من ثلاثة أيام ولا أكثر من عشرة أيام فإذا رأت الدم فوق عشرة أيام فهي مستحاضة فما زاد على أيام أقرانها قضت ودم الحيض أسود خائر تعلوه حمرة ودم المستحاضة أصفر رقيق"۔
(Al-Daraqutni, Book of menstruation. No. 834)

عن واثلة بن الأسقع رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: "أقل الحيض ثلاثة أيام وأكثره عشرة أيام"۔
(Al-Daraqutni, Book of menstruation. Vol.1 p.225. No. 836)

عن عائشة رضي الله عنها أنها قالت: قالت فاطمة رضي الله عنها بنت أبي حبيش لرسول الله صلى الله عليه وسلم يا رسول الله! إنني لأطهر، أفأدع الصلوة؟ فقال رسول الله صلى الله عليه وسلم: "إنما ذلك عرق وليس بالحيضة فإذا أقبلت الحيضة فاتركي الصلوة فإذا ذهب قذرهما فاغسلي عنك الدم وصى"۔

What should the woman of fixed period do if she experiences the blood 10 days and 11 days sometimes?

Question: A woman's fixed menses period was five days. Later, the blood comes 10 days and 11 days sometimes. Is she pure after five days or not?

Answer: If the blood came within 10 days, all will be menses and if the it crossed 10 days, had a fixed period (5 days) will be for menses and the remaining will be istihadhah. Hidayah¹ and Sharah Wiqayah. (Fatawa Darul Uloom. Vol.1 p. 284)

If the blood comes after fixed period, is it menstruation or istihadhah?

Question: A woman experiences menses five days and then she takes bath, but sometimes the blood restarts after five days out of her fixed period and it is stops within one or two days. Is it menses or istihadhah and is it allowed to have intercourse after taking bath?

Answer: The blood that comes after 10 days from the first day of menses will be istihadhah and salah is not forgiven in istihadhah. She has to perform salah. It is also allowed to have intercourse.²

Abdul Kareem (May Allah forgave him) 13th Safar, 1345 A.H.

Authenticated by Zafar Ahmad. (May Allah forgave him) 12th Safar, 1345 A.H. (Imdadul Ahkam. Vol.1 p.371)

(Bukhari. Book of non-menstrual bleeding woman. Muslim. Book of non-menstrual bleeding woman and her bath and salah)

عن النبي صلى الله عليه وسلم قال في المستحاضة: "تدء الصلوة أيام أقرانها التي كانت تحيض فيها ثم تغتسل وتتوضأ عند كل صلوة وتصوم وتصلى" -

(Tirmizi. Book about what is narrated that non-menstrual bleeding woman will make wudu for each salah. P. 33. No. 126)

والطهر إذا تخلل بين الدمين في مدة الحيض فهو كالدمر التوالى - (هدايه، كتاب الحيض) قلت لعتاء فحاضت فأدبر عنها الدم وهي ترى ماء أو تریة؟ قال: فلا تصلی 1 حتى ترى الخفوف الطاهر -

(Musannaf Abdur Razzaque. Book about what she sees during her menses period and after that. Vol.3 p.303. No.1163)

ولو زاد الدم على عشرة أيام ولها عادة معروفة دوها ردت إلى أيام عادتها والذي زاد استحاضة - (هدايه، باب الحيض، في بيان الاستحاضة) -

(Al-Hidayah. Book of menstruation. Non-menstrual bleeding)

قالت عائشة رضي الله عنها رأيت مركاتها ملأ ب دمًا فقال لها رسول الله صلى الله عليه وسلم: امكثي قدر ما كانت تحبست حيضتك ثم اغتسلي وصلى -

(Nasai. The woman has her fixed period for menses every month.)

² (Al-Daraqutni, Book of menstruation. Hadith No. 834 and 836)

Which days of a month will be counted for menses and for purity during non-menstrual bleeding?

Question: A woman is suffering from non-menstrual bleeding for a long period. The blood flows continuously that sometimes stops only two or three days in a month and sometimes it does not stop at all and she does not remember her previous period.

- (1) Which days of the month will she count for purity and which days for menses?
- (2) In which days will she perform salah, keep fast and recite the glorious Quran and when she will stop?
- (3) Please define the day in which salah and fast is obligatory on her.
- (4) Can she recite the glorious Quran and touch it after making wudu in those days when she can perform salah?
- (5) Please explain purity and menses periods and describe the injunction of reciting the glorious Quran also.

Answer: Such kind of woman will think i.e. if she does not remember her previous fixed period and she cannot recognize by colour, she should ponder heartily, think deeply and do pray Allah. Then the days for which her heart witnessed that these are the days of menses, she should suppose them menses period and stop salah, fast, reciting the glorious Quran and touching it. She can do all things in other than those days, but she will make new wudu for every time of salah. She can perform obligatory, sunnah and supererogatory salah, recite the glorious Quran and touch it.¹ May Allah help her and solve her problem. Allah knows the best.

Written by Mahmood (May Allah forgave him) Darul Uloom Deoband. 21/08/1392 A.H.

Authenticated by Nizamuddin (May Allah forgave him) Darul Uloom Deoband. 22/08/1392 A.H. (Fatawa Mahmoodiyah. vol.5 p.211)

Injunction about the woman having long purity period

Question: A woman is about 30 years old. She has been experiencing her menses only one and half or two days very little due to illness and physical weakness for six or seven years. She had had a fixed period for four days before getting marry and it continued 2-3 years after marriage. Later she reached this condition due to weakness gradually. After consulting the doctors who mentioned the reason of lack blood, she went under

من نسيت عادتها تسمى المحيرة والمضلة..... وحاصله أنها تتحرقى. ومتى ترددت بين حيض ودخول فيه وطهرت توضع لكل صلاة..... الخ 1
(Al-Durrul Mukhtar. Vol.1 p.287. Book of menstruation. Saeed)

FATAWA ULAMA AL-HIND VOL.2 Matters of Non-Menstrual Bleeding (Istihadhah)
 treatment. Her period was correct and the quantity of blood increased also when she was having medicine, but she could not continue the medicine till complete healing because it was much expensive. Her husband is working as a teacher in a Madrasa whose salary cannot fulfil. She has 26-27 days between two menses. She suffers pain due to weakness and illness whenever her menses comes after 26-27 days as it happens with most of women in this condition nowadays. The minimum duration of menses is three days as mentioned in books, but she never experienced three days from many years. I have to ask that what is the injunction of shariah for her in this condition in regard of salah, fast etc.? Will this blood be considered menses or not? From when will she start performing salah whether after three days or after ceasing the blood? If this blood is not menses and it is istihadhah and she has to make up for missed salah, does menstruation cease in such small age?

Answer: The above-mentioned woman experiences the separation of 26-27 days between two menses period and the blood comes less than three days. So, this blood is called separating blood and it cannot be considered menses, because it is less than minimum duration of menstruation (three days).

Fuqaha named such woman “مرتفعة الحيض” or “ممتدة الطهر” the woman whose menses stopped after coming once before old age. So that woman will be in the injunction of “ممتدة الطهر” and she will it stop salah and fast on those days when the blood comes.¹

Written by Muhammad Tarique Nadawi. Authenticated by Nasir Ali Nadawi. (Fatawa Nadwatul Ulama. Vol.1 p. 256, 257)

The purity period cannot be less than 15 days though it is less a short time

Question: It is written in the books of Fiqh that the least duration of purity is to spend 15 days completely. If a woman's menses or nifas ceased after Zuhr salah on first day of Ramadan and then she saw the blood in afternoon on 15th Ramadan. Will the injunction of purity be applied by decreasing one noon or one or two hours?

Answer: It will not be purity period, because it is less than 15 days and nights.

قوله “وان استغرق العمر” صادق بفلات صور: الأول: أن تبلغ بالسن وتبقى بلا دم طول عمرها فتصوم وتصلّي ويأتيها زوجها وغير ذلك أبداً وتنقضي عدتها 1 بالأشهر. الثانية: أن ترى الدم عند البلوغ أو بعده أقل من ثلاثة أيام ثم يستمر انقطاعه وحكمها كالأول، الثالثة: أن ترى ما يصلح حيفاً ثم يستمر انقطاعه وحكمها كالأول.

(Raddul Muhtar. Vol.1 p. 477)

FATAWA ULAMA AL-HIND VOL.2 Matters of Non-Menstrual Bleeding (Istihadhah)
It is written in Al-Durrul Mukhtar. Book of menstruation:

(والناقص) عن أقله الخ في رد المحتار: (قوله والناقص الخ) أي ولو بيسير، قال القهستاني: فلورات المبتدأة الدم حين طلع نصف قرص الشمس وانقطع في اليوم الرابع حين طلع ربعه كانت استحاضة إلى أن يطلع نصفه، فحينئذ يكون حيضاً والمعتادة بخمسة مثلاً إذا رأت الدم حين طلع نصفه وانقطع في الحادي عشر حين طلع ثلثاه فالزائد على الخمسة استحاضة، لأنه زاد على العشرة بقدر السدس، أي سدس القرص.

(Al-Durrul Mukhtar. Book of menstruation. Vol.1 p. 293)

26th Zil Hijj, 1331 A.H. (Second complement. P. 102) (Imdadul Fatawa Jadeed. Vol.1 p. 87, 88)

What does purity period (Tuhur) means and how the days of menses will be counted if the blood continued for three months?

Question: What does purity period (Tuhur)? If a woman has been experiencing the blood for three months regularly, how does the duration of menses would be counted from the beginning of month?

Answer: If she has a fixed period of menses, that duration of every month would be considered for menses and she will perform salah in other days. If this happened first time, 10 days of every month will be for menses and other will be for non-menstrual bleeding. (Zafeer)

Explanation: If the woman has her fixed period, her menses will be counted according to that period and the remaining days will be for purity. If she does not have her fixed period of menses and it happened first time, 10 days (the maximum creation of menses) of every month will be counted for menses and she will perform salah and keep fast in other 20 days. The blood which crossed the maximum duration of menses, or the fixed period of the woman of fixed period, is istihadhah (non-menstrual bleeding). It is necessary to perform salah and keep fast in those days.

The meaning of purity (Tuhur) is absence of menstruation. You can look for the matters of menstruation, non-menstrual bleeding, the woman having fixed period and the woman begins menstruating in the books of fiqh in detail. Allah knows the best.

(Fatawa Darul Uloom. Vol.1 p.283)

وأكثره عشرة بعشرة ليال، كذا رواه الدارقطني وغيره، والناقص عن أقله والزائد على أكثره أو أكثر النفاس أو على العادة وجاوز أكثرهما وما تراه صغيرة دون تسع على المعتمد وآيسة على ظاهر المذهب وحامل الخ استحاضة وأقل الطهرين الحيض والنفاس خمسة عشر يوماً ولياليها إجماعاً ولا حد لأكثره، الخ.

(Al-Durrul Mukhtar on Raddul Muhtar. Book of menstruation. Vol.1 p.262, 263)

Injunction about the blood that starts before minimum duration of purity and continues after maximum duration of purity

Question: One has the period of menses 9 or 10 days and the period of purity 20 days. If her menses started from second day and she became pure on 10th day and then after nine days of purity the blood came again and five days passed today. She performed salah and kept fast in this duration as usual; as it is mentioned in Bahishti Zewar that she should make new wudu for every salah. Now I have two asked that now the purity period passed 15 days, will the period of menses be counted from tomorrow or she will be pure 20 days and her period of menses will start after that according to her fixed period? If the purity period does not begin from tomorrow, can she stay in itikaf or not i.e. she will not perform salah and will not recite Quran, but she will read tasbeeh etc.?

Answer: It is mentioned in Raddul Muhtar:

وإن وقع (أي الاستمرار) في المعتادة، فطهرها وحيضها ما اعتادت في جميع الأحكام إن كان طهرها أقل من ستة أشهر ولا فتد إلى ستة أشهر إلا ساعة وحيضها بجال.

(Raddul Muhtar. Vol.1 p. 294)

قلت: يراد بالاستمرار ظهور الدم في غير زمان الحيض فيحكم في المسئول عنها بالاستمرار لأن المدة التي ظهر فيها الدم ليس بزمان حيض لأنه لم ينقص إذ ذاك أقل زمان الطهر ولا يراد بالاستمرار عدم الإنقطاع أبداً لأنه يتعذر الحكم عليها أبداً ما دامت حية هف ويصدق على هذه أيضاً أن طهرها أقل من ستة أشهر فيحكم عليها بردها إلى عادتها.

To sum up, that blood will be considered istihadhah and she will be pure 20 days according to her fixed appeared.

28th Ramadan, 1333 A.H. (Third complement. P. 86) (Imdadul Fatawa Jadeed. Vol.1 p. 86, 87)

injunction about the woman whose blood stopped before three days

question: A woman's blood stops before three days and nights usually. Should she wait and miss fasting two or three days waiting or she should keep fast prudently that if the

FATAWA ULAMA AL-HIND VOL.2 Matters of Non-Menstrual Bleeding (Istihadhah)
blood covered three days, her fasting is not valid and she has to make up for it and if the blood stopped before three days and nights she would consider it istihadhah and her fasting is valid. So, she does not need to make up for it. What should she do?

Answer: It is written in Al-Durrul Mukhtar:

فيه (أى بالبروز) تترك الصلوة ولو مبتدأة في الأصح، لأن الأصل الصحة، والحيض دم صحتة، شمني -

(Durre Mukhtar. Vol.1 p.292)

Most probably, it is clear that this blood is coming due to illness. So, she does not miss salah and fast as it is mentioned in the question.

17th Ramadan, 1332 A.H. (Second complement. P. 166) (Imdadul Fatawa Jadeed. Vol.1 p. 86)

If the menstruation crossed 10 days

Question: A woman's menses crossed 10 days and she does not remember the previous period, but she remembers that it came at the beginning or in between or at the last of the month. Can she guess by deep thinking and pondering about the duration of previous menses? What is the injunction in these cases?

Answer: If she forgot the previous duration of the time of menses, she can act upon what she guessed and preferred after thinking deeply in all probability. If her thought does not prefer any aspect, the injunction about the case is mentioned is that her menses will be three days, and the salah of remaining days will be necessary for her. So, she should perform salah seven days in such a way that she will take bath for each time of salah and after seven days she will make new wudu only. Allah knows the best. If she wants to make a for missed salah, it is not necessary to take bath for each salah. She will take bath for the first salah and make wudu for each salah.¹

عن عائشة رضي الله عنها قالت: جاءت فاطمة رضي الله عنها بنت أبي حبيش إلى النبي صلى الله عليه وسلم فقالت: يا رسول الله! إن امرأة استحاض فلا أطهر، أفأداء الصلاة؟ قال: "لا، إنما ذاك عرق وليس بالحيضة، اجتنبي الصلاة أيام محيضك ثم اغتسلي وتوضئي لكل صلاة وإن قطر الدم على الحصى" -

(Ibn Majah. Book of what is narrated about the woman having non-menstrual bleeding who counted her period, Nasai. Book: Talking about non-menstrual bleeding and coming the blood before its time and after. Al-Daraqutni. Book of menstruation. Vol.1 p. 219. No. 808)

عن النبي صلى الله عليه وسلم قال في المستحاضة: "تدء الصلوة أيام أقرائها التي كانت تحيض فيها ثم تغتسل وتتوضأ عند كل صلوة وتصوم وتصل" -
(Sunan Al-Tirmizi. Book of what is narrated that the woman having non-menstrual bleeding will make wudu for every salah. P. 33. No. 126)

If the blood of nifas crossed 40 days

Question: A woman's fixed period of nifas is one month and sometimes less than one month, but this time the blood crossed 40 days and its colour is like that of menstruation which she experiences five days every month and these days are the same days. Now she doubts that the menstruation began after stopping nifas. What should she do in this condition?

Answer:

قال في منهل الواردين من مجار الفيض على ذخرا المتأهلين في مسائل الحيض: "وأكثره أى النفاس أربعون يوماً وقد علم إجمالاً مما مر من بيان أكثر الحيض والنفاس وأن الزائد عليهما لا يكون حيضاً ولا نفاساً وأن الدم الصحيح لا يعقبه دم صحيح وحيث لا فالحيض لا يتوالى بل الثانى منهما استحاضة وكذا فى الأخيرين فى قوله وكذا القاسات والنفاس والحيض بل لا بد من طهر تام فاصل بينهما أى بين كل اثنين من الحيض والنفاس والنفاس والحيض والنفاس-

(Vol.1 p. 294)

in the case mentioned above, her nifas will be counted according to the previous nifas and the remaining will be istihadhah (non-menstrual bleeding) not menstruation, because the menses cannot come before 15 days after nifas. However, if the blood continues after 15 days after nifas and the date is for menstruation, it will be considered menses. (Imdadul Ahkam. Vol.1 p. 362, 363)

She saw blood 40 days then she became pure for one week then the blood came, which blood will it be considered?

Question: A woman experiences nifas for 40 days completely after that she became pure for 7-8 days and then red blood came. Will this blood be considered menstruation or non-menstrual bleeding? It should be noticed that the blood of nifas came 30 days first time.

Answer: Her nifas period will be 40 days this time and that came after 7-8 days will be istihadhah (non-menstrual bleeding),² because the whole 15 days of purity did not pass after nifas.³ Allah knows the best. (Fatawa Darul Uloom. Vol.1 p. 283)

The injunction about the blood comes after clot of blood

question: If the blood comes after a clot of blood or piece of flesh, will it be considered nifas are not?

Answer: It is written in Al-Durrul Mukhtar:

والنفاس دم يخرج عقب ولد أو أكثره ولو متقطعاً عضو الأقلهـ

Nifas is the blood that comes after coming out the child or his most part thought some parts are incomplete not less than that.⁴

(Imdadul Fatawa. Vo.1 p.82)

Injunction about menstruation or non-menstrual bleeding after abortion

Question: If no part appeared and it was only blood or piece of flesh in the blood that came after abortion, is it menstruation or non-menstrual bleeding?

Answer: It is written in Al-Durrul Mukhtar:

وسقط ظهري بعض خلقه كيد أو رجل أو أصبع أو ظفر أو شعر ولد حكماً فتصير به نفساء (إلى قوله) فإن لم يظهر له شيء فليس بشيء والمرئي حيض إن دام ثلاثاً وتقدمه طهر تام وإلا استحاضة آه في رد المحتار: قوله وتقدمه أي وجد قبله بعد حيضها السابق ليصير فاصلاً بين الحيضين الخ قوله وإلا استحاضة أي إن لم يدم ثلاثاً وتقدمه طهر تام أو دام ثلاثاً ولم يتقدمه طهر تام أو لم يدم ثلاثاً ولا تقدمه طهر تامـ

عن عبد الله بن عمرو قال: قال رسول الله صلى الله عليه وسلم: تنتظر النفساء أربعين ليلة، فإن رأت الطهر قبل ذلك فهي طاهرة، وإن جاوزت الأربعين فهي بمنزلة المستحاضة، تغتسل وتصل، فإن غلبها الدم توضأت لكل صلاة.

(Al-Daraqutni. Book of menstruation. Vol.1 p. 228. No. 847)

أقل الطهر بين الحيضين أو النفاس والحيض خمسة عشر يوماً ولياليها إجماعاً (در مختار) هذا إذا لم يكن في مدة النفاس 3 (Raddul Muhtar. Book of menstruation. Vol.1 p. 263. Zafeer)

قال في الشامى: "إن الأصل فيه أن المخالفة للعادة في النفاس فإن جاوز الدم الأربعين فالعادة باقية ترد إليها والباقي استحاضة وإن لم يجاوز انتقلت العادة إلى مآرئته والكل نفاس"ـ

(Raddul Muhtar. Book of menstruation. Vol.1 p. 277. Zafeer)

عن الحسن في الحامل ترى الدم قال: هي بمنزلة المستحاضة تغسل كل يوم مرة عند صلاة الظهرـ 4

(Musannaf Abdur Razzaque. Book of pregnant woman who sees blood. Vol.1 p.316. No.1210)

According to the above text the blood mention in the question is not nifas. If this blood came three days and the complete duration of purity passed before that, it will be menstruation otherwise non-menstrual bleeding.⁵

5th Rajab, 1331 A.H. (Second complement. P. 50) (Imdadul Fatawa Jadeed. Vol.1 p. 82)

Injunctions of abortion in regard of nifas, salah and fast etc.

question: What is the injunction about abortion after two months which includes piece of flesh with the signs of body figure? Is it necessary to do burial activities or not? Will the blood came pre-and post-abortion be considered nifas are not? Is it necessary to leave salah and fast in this condition or not, because it was not complete delivery?

Answer: Al-Durrul Mukhtar reads in book of menstruation, injunctions of nifas:

وسقط ظهر بعض خلقه كيد أو رجل أو أصبع أو ظفر أو شعر ولا يستبين خلقه إلا بعد مائة وعشرين يوماً ولد حكماً فتصير المرأة به نفساء (إلى قوله) فإن لم يظهر له شيء فليس بشيء والمرئي حيض إن دام ثلثاً وتقدمه طهرت أمراً والاستحاضة، وفيه باب صلوة الجنائز: وإلا أى وإن لم يستهل غسل وسمى عند الثاني وهو الأصح فيفتي به على خلاف ظاهر الرواية إكراماً لبني آدم كما في ملتقى البحار وفي النهر عن الظهيرية، وإن استبان بعض خلقه غسل وحشر هو المختار وأدرج في خرقه ودفن ولم يصل عليه أه في رد المحتار: مواخذاً على تقديره بمائة وعشرين يوماً مانصه لكن يشك على ذلك قول البحر أن المشاهد ظهور خلقه قبل هذه المدة (إلى قوله) أيضاً هو موافق لما ذكره الأطباء ثم وفيه على قوله ولا يستهل مانصه شمل ما تم خلقه ولا خلاف في غسله وما لم يتم فيه خلاف والمختار أنه يغسل ويلف في خرقه ولا يصلى عليه آهـ

It is understood by the above texts that if any part of the body like hand, foot, finger, nail hair etc. appeared, it is child according to shariah. So, the blood came after that is nifas. Therefore, salah will be missed and she will make up for fast in other days. The child will be washed and buried without funeral prayer. If no part appeared, it is not child. It will neither be washed and burial clothes nor burial activities according to the rule. Since, however, it is the part of human being, it will be buried without any activity. The blood that came after that will not be nifas, but it should be noticed that how many days passed after previous menstruation and how many days this blood continues. If it passed 15 days or more after previous menstruation and it came at least three days, it is menstruation. If anyone condition is not found, it is non-menstrual bleeding. So, salah and fast will be correct in this direction. Allah knows the best.

⁵ The explanation is coming in the next question under the title (Injunctions of abortion in regard of nifas, salah and fast etc.) Saeed Palanpuri

Coming minces after uterus operation and the matter of salah

Question: Assalamu Alaikum! Presently, I went under operation for taking out my uterus. It passed 26 days and the blood stopped after operation, but some drops come. I want to know that from when should I start salah?

Answer: It should be clear that the menses comes out from uterus and in the question above the aforesaid woman took out her uterus. So, whenever she experiences blood it will not be menses, rather it will be istihadhah. Now, she will be like old age woman (who does not expect menses) and the woman having non-menstrual bleeding. It will be obligatory on her to perform salah and keep fast though the blood comes.

It is mentioned in Al-Hindiyah:

الفصل الأول في الحيض وهو دم من الرحم لا ولادة، كذا في فتح القدير.

(Al-Hindiyah. Vol.1 p.36)

It is mentioned in Al-Durrul Mukhtar:

(هو لغة السيال) (إلى قوله) (دم من رحم) خرج الإستحاضة ومنه ما تراه صغيرة وآيسة ومشكل الخ. وفي الشامية: تحت قوله (قوله) خرج الإستحاضة أي بناءً على أن المراد بالرحم وعاء الولد لا الفرج الخ.

(Al-Durrul Mukhtar. Vol.1 p.283)

It is also written:

(ودم استحاضة) حكمه (كرعاف دائم) وقتاً كاملاً (لا يمنع صوماً وصلاةً) ولو نفلًا (وجمعاً) لحديث "لا توضع على رأسه قطرات الدم على الحصى" -

(Al-Durrul Mukhtar. Vol.1 p.298) Allah knows the best and He is all knowing.

(Fatawa Darul Ifta Wal Qadha, Jamia Binnauriyah, Pakistan. S.No.8052)

INJUNCTIONS ABOUT LEUCORRHOEA AND MOISTURES OF WOMEN

Injunctions About Leucorrhoea and Moistures of Women

Injunction about leucorrhoea

Question: A woman experiences white discharging through her vagina and it comes out anytime during strolling and walking. What is the injunction about it? Will it break wudu are not? Will the cloth become impure or not? How will she perform salah if it happens time and again and she does not find the time?

Answer: This white discharging is impure. So, she has to make wudu again. The cloth will also become impure. That's why she should put a piece of cloth inside. However, it comes so much that one company time of salah passes and she does not find the time to perform salah after making wudu and white discharging continues. For example; the complete time of Maghrib salah is one and half hours and she did not find some minutes free from discharging that she can perform 3 rakah after making wudu, she would be considered excused according to Shariah. The injunction about her is that when the time of salah came, she should make wudu and perform obligatory, sunnah and supererogatory salah with this wudu. She neither needs to renew wudu nor the injunction of impurity will be applied on her cloth. Later, when the time of another salah came, she should make wudu again. When a complete time of salah passed without white discharging, the injunction of excuse will no longer.⁶ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband.

Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p.224)

وتتوضأ المستحاضة ومن به سلسل بول أو استطلاق بطن أو انفلات ریح أو رعا ف دائر أو جرح لا يرقأ لوقت كل فرض، ويصلون به فرضاً ونفلأً، ويبطل بخروجه⁶

فقط، وبذا إذا لم يرض عليه وقت فرض إلا وذلك الحدث يوجد فيه الخ” –

(Al-Bahrur Raique. Vol.1 p.374 Book of menstruation. Rasheediyah. And so is in Al-Durrul Mukhtar. Vol.1 p.305. Matter about the injunctions of excused person. Saeed)

question: (1) I am suffering from leucorrhoea that causes to break wudu time and again. What should I do in this condition?

- (a) If I perform salah sitting, the water discharges less or it does not come sometimes. Can I perform salah sitting?
- (b) When I listen some terrifying voice, it comes more. Similarly, when I see nightmare, the liquid discharges. It is said that if you discharge in dream, but will be obligatory though it is not the cause of sexual desire. Is it correct?
- (c) I studied that if one did not see any dream and she got wet when she woke up, she should take bath, because that may be sperm. Women have some water inside. Particularly, I am suffering from disease. Should I take bath every day?

(2) In some conditions, Prophet (saws) also allowed ill or excused person to make wudu at the end of the time and perform salah of that time and the next time together with one wudu. For which kind of ill people is this concession? Moreover, the excused person has to make new wudu and his wudu will be valid until the time of salah passed.

(3) If someone missed Fajr salah and he performed Zuhr salah without making up for Fajr salah, is this salah correct or not? Some people say: If Fajr salah is performed with Fajr salah of next day, it will be correct. Some other people say: If someone performed four salah without any excuse and then he made up for with Fajr salah of next day, he has to repeat all four salah. Is it correct? They also say: If he performed six salah without making up for missing salah, he will perform missing salah only and will not repeat other salah. Is it also correct? A lady from Sialkot.

Answer: (1) She should make wudu after discharging that moisture to be safe side.

- (a) If the moisture does not come if she performs salah sitting, she should perform sitting. It is mentioned in Al-Shamiyah:

وكذا الوصال عند القيام يصلى قاعداً

(Before the book of impurities. Vol.1 p. 225)

- (b) If she is certain that the moisture is the same that discharges in awakening because of illness, bath will not be obligatory in this condition. The matter mentioned in the question is related to healthy person not excused one.

(2) The excused person is the one who cannot find out of the whole time of salah free from that excuse in which he can perform obligatory salah after making wudu. This

person is called excused person. He can perform obligatory and other salah after making wudu. His wudu will not break by that excuse (running moisture), but his wudu will be invalid as the time of that salah passed. He has to make new wudu for the next salah. The person who perform salah sitting without any excuse, he is not excused person.

As it is written in Al-Shamiyah and Al-Durrul Mukhtar. Vol.1 p. 283.

وخرج برده عن أن يكون صاحب عذر

(3) It is necessary to perform missing salah whenever he remembered except in the disliked time. If he remembers missing salah and perform the present salah, it will not be correct and he has to repeat it. This matter is about the person who is Sahibe Tarteel (the one who did not miss 5 salah continuously after getting puberty). If he performed the present salah while he does not remember missing salah, it will be correct, but he should not delay to make up for missing salah. You can send any mahram to skillful Alim (Islamic jurist) to consult orally about the matter of missing 6 salah. Allah knows the best.

Abdus Sattar (May Allah forgive him) Assistant Mufti Khairul Madaris. Multan. 08/01/1382 A.H. The answer is correct. Muhammad Abdullah. (May Allah forgive him) President of Ifta. (Khairul Fatawa. Vol.2 p.58,59)

A useful treatment to save wudu in the illness of leucorrhoea

Question: What do Ulama and Islamic jurists say in regard to the following questions:

A woman discharges water, but she does not know at all when it comes until she notices it. Sometime it comes little and sometimes more. She saw before begin salah there was not impurity, but when she saw after 10 minutes after salah, the water had discharged that was inside the skin and did not get on the trousers. Salah continues almost 45 minutes. She saw after 25 minutes; the water had discharged. Will salah be valid in this condition or not; while she does not know at all that if the water discharged during salah or after salah? If it nullified salah, should she repeat all salah she performed at that time or only obligatory salah?

Answer: The salah will be correct until she became certain about breaking wudu during salah. This kind of sick woman should put sponge inside her vagina that will absorb the

FATAWA ULAMA AL-HIND VOL.2 Injunctions About Leucorrhoea and Moistures of Women water. Her wudu will not break until they impurity got on the exterior part of sponge which is outside of the interior vagina.⁷ Allah knows the best. 10th Shawwal, 1397 A.H.

(Ahsanul Fatawa. Vol.2 p. 79,80)

The way to make wudu for the woman suffering from leucorrhoea

Question: A woman is suffering from leucorrhoea and she discharges white sticky liquid from time to time. Will her wudu be valid in this condition and can she perform salah or recite the glorious Quran? If it discharged during salah, does she has to repeat it or not?

Answer: Such woman will analyze that if the whole time of salah passed in the same discharging condition and she did not find the time to perform salah after making wudu, she will be excused person according to shariah. The injunction about her is that she will make wudu after coming the time of salah and perform obligatory, sunnah and supererogatory salah etc. within the time. Her wudu will not break by that liquid until the time of salah passed then she will make new wudu when the next time began.⁸

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 223,224)

The injunction about the water of leucorrhoea and some related masail

Question: The women suffers leucorrhoea that causes white liquid discharging from uterus.

- (1) Is this white water light or solid impurity?
- (2) If a woman is suffering from this disease and she performs salah while the discharging time is not fixed, does her cloth get impure by that water?
- (3) If this water discharges in the state of wudu, does wudu break?

قال ابن النجيم: وفي البدائع: ولو احتشمت في الفرج الداخل ونفذت البلية إلى الجانب الآخر فإن كانت القطنة عاليةً أمر محاذيةً لحرف الفرج كان حدثاً لوجود الخروج. وإن كانت القطنة متسفلّةً عنه لا ينقض لعدم الخروج. الخ.

(Al-Bahrur Raique. Vol.1 P.60. The things that break wudu)

تنوضاً المستحاضة ومن به عذر كسلس البول أو استطلاق بطن أو انفلات ريح أو رعا فوجح لا يرقاً لوقت كل فرض، ويصلون به ماشاً من الفرائض والنوافل ويبتل وضوء المعذورين بخروج الوقت الخ. كذا في مراق الفلاح.

(Maraqi Al-Falah. P.148. Book of menstruation, nifas and istihadhah. Qadeemi)

” (صاحب عذر من به سلس) بول... (أو استطلاق بطن أو انفلات ريح أو استحاضة) (إن استوعب عذره تمام وقت صلاة مفروضة) ... (ولو حكماً) الخ “

(Al-Durrul Mukhtar. Vol.1 p.305. Matters about the injunction of excused person. Saeed. And so is in Al-Fiqhul Islami wa Adillatuhu. Vol.1 p.442, Matter:8, Wudu of excused person. Rasheediyah)

- (4) If this water discharged during salah, is salah valid?
- (5) If salah is not valid in this condition what to do to save salah from invalidity?
- (6) Will such person be considered excused or not?

Answer:

- (1) The blood discharges due to leucorrhoea, comes from uterus. So, it is solid impurity like mazi.

وليس هو في حكم رطوبة الفرج الداخل

As it is mentioned in Imdadul Fatawa. Vol.1 p.65, 74

it is written in Al-Durrul Mukhtar. Vol.1 p.313:

أى برطوبة الفرج، فيكون مفرغاً على قولهما بنجاستها، وقال ابن عابدين ّ تحته: --ومن وراء باطن الفرج فإنه نجس قطعاً ككل خارج من الباطن كالماء الخارج مع الولد أو قبيله--

- (2) The clothes become impure by it. (The above mentioned reference)
- (3) Its discharging will nullify wudu. (The above mentioned reference)
- (4) Salah will not be valid but in the condition of excuse which is coming in answer No.6 and No.7.

(5,6) If this water flows all the times and there is no time free from discharging in which she can perform 4 rakah salah, she will be like excused person. Such woman is allowed to make wudu when the time of every salah begins and perform obligatory and supererogatory salah till the time of that salah. Her wudu will not break by the flowing water and when another time of salah came, she should make wudu.⁹ Allah knows the best.

Muhammad Taqi Uthmani (May Allah forgive him) 14/02/1397 A.H. (Fatwa No. 233) (Fatawa Uthmani. Vol.1 p.365,366)

(وصاحب عذر من به سلس) بول لا يمكنه إمساكه (أو استطلاق بطن أو انفلات ريح أو استحاضة) ----- (إن استوعب عذره تمام وقت صلاة مفروضة) 9
بأن لا يجد في جميع وقتها زمناً يتوضأ ويصلي فيه خالياً عن الحدث ----- (وحكمه الوضوء) ----- (لكل فرض) ----- (ثم يصلي) به (فيه فرضاً
أونفلاً).... (فإذا خرج الوقت بطل) --

(Al-Durrul Mukhtar. Vol.1 p.305)

Question: Many women fluid incontinency. The moisture discharges and gets on clothes. Is it necessary to wash it at the time of salah?

Answer: The exterior part of vagina is called “Farj Kharij” according to the term of fiqh. The moisture comes out from that part is pure with the consent of all according to Hanfis schools of thought. The opinions of ulama differed about the moisture comes out from interior vagina, whether it is pure or impure? But it is preferred that it is pure.

”سيجيء أن رطوبة الفرج طاهرة عنده (در) قوله: (الفرج) أي الداخل، أما الخارج فرطوبته طاهرة باتفاق – يدل على الاتفاق كونه له حكم خارج البدن، فرطوبته كرطوبة الفم والأنف والعرق الخارج من البدن.“ 10

Therefore, the moisture that gets on clothes is pure according to the preferred statement and there is no need to wash it, but it is better to wash to be safe side from the dissention of fuqaha.¹¹ (Kitabul Fatawa. Vol.2 p. 47)

Is the moisture discharging from vagina impure or not?

Question: Is the fluid discharging from woman's private part at the time of intercourse, impure or not? If it is impure, is it light or solid impurity. If this impurity got on cloth, what is the injection about using it without washing?

Answer: The moisture discharging from woman's private part at the time of intercourse is solid impurity. It is necessary to wash the part of the body or clothes involved with it.¹² Allah knows the best. (Fatawa Darul Uloom. Vol.1 p.343)

¹⁰ Raddul Muhtar. Vol.1 p.305, 306. Subjects about bathing. Matter about the moisture of vagina. Book of purity.

¹¹ But the moisture mentioned in the question is the one that discharges from uterus which is called leucorrhoea. This kind of moisture is impure with the consent of all.

ومن وراء باطن الفرج فإنه نجس قطعاً كل خارج من الباطن كالماء الخارج مع الولد أو قبله.

(Raddul Muhtar. Vol.1 p. 515. Maktaba Zakariya. Deoband)

¹² It is written in Al-Mujtaba:

أولج فنزء فأنزل لم يطهر إلا بغسله لتلوثه بالنجس انتهى أي برطوبة الفرج، فيكون مفرغاً على قولهما بنجاستها (در مختار) قوله برطوبة الفرج أي الداخل بدليل قوله أولج – وأما رطوبة الفرج الخارج فطاهرة اتفاقاً – وفي منهاج الإمام النووي: رطوبة الفرج ليست بنجسة في الأصح، قال ابن حجر في شرحه: وهي ماء أبيض متردد بين المني والعرق يخرج من باطن الفرج الذي لا يجب غسله، بخلاف ما يخرج مما يجب غسله فإنه طاهر قطعاً، ومن وراء باطن الفرج فإنه نجس قطعاً كل خارج من الباطن كالماء الخارج مع الولد أو قبله.

(Raddul Muhtar. Book of impurities. Vol.1 p. 288. Zafeer)

FATAWA ULAMA AL-HIND VOL.2 Injunctions About Leucorrhoea and Moistures of Women

The injunction about the moisture of vagina¹

¹ Here are many different answers about the moisture of vagina. We analyze them as follow:

The moisture of vagina is of three kinds in the answer to the questions on page No. 106 and 107 in Imdadul Fatawa. Vol.1:

1. The moisture of exterior vagina. It is pure, because it is sweat in fact.
2. The moisture of interior vagina. Imam Abu Hnifah (r) regards it pure and Sahibain (Imam Muhammad and Imam Abu Usuf) (r) regard it impure, because it is doubtful that it is sweat or mazi. That's why the opinions differed about its impurity, but it is better to regard it impure prudently.
3. The moisture of uterus. It is impure with the consent of all.

Then on page No.108 without any detail the moisture of vagina is regarded pure, it is because of some difficulties then the answer to the question of page No.108 is authenticated with preferring note No.5/3.

Then Maulana Muhammad Ameen Sahab's answer in Arabic is written under the preferring note No.5-page No. 88. It is proved that the moisture of vagina will break wudu though it is pure, because everything that discharges through tow private parts breaks wudu whether it is pure or impure. Then he discussed scholarly and rejected what he said that everything that discharges through to private parts does not break wudu, but discharging impure thing only breaks wudu whether it is impure itself like urine and stool or it is impure because of other thing like fart that is pure itself but it became impure because of coming from impure place. If the discharging is pure, it does not break wudu. When Imam Abu Hanifa (r) regards the moisture of vagina pure, it will not break wudu. This discussion is brought to support and modify the answer to the question on page No. 108.

Then it is taken back from the answer to the question on page No. 108 by preferring note No.5 on page No. 136 and the detail of the answer to the question of page No. 106 and 107 is preferred.

Analysis:

It should be noticed that all questions are related to white discharging that some women usually experience it. It is better to know its reality before discussing about answer.

There is an exterior part of vagina which is necessary to be washed in bath. If there is any moisture, it will be sweat as the sweat of other parts of the body moistens and it is pure as the sweat of all parts of the body is pure. Therefore, neither it breaks wudu nor it is necessary to be washed.

The second part vagina is the interior part. There are some doubts about its moisture:

- (a) Whether it is natural moisture that continues there to soften that part. (Ibn Hajar Makkin (r) described it with the name of sweat in Arabic texts written under the answers to the questions on page No. 106 and 107) It is the moisture that Imam Abu Hanifah (r) regards pure and Sahibain (r) regard impure, but it should be clear that this moisture does not come out and lingers inside. The opinion of Aimmah differed in the following masail because of this dissention:

Mas'alah No.1.

If the human or animal's baby or its egg dropped on cloth or in water:

نُقِلَ فِي التَّنَازُلِ أَنَّ رُطُوبَةَ الْوَلَدِ عِنْدَ الْوِلَادَةِ طَاهِرَةٌ. وَكَذَا السَّخْنَةُ إِذَا خَرَجَتْ مِنْ أُمِّهَا. وَكَذَا الْبَيْضَةُ فَلَا يَتَنَجَّسُ بِهَا الْقَوْبُ وَلَا الْمَاءُ إِذَا وَقَعَتْ فِيهِ. لَكِنْ يُكْرَهُ التَّوَضُّعُ بِهِ لِلِاخْتِلَافِ. وَكَذَا الْإِنْفَحَةُ هِيَ الْمُخْتَارُ. وَعِنْدَهُمَا يَتَنَجَّسُ، وَهُوَ الْإِخْتِيَاظُ.

(Shami. Vol.1 p.357. Before book of salah. Maktaba Zakariyah, Deoband.)

Mas'alah No.2.

It is mentioned in Durre Mukhtar. Vol.1 p.288, Maktaba Zakariyah, Deoband.

It is written in Al-Mujtaba:

أُولَئِكَ فَتَزْعُ فَتَنْزِلُ لَمْ يَطْهَرُوا إِلَّا بِغَسْلِهِ لَتَلَوَّثَهُ بِالنَّجَسِ انْتَهَى أَيْ بِرُطُوبَةِ الْفَرْجِ.

(Al-Durrul Mukhtar. Book of impurities)

Question: Most of the women experience white discharging always. Is it pure or impure? Is salah allowed during discharging or not? Does it break wudu or not?

Mas'alah No.3.

It is mentioned in Durre Mukhtar. Vol.1 p.123:

(و) لَا عِنْدَ (وُطءٍ بَهِيمَةٍ أَوْ مَيْتَةٍ أَوْ صَغِيرَةٍ غَيْرِ مُشْتَهَاةٍ) بَلَاءٌ تَصِيرُ مُفْقَاسَةً بِالْوُطءِ وَإِنْ غَابَتْ الْحَشْيَةُ وَلَا يَنْتَقِضُ الْوُضُوءُ، فَلَا يَلْزَمُ إِلَّا غَسْلُ الذِّكْرِ.

In all these cases, the moisture of vagina will come out with baby or egg not itself. So, it has nothing to do with our discussion. We are about the moisture continuous running.

- (b) The second doubt is that it may be mazi which presents in glans and discharges at the time of desire and sexual thoughts.

والمذي: هو رطوبة تسيل عند ابتداء الشهوة لتلين مجرى المني ----- ومجراها فوق مجرى المني -

(Sharhul Asbab. Vol.2 p. 125)

Mazi is a kind of liquid that flows in the beginning of sexual desire that softens the ways of sperm. The way of mazi is about the way of sperm. (Tarjumah Kabeer. Vol.3 p. 251)

- (c) The third doubt is about is that it may be wadi which is a fluid thin moisture which presents in the ways of wadi and comes out just before urine or with it so that the urine can pass out easily and its acidity cannot be felt in the ways of urine. Sometimes it comes out after urine.

والودي وهو رطوبة غديّة لزجة تسيل مجرى البول عند إرادته لتغرية المجرى وتولدها من غدة موضوعة بقرب عنق المثانة --- وهي إذا كثرت غلظت وسالت بعد البول ايضاً

(Sharhul Asbab. Vol.2 p. 125)

Though the woman's whole of urinating exists 1 inch above from the interior vagina in inside.

- (d) The fourth doubt is that it may be sperm as men suffer from sperm incontinency (spermatorrhoea) i.e. unripe sperm begins to come out due to some illness. Similarly, it happens with women also.

وربما عرض لهن سيلان المني كما يعرض للرجال -

(Sharhul Asbab. Vol.2 p.158)

- (e) The fifth doubt is that it may be filthy fluid that discharges from uterus.

قد يعرض للنساء أن تسيل من أرحامهن دائماً رطوبات ... وتلك الرطوبات إما أن يكون تولدها في الرحم نفسه إذا ضعفت القوة الغازية التي فيها ... وإما فضول تصل إليها من جميع البدن على جهة الاستفراء والتنقية -

(Sharhul Asbab. Vol.2 p.158)

These moistures are also called "leucorrhoea", "whitish discharging " and "disease of white discharging". (Tarjumah Kabeer. Vol.3 p. 105)

The moisture flows out in above four cases and since, mazi, wadi, sperm and all filthy fluid of uterus are impure, this moisture will be impure also and it will break wudu.

In short, the moisture that flows - whatever it may be - is impure and it breaks wudu. Therefore, white fluid that flows from some women is impure and it breaks wudu. When it flows out to exterior vagina, wudu will be nullified. The moisture in which Imam Abu Hanifah (r) and Sahibain have different opinions, does not come out itself, but if this white moisture flows every time, the woman will be excused. Allah knows the best.

Note: Due to the notice under the preference No.5 on page No.3, this footnotes are written here after deep thinking and consulting from Maulana Hakim Muhammad Sa'ad Rasheed Sahab Gangohi known as Hakim Ajmeri (graduate from Deoband and Mujaz of Maulana Zakariyah Sahab) and Maulana Hakim Abu Al-Shifa Habibur Rahman Sahab Baliyavi. (Teacher of hadith and fiqh in Darul Uloom Ashrafiyah Rander) Allah knows the best. Saeed Ahmad (May Allah forgive him) Palanpuri.

Answer: Here are three places and the injunction of the moisture of every place is different. First is the exterior vagina. Its moisture is sweat in fact and it is pure. The second is the interior vagina i.e. in the meaning of uterus. Its moisture is mazi or like mazi and it is impure. The last of them is the interior vagina itself. Its moisture is doubtful if it is sweat or mazi. That's why there are different opinions about its impurity, but it is better to regard it impure to be safe side.

وإن كان الأقوى دليلاً هو الطهارة لأن هذا المحل ليس بمعدن للنجاسة ولا الرطوبة هذه من الرحم دائماً وإنما هي أبخرة محتبسة صارت مائياً بالاحتقار فهي كالعرق ومن ثم أبيض الوطى في هذا المحل وإلا لم يجز لكونه موضع الأذى كحالة الحيض.

For, the moisture mentioned in above question comes under the second kind, it is impure. However, if it is proved that it comes under first kind, it is pure or if it is proved that it comes under the third kind, it is impure prudently. The one which is impure will break wudu, but if it flows every time, it will come under the injunction of excused.

Al-Durrul Mukhtar reads:

أى برطوبة الفرج، فيكون مفرعاً على قولهما بنجاستها، أما عنده فهي طاهرة كسائر رطوبات البدن (جوهرة) في رد المحتار: (قوله برطوبة الفرج) أى الداخل... وأما رطوبة الفرج الخارج فطاهرة اتفاقاً آه - وفي منهاج الإمام النووي: رطوبة الفرج ليست بنجسة في الأصح، قال ابن حجر في شرحه: وهي ماء أبيض متردد بين المذى والعرق يخرج من باطن الفرج الذى لا يجب غسله، بخلاف ما يخرج مما يجب غسله فإنه طاهر قطعاً، ومن وراء باطن الفرج فإنه نجس قطعاً ككل خارج من الباطن كالماء الخارج مع الولد أوقيله -

(Shami. Vol.1 p. 515. Maktabah Zakariya, Deoband)

وما قالوا من طهارة رطوبة الولد الخارج من الرحم فالمراد ما على بدنه وهو كالدّم الذى على اللحم مع أن دم السائل نجس فكذلك رطوبة الرحم نجسة ورطوبة الولد طاهرة، فافهم -

12th Ramadhan Al-Mubarak, 1327 A.H. First complement. No.3. (Imdadul Fatawa. Vol.1 p. 107-110)

The injunction about white discharge of woman

Question: Some women experience white fluid most of the time. Is it pure or impure? Does it break wudu or not?

Answer: It is mentioned in Al-Durrul Mukhtar:

رطوبة الفرج طاهرة خلافًا لهما، في رد المحتار: تحت قوله رطوبة الفرج طاهرة، مانصه: ولذا نقل في التاترخانية: أن رطوبة الولد عند الولادة طاهرة، وكذا السخلة إذا خرجت من أمها، وكذا البيضة فلا يتنجس بها الثوب ولا الماء إذا وقعت فيه، لكن يكره التوضؤ به للاختلاف، وكذا الأنفحة هو المختار، إلخ.

(Al-Durrul Mukhtar. Vol.1 p. 361)

It is understood by the above text that views are different in this matter, but for it is the opinion of Imam Abu Hanifah (r) and looking at the need of that era, it is preferred that it is pure and it does not break wudu.

16th Shawwal, 1334 A.H. (Fourth complement. P. 57)

(Extracted from preference note No.5, page No.3. About research and detail of moisture of vagina)

An answer is written about the pureness of vaginal moisture in Imdadul Fatawa. Vol.4 under the matter written on 16th Shawwal, 1334 A.H. that published in Muharram 1335 A.H. issue of "Al-Imdad" magazine. An Alim friend sent a letter about that answer:¹

The second matter that apparently opposes the views of major Ulama should be published after correction. The question written on the page No. 34 of this magazine, about white vaginal discharging, is in regard to the white discharging that comes out in the disease of leucorrhoea as it comes out from main in the disease of sperm incontinency which is called wadi in the term of fuqaha and doctors. It is impure with the consent of all and it will break wudu. The text you denoted from Durre Mukhtar in the answer on page No. 35 is in regard to the moisture that remains on vagina every time is the moisture of lips and skin that is pure.

The answer is given as follow:

في شرح الأسباب والعلامات، بحث سيلان الرحم: إنه قد يعرض للنساء أن تسيل من أرحامهن دائماً رطوبات وربما عرض لهن سيلان المني كما يعرض للرجال وتلك الرطوبات إما يكون تولدها في الرحم نفسه إذا ضعفت القوة الغاذية التي فيها وإما فضول تصل إليها من جميع البدن على جهة الاستفراء والتنقية وفيه يستدل على المني بلونه في البياض وقوامه في سیر الغلظ وعدم العفونة (إلى قوله) فلذلك يكون أي المني السائل خالياً من العفونة بخلاف الرطوبات الفضلية التي تصرف فيها الحرارة الغريبة (إلى قوله) وأما سيلان المني فقد ذكر أقسامه وفيه قبل ذلك في تعريف الودي وهو رطوبة لزجة تسيل في مجرى البول عند إرادته (أي البول) (إلى قوله) وهي إذا كثرت غلظت وسالت بعد البول أيضاً، وفيه: أما سيلان المني وخروجه من غير إرادة أي من غير مزاوله جماع

¹ The letter begins from here. Saeed Ahmad Palanpuri

فيكون إما لكثرة المني ولقلة الجماء وكثرة تناول مولدات المني، وإما لحدة المني وحرقته، وإما لاسترخاء أوعية المني وبرد مزاجها وضعف قوتها الماسكة، وإما لتشنج وتمدد يعرض لعزل أوعية المني وإما لضعف الكلية وذريات شحمها من شدة الشهوة أو كثرة الجماء وإما لفكر في الجماء أو سماء من حديثه آه ملخصاً، وفي رد المحتار على قول الدر المختار "إن رطوبة الفرج طاهرة عنده" آه، ما نصه: أى الداخل أما الخارج فرطوبته طاهرة باتفاق (إلى قوله) فرطوبته كرطوبة الفم والأنف والعرق الخارج من البدن -

(Vol.1 p. 172)

The above texts described the following points:

- (1) The moisture that flows from uterus most of the time about which the questioner asked. For, the word of "most of the time" is mentioned in the question is not about wadi according to the deflation of wadi that is understood from "فى العبارة الطبية المذكورة".
- (2) It is not the seminal moisture also, because the sperm discharges because of the reasons that takes place time to time which is understood from "فى العبارة الطبية" while the moisture consulted about flows most of the time.
- (3) When this moisture is neither wadi nor sperm, it is the thing that mentioned in the following text:

قد يعرض للنساء أن تسيل من أرحامهن دائماً رطوبات -

The word "دائماً" describes what the questioner described the with the words "most of the time". So, it is not the moisture which the second questioner similized with human lips, because it is pure with the consent of all. When the text of fiqh explained clearly, it became no longer controversial point. So, when it is neither wadi - as the second questioner thinks- nor sperm, while it declared already that it is not mazi, the impurity of wadi and sperm is not enough to regard it impure but it requires a separate evidence. It is neither the moisture which is like the moisture of mouth that is pure with the consent of all. Therefore, the view of Imam Abu Hanifah (r) and Sahibain (r) differed about the moisture which is different from wadi, sperm, mazi and lip moisture and fatwa is given about its pureness because of prevailing about which the second questioner doubted to be wadi. Finally, when it is rejected to become wadi, the doubt resolved obviously.

Notice: I did not know the detail at the time of answering because of not having knowledge of physics. When I saw the second question, I doubted and consulted Sharah Al-Asbab by the advice of a guest, this research stuck to my mind. Since, and semiskilled in physics, you can show the answer other ulama and act upon the correct answer.

(Extracted from preference note No.5, page No.88. About the research of breaking wudu by vaginal moisture supposing it pure)

An envelope is delivered to me that contains a copy of my answer and another answer different from me:

Question: Some women experience white fluid most of the time. Is it pure or impure? Does it break wudu or not?

Answer: It is mentioned in Al-Durrul Mukhtar:

رطوبة الفرج طاهرة خلافاً لهما، في رد المحتار: تحت قوله رطوبة الفرج طاهرة، مانصه: ولذا نقل في التاترخانية: أن رطوبة الولد عند الولادة طاهرة، وكذا السخلة إذا خرجت من أمها، وكذا البيضة فلا يتنجس بها الشوب ولا الماء إذا وقعت فيه، لكن يكره التوضؤ به للاختلاف، وكذا الأنفحة هو المختار، إلخ.

(Al-Durrul Mukhtar. Vol.1 p. 361)²

It is understood by the above text that views are different in this matter, but for it is the opinion of Imam Abu Hanifah (r) and looking at the need of that era, it is preferred that it is pure and it does not break wudu.

Question: What do you think about the moisture of interior vagina. Is it pure or impure? If it is pure, will its discharging break wudu or not?

Answer: The moisture of interior vagina is pure, but it will break wudu.

في الوقاية: وناقضه أى الوضوء ماخرج من السبيلين أو من غيره إن كان نجساً.

(Sharah Wiqayah. Vol.1 p. 65)

قوله: إن كان نجساً متعلق بقوله أو من غيره، في عمدة الرعاية: لا بقوله ماخرج من السبيلين فإن الخارج من السبيلين ناقض من غير تقييد.

(Margin of Sharah Wiqayah)

وفي البحر الرائق شرح كنز الدقائق تحت قوله: لا خروج دودة من جرح بعد كلام أن الدودة حيوان وهو طاهر في الأصل والشيء الطاهر إذا خرج من السبيلين نقض الوضوء كالريح بخلاف غير السبيلين كالدم والعرق.

² Al-Durrul Mukhtar with Raddul Muhtar. Before book of salah.

وفي منية المصلى وشرحه الكبيرى: إن كانت أى المرأة احتشت أى الكرسف فى الفرج الخارج فابتل داخل الحشواتنقض وضوءها سواء نفذ الببلل إلى خارج الحشوات ولم ينفذ للتيقن بالخروج من الفرج الداخلى وهو المعتبر للانتقاض، لأن الفرج الخارج بمنزلة القلفة فكما ينتقض بما يخرج من قسبة الذكر إلى القلفة كذلك بما يخرج من الفرج الداخلى إلى الفرج الخارج وإن لم يخرج من الخارج، وأما إذا احتشت فى الفرج الداخلى فتح إن نفذ الببلل إلى خارج أى الحشواتنقض الوضوء وإلا أى وإن لم ينفذ إلى خارج فلا ينتقض كما فى حشو الإحليل الخ ومن ههنا وضح الجواب-

Allah knows the best.

When I asked Maulana Habib Sahab, he answered as follow:

Your fatwa of not breaking wudu by vaginal moisture supposing it pure is correct while the answer of Maulana Muhammad Amin Sahab is not correct.

To go in detail: As it is necessary to discharge impurity from other than to private parts for breaking wudu, it is also necessary when it discharges from two private parts. The evidence is that what is written in Sharah Muniyah that the vaginal wind of (مفضاة) deflower virgin does not break wudu:

”الذى عول عليه قاضى خار وغيره أن الخلاف إنما هو فى الخارجة من قبل المفضاة، ولا خلاف فى عدم النقض فى غيرها لأنها غير منبعثة عن محل النجاسة، كذا فى الهداية، وهو يشير إلى أن الريح نفسها ليست بنجسة وإنما ينجس لمروها على محل النجاسة“ -

It is understood by the text that the discharging from two private parts should be impure also to break wudu do it discharges itself like urine and stool and like the wind followed by the impurity as the example of pure discharging.

وعلى صاحب مراقى القلائع عدم الانتقاض بريح القبل بقوله: لأنه اختلاج لاريح وإن كان ريحاً لالنجاسة فيه وريح الدبر ناقضة لمروها بالنجاسة، كذا فى السعاية-

It is mentioned in Si'ayah:

”علل فى البدائع كون الدودة ناقضة بالنجاسة لتولدها من النجاسة، وذكر الإسيجا بي: أن فيه طريقتين: إحداهما ما ذكرنا وثانيتهما أن الناقض ماعليها، واختاره الزيلعى، كذا فى السعاية-

These texts are clear regarding impurity as a condition.

It is also mentioned in Si'ayah:

إن أتت خارجة (أي الدودة) من قبل المرأة ففيه اختلاف المشايخ، فالذين قالوا بنقض الريح الخارجة من القبل قالوا بنقضها ومن لم يقل به لم يقل به، والخارجة من الذكر ناقضة، كذا في الذخيرة والخلاصة، وفي التاتارخانية: الدودة إذا خرجت من قبل المرأة فعلى الأقاويل التي ذكرنا -

It also proves the need to make it as a condition.

Sharah Muniyah reads:

وكذا الدودة والحصاة إذا خرج من أحد هذين الموضعين أي الدبر والقبل فعليه الوضوء لاستتباء الرطوبة وهي حدث في السيلين وإن قلت بخلاف الريح -

It also proves the condition.

لأنه قال لاستتباء الرطوبة، إذ لو كان الخروج مطلقاً ناقضاً لم يحتج إلى التعليل المذكور -

It is mentioned in Inayah:

وإن قلت: الكلية (أي ما خرج من السيلين ناقض) منتقضة بالريح الخارجة من الذكر والقبل فإن الوضوء لا ينتقض به في أصح الروايتين، أحيب بأنه مخصوص من العموم لأن الريح لا تنبعث من الذكر وإنما هو اختلاط والقبل محل الوطى وليس فيه نجاسة يتنجس الريح بالمرور عليها وهو في نفسه طاهر عند المصنف انتهى -

These texts prove that discharging impurity from two private parts is a condition to break wudu as it discharges from other than two private parts. When it is understood, breaking wudu by the vaginal moisture supposing it pure means nothing. However, the text presented by Maulana Sahab referring to Ghuniyah, based on regarding the moisture impure as the mentioned evidence proves it: "لاستتباء الرطوبة".

So it cannot be presented as evidence. And the text of Al-Bahrur Raique:

"الشيء الطاهر إذا خرج من السيلين نقض الوضوء كالريح"

It means the thing which is pure itself, but it became impure by other thing.

Durre Mukhtar also reads:

"(و) خروج غير نجس مثل (ريح)"

And Shami has written under this text:

"فإنها تنقض لأنها منبعثة عن محل النجاسة لا لأن عينها نجسة، لأن الصحيح أن عينها طاهرة" -

However, the text of Sharah Wiqayah, its answer is that the impurity means here impurity itself like urine and stool. Since, the wind discharged, Shareh said: “إن كان نجساً” (if it is impure) is related to “أو من غيره” (or it is impure because of other thing) to include the wind that is pure itself and impure because of other thing. It is proved by the text of Shareh:

”والرواية النجس بفتح الجيم وهو عين النجاسة“ -

Moreover, Shareh has explained the text “لا دودة خرجت من جرح” as follow:

”لأنها طاهرة (فلا تنقض بنفسها) وما عليها من النجاسة قليلة (فلا تنقض بغيرها فثبت عدم النقض مطلقاً) وأما الخارجة من الدبر فتنقض لأن خروج القليل منه ناقض“

It is understood by the text that pure discharging from two private parts does not break wudu otherwise he would say “لأن خروجها ناقض مطلقاً” in spite of “لأن خروج القليل منه ناقض”. As it is not hidden from the one who has decency and knowledge of speech.

It does not prove that pure discharging breaks wudu, rather it goes against.

It is written in Umdatur Ria'yah:

صح صاحب الهداية والمنية والمحيط وغيرهم عدم نقضها (أي الريح الخارجة من القبل) قائلين إنها اختلاج لا ريح وإن كان ريحاً فلا نجاسة -

This text also clears the condition of impurity. The text of Maulana Abdul Hai'ee (r) in Umdatur Ria'ayah “قوله إن كان: أى فإن الخارج من غير السبيلين ناقض من غير تقييد” means “من غير”. It does not mean to deny the unconditional limitation.

Because under the text of Shareh “بقوله أو من غيره”, he has written:

لا بقوله ما خرج من السبيلين ولا يلزم أن لا يكون ريح الدبر ناقضة لأنها ليست بنجسة بنفسها -

The reason is that according to his opinion the text of author “إن كان نجساً” (if it is impure) includes “نجس لعينه ولغيره” (impure itself and impure by other thing) though this explanation is against what Shareh said, because he has written it “نَجَساً” with fath of letter jeem (ج) that means impure itself. So, in this meaning, if it discharges from two private parts, it does not conjunct that wind of anus should not break wudu, because though it is not impure itself, but it is impure because of other thing. Therefore, his statement is nullified:

”إلا يلزم أن لا يكون ریح الدبر ناقضة“ وأيضاً بطل تعليله بقوله ”لأنها ليست بنجسة بنفسها“ لأن عدم كونه نجسة بنفسها لا يستلزم عدم نقضه لجواز نقضه بالنجاسة المكتسبة العرضية۔

Supposing that the opinion of Shareh Wiqayah and the author of Al-Bahrur Raique is that discharging from two private parts breaks wudu unconditionally, it does not go against other fuqaha who made the impurity as a condition.

فلا اعتراض بقولهما فثبت المدعى بأحسن وجه، والله الحمد تم الجواب الثالث۔

(Extracted from preferring note No.5. page No. 136. The explanation of a summary about vaginal moisture)

Question: Referring I to fourth complement Imdadul Fatawa, Al-Imdad Magazine, issue Muharram, 1335 A.H. page No. 35 (in the beginning). The answer which is written on 16th Shawwal, 1334 A.H. is not according to the question, because it is asking about the moisture discharges from vagina and it is answered with the evidences related to white fluid of vagina that flows due to leucorrhoea as it flows from men due to sperm incontinency. While the moisture mentioned in the answer is the one that continues on the skin of vagina like the moisture of lips. I listened this meaning of moisture from Maulana Mahmood Hasan (the late). I hope you to publish this matter after revision and correction.

Answer: It is true that due to not having the knowledge of physics, I did not understand this moisture that it is the fluid that flows from uterus which is impure and it breaks wudu also. I understood it normal fluid of vagina then I got it that it is the moisture that does not flow from uterus which is pure in the opinion of Imam Abu Hanifah (r) and it does not break wudu. It was wrong. While understanding it normal fluid, it required the explanation as it is done under the answer the question written on 12th Ramadhan, 1327 A.H. in Imdadul Fatawa, First complement, page No.3. The summary is as follow:

Here are three places and the injunction of the moisture of every place is different. Moisture of exterior vagina is pure and the moisture of interior vagina i.e. in the meaning of uterus is impure. The moisture of interior vagina itself that is pure in the opinion of Imam Abu Hanifah (r) and impure in the opinion of Sahibain. The texts are also mentioned there. So, readers should consider this summary with that detail though it is prior in date, but it should not be considered revocation.

4th Rabi Al-Sani, 1342 A.H. (Imdadul Fatawa Jadeed. Vol.1 p.112-121)

Question: What do Ulama and Islamic jurists say in regard to the fluid flows from women's uterus? Does it break wudu or not?

Answer: It is written in Al-Durrul Mukhtar:

أى برطوبة الفرج، فيكون مفرغاً على قولهما بنجاستها، أما عنده فهي طاهرة كسائر رطوبات البدن (جوهرة) في ردالمحتار: (قوله برطوبة الفرج) أى الداخل بدليل قوله أولي، وأما رطوبة الفرج الخارج فطاهرة اتفاقاً هـ وفي منهاج الإمام النووي: رطوبة الفرج ليست بنجسة في الأصح، قال ابن حجر في شرحه: وهي ماء أبيض متردد بين المذى والعرق يخرج من باطن الفرج الذى لا يجب غسله، بخلاف ما يخرج مما يجب غسله فإنه طاهر قطعاً، ومن وراء باطن الفرج فإنه نجس قطعاً ككل خارج من الباطن كالماء الخارج مع الولد أو قبيله.

(Al-Durrul Mukhtar. Vol.1 p. 322)

This text denotes that here are three places:

- (1) Exterior vagina, which is obligated to wash in bath and its moisture is pure.
- (2) Interior vagina, which is not obligated to wash in bath and its moisture is dissentious,³ but it is better to regard it impure to be safe side.
- (3) Neither exterior vagina nor interior vagina, but more inside than it. Its moisture is impure.

16th Ziqadah, 1331 A.H. Second complement. P. 94 (Imdadul Fatawa. Vol.111,112)

The moisture ran from vagina and she put cloth on it

Question: Impure moisture comes out from vagina time to time. Sometimes, she does not find the time in which she can perform salah. If she put a cloth inside, wudu will be nullified or not in this condition?

Answer: If the impurity stopped at its place and did not come out after putting cloth, wudu will be valid. She can perform more than one salah with one wudu. If she put cloth inside the interior vagina the state of wudu, wudu will be nullified.⁴ If it was some

³ Imam Abu Hanifah (r) and Sahibain have different opinions. Saeed Ahmad Palanpuri

فإن غيبها أو أدخلها عند الاستنجاء بطل وضوءه وصومه (الدر المختار) قال الشامي (قوله فإن غيبها) قال في شرح المنية: وكل شيء غيبه ثم خرج ينقض وإن لم يكن عليه بلة لأنه التحق بما في البطن ولذا يفسد الصوم، بخلاف ما إذا كانت طرفه خارجاً، أهـ وفي شرح الشيخ إسماعيل عن الينابيع: وكل شيء غيبه في دبره ثم أخرجه أو خرج بنفسه ينقض الوضوء والصوم، وكل شيء أدخل بعضه وطرفه خارج لا ينقضهما انتهى.

(Raddul Muhtar. Vol.1 p. 149. Book of purity, before the matter about the discussion of bath.)

FATAWA ULAMA AL-HIND VOL.2 Injunctions About Leucorrhoea and Moistures of Women
outside and some inside, wudu will not be nullified until the moisture came out on the
part of outside.⁵ Allah knows the best.

Written by Mahmood (May Allah forgive him), Darul Uloom Deoband, 24/07/1389 A.H.
(Fatawa Mahmoodiyah. vol.5 p. 72)

⁵ Ibn Nujaim said:

وفي البدائع: ولو احتشمت في الفرج الداخل ونفذت البلة إلى الجانب الآخر فإن كانت القطننة عاليةً أمر محاذيةً لحرف الفرج كان حدثاً لوجود
الخروج وإن كانت القطننة متسفلّةً عنه لا ينقض لعدم الخروج الخـ

(Al-Bahrur Raique. Vol.1 p. 60. The things that breaks wudu.)

INJUNCTIONS OF PURITY AND IMPURITY OF WATER

Allah says:

”وَيُنَزِّلُ عَلَيْكُمْ مِّنَ السَّمَاءِ مَاءً لِّيُطَهِّرَ كُمْ بِهِ” -

And He sent down water upon you from heaven that He might cleanse you therewith.

(Suratul Anfal: 11)

Injunctions of Purity and Impurity of Water

Sea water does not get impure

Question: Can one perform salah after making wudu with sea water? For, all kinds of animal drink from sea that makes it impure.

Answer: The seawater is pure.⁶ It does not become impure by animals' drinking or any other thing.⁷

⁶ Allah has bestowed human beings and animals many graces. The water is the greatest and most important grace of Allah Almighty. All outgrowths of earth are developed by water which is the base of human and animal's lives. It is a colourless, delicious and nutritious thing. Allah Almighty has laid in it the quality of purifying dirty and impure things. He said in the glorious Quran:

”وَيُنَزِّلُ عَلَيْكُمْ مِنَ السَّمَاءِ مَاءً لِيُطَهِّرَ بِهِ“

And He sent down water upon you from heaven that He might cleanse you therewith.
(Suratul Anfal: 11)

وَأَنْزَلْنَا مِنَ السَّمَاءِ مَاءً طَهُورًا^٨

And We sent down water from the sky purifying. (Suratul Furqan: 48)

Similarly, Allah Almighty said ordering to get purity by making wudu and bath with water:

فَلَمْ يَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا

If you do not get water, then be take yourselves to clean earth. (Suratul Maidah: 6)

The Prophet (saws) always emphasized to make wudu, purify impure things and wash dirty things and said all kinds of water is pure.

”الماء طهور لا ينجسه شيء“

(Abu Dawood. Book: What is narrated about Beer Budha'h (Well of Budha'h. Nasai. Book of purity) no matter, whether it is the water of fount, sea, rain, well or pond.

Since, the glorious Quran said to make wudu and bath with normal water, wudu and bath will not be correct with the water called by other name like soft-drinks, kewrah water (distilled water of a kind of plant or flower) and rose water etc. (Taharat Ke Ahkam Wa Masail. P. 60, 61 author by Aneesur Rahman Qasmi)

(وَكُنَا) ماء البحر الملح لقوله صلى الله عليه وسلم هو الطهور ماءه والحل ميتته

(Maraqi Al-Falah with Hashiyah Al-Tahtawi. P.20. Book of purity. Al-Hidayah. Vol.1 p.33. Published: Shirkat Ilmiyah. Multan. Muwatta Imam Malik. Vol.1 p. 22. No. 41)

⁷ والماء الجاري إذا وقعت فيه نجاسة جاز به الوضوء إذا لم ير لها أثر لأنها لا تستقر مع جريان الماء والأثر هو الطعم أو الرائحة أو اللون

(Al-Hidayah. Vol.1 p.36. Shirkat Ilmiyah. Multan)

Water of Ganga Yamuna rivers

Question: Does the water of Ganga and Yamuna has any peculiarity or not?

Answer: I do not have any knowledge about it that it has any superiority according to hadith.⁸ Allah knows the best.

Written by. Mahmood (May Allah forgive him) Darul Uloom Deoband. 11/05/1396 A.H.
(Fatawa Mahmoodiyah. vol.5 p. 134)

Injunction about the water of Jhelum river

Question: The Jhelum river flows continuously and the whole impurity of city is put in it that changes its colour, smell and test etc. Can we use its water or not?

Answer: The water carries the test, colour and smell of impurity is impure though it is much and running⁹ as it is written in Al-Durrul Mukhtar.¹⁰ Allah knows the best.

Written by. Mahmood (May Allah forgive him) Darul Uloom Deoband. 14/06/1401 A.H.
(Fatawa Mahmoodiyah. vol.5 p. 134)

Rain running water of is pure till it is raining

Question: The water of rain flows in the ducts of roads in 1 feet width and ½ feet depth at the time of rain continuously for some hours while it rains 2-3 hours continuously. Is it allowed to make wudu and bath with such water?

⁸ Hindu community believe that their water is holy which contradicts the beliefs of Quran and hadith. Therefore, according to Firozul Lughat dictionary, it is attributed to Hindu community that Ganga and Yamuna are names of two holy rivers of Hindu. (Firoz sons. P.1109)

⁹ If any dead animal laid in aqueduct or waterway and some water flows over it, wudu and bath are allowed with this water. However, if the most of the water flows touching the dead, wudu and bath are not allowed with the water flows from inside. That water is impure. Similarly, if the dead burst into pieces in the water, it should not be used. Drinking such water is prohibitively disliked. (Raddul Muhtar. Vol.1 p. 188)
if the water is in large and the dead is in bottom, but it is not seen or the dead is in less than half of the aqueduct in its width, the water is pure. (Raddul Muhtar. Vol.1 p. 188) (Taharat Ke Ahkam Wa Masail. P. 175. Anees)

¹⁰ (وبتغير أحد أوصافه) من لوت أو طعم أو ريح (النجس) الكثير ولو جازياً إجماعاً.

(Al-Durrul Mukhtar. Vol.1 p. 185. Book of purity. Chapter of water. Saeed)

عن أبي أمامة الباهلي رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: "إِنَّ الْمَاءَ لَا يَنْجِسُهُ شَيْءٌ إِلَّا مَا غَلَبَ عَلَى رِيحِهِ وَطَعْمِهِ وَلَوْنِهِ"

(Ibn Majah. Book of ponds. P. 74. No. 521)

Answer: It is allowed to make wudu and bath with that water in that condition.¹

(Fatawa Darul Uloom. Vol.1 p. 177)

Making wudu with rain water stored in cullis

Question: When it rains after a long time and one stored the water of cullis in a pot after 10-15 minutes, is it correct to use it or not?

Answer: It is correct to use when there is no impurity in the water.² Allah knows the best.

Written by. Mahmood (May Allah forgive him) Darul Uloom Deoband. (Fatawa Mahmoodiyah. vol.5 p. 128, 129)

Tube well water is running water

Question: Nowadays, water is supplied by tube well in forests. The water is supplied by government that runs in the fields after many miles through two feet width waterway. Is it running water or not?

Answer: It is really running water.³

المطر مادام لم يطر فله حكم الجريان ولو أصاب العذرات على السطح ثم أصاب ثوباً لا يتنجس¹

(Alamgiri Kishori. Book of water. Vol.1 p. 15. Zafeer)

The rain water is like running water till the time of raining. Similarly, if such water collected in a aqueduct or waterway and began to run while there was impurity already, this water is pure until it is felt the test, colour or smell of that impurity in the water. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 168) like running water in courtyard or in front of door. (Taharat Ke Ahkam Wa Masail. P. 175. Anees)

² Shami said:

في التاترخانية: من شك في إناؤه أو ثوبه أو يده أنه أصابته نجاسة أولاً فهو طاهر ما لم يستيقن، وكذا الآبار والحياض والحباب الموضوعة في الطرقات ويستقي منها

الصغار والكبار والمسلمون والكفار

(Raddul Muhtar. vol.1 p. 151)

³ Running water

The characteristics of water is to flow and run. If it is not put in a pot, it will flow from one place to another. For, it follows, the impurity does not affect it easily. If the impurity falls in the water, it flows with its tide and its effects disappear. That's why the Prophet (saws) is reported to have said:

“الماء طهور لا ينجسه شيء”

(Abu Dawood. Book: What is narrated about Beer Budha'h (Well of Budha'h.)

Running water and its injunctions

Running water is called that people consider running water. In other words, running water is the one that tides the straw. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 164)

The flowing water of sea, river, aqueduct, waterway and cullis etc. is running water. The flow of running water should be at least 1 foot. If the water stopped before that, it will not be running water, whether the

So is written in Al-Durrul Mukhtar.¹ Allah knows the best.

Written by. Mahmood (May Allah forgive him) Darul Uloom Deoband.

Authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband.
18/12/1385 A.H. (Fatawa Mahmoodiyah. vol.5 p. 134, 135)

Is the water of hand pump running water?

Question: Is the injunction of hand pump water like of running water or not?

Answer: Does "ماء يذهب" (the water that flows) comes true on hand pump water or not? Just have a notice.² Allah knows the best.

Written by. Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p.135)

The injunction of water pulled by Dhekuli³

Question: What is the injunction about drinking water pulled by Dhekuli?

Answer: It is pure and there is nothing wrong to use it. The nonsenses of uneducated are wrong to the core.⁴ Allah knows the best. (Baqiyat Fatawa Rasheediya.p.130)

Pulling water by section pump

Question: What do ulama and Islamic jurists say in regard to that taps of drinking water are installed in houses by government permission. As the population increased, water does not come in required quantity. So, people made an idea that the attached electric

force of water is high or low, but it should not be so slow that the bottom of water remained open when water is taken by hand. If that place is filled by water again, it will be running water else not. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 164, 165) (Taharat Ke Ahkam Wa Masail. P. 73, 74. Anees)

(و) الجارى (هو ما يمدّ جارياً) عرفاً، وقيل: ما يذهب بتبينة، والأول أظهر، والثاني أشهر، (وإن)... (لـ) يكن جريانه بمدد في¹ الأصح، (الدر المختار) ("قوله: والثاني أشهر) لوقوعه في كثير من الكتب حتى المتون... والعرف الآن أنه متى كان الماء داخلًا من جانب وخارجًا من جانب آخر يسمى جارياً.

(Raddul Muhtar. Book of purity. Chapter of water. Vol.1 p. 187. Saeed)

(و) يجوز (بجاء وقعت فيه نجاسة) ... والأول أظهر، والثاني أشهر، قال الشافى: لوقوعه في كثير من الكتب حتى المتون.²

(Al-Durrul Mukhtar with Raddul Muhtar. vol.1 p. 187. Chapter of water.)

³ Dhekuli is a great idea to pull the water from well. A big bucket is tied on the top of a wooden bar and on the other side a heavy load. The bucket is put in the water and left it. The bucket comes out with water because of heavy load pressure. Extracted from Urdu dictionary. (Murattabah Urdu Lughat Board, Pakistan government. Vol.10 P. 264. Karachi 1990. Noor)

عن أبي أمامة الباهلي رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: "إن الماء لا ينحسه شيء إلا ما غلب على ريحه وطعمه ولونه" -⁴
(Ibn Majah. Book of pounds.)

motor with that taps and pulled more than required quantity of water. It is the result was negative clearly that those houses that do not have electric motors, nearly, they are deprived from water, because the water supplied by main pipe, the people pull it towards them and others become helpless.

It should also be clear that they apply this idea without permission of corresponding department of government (Public Health Engineering) and it is not correct according to the rule. What does shariah says in regard to this idea? What are the Islamic injunctions of lawfulness and unlawfulness about this water? It should be noted that all consumers pay equal amount.

Answer: According to the question, it is unlawful according to rule and Shariah to pull water more than required quantity by electric motors. It is clear that the government provided taps to supply equal quantity of water to all. The government commanded also to get the required quantity without using any other mean. Since, people got water connection after accepting this term and condition of government, if one pulls more water by electric motor while government has prohibited, by this way, he is breaking the promise made with government. Therefore, he is guilty in dejure.

Firstly, it is not allowed according to shariah also, because it is breaking promise made with government, that is a grave sin in the sight of Shariah. Secondly, getting water is lawful and it is necessary to obey the command of government in lawful matters. That's why the person who disobeys the rules of government in foresaid matter, he is missing a wajib (necessary act) according to Shariah. Thirdly, it is the theft of water that is a guilt according to rule and Shariah and it is to disgrace himself and endanger his life. It is more reproachful than other thefts, because it is to grab the rights of those people who are deprived from water due to the act of pulling water by electric motors. Therefore, it is necessary to prevent from this act according to Shariah. For, is written in Al-Durrul Mukhtar on Raddul Muhtar:

وكل من شركاء المثلث أجنبي في الامتناع عن تصرف مضر في مال صاحبه لعدم تضمينها الوكالة- الخ-1

It also mentioned in the glorious Quran:

”وَأَوْفُوا بِالْعَهْدِ إِنََّّ الْعَهْدَ كَانَ مَسْئُولًا“

¹ Al-Durrul Mukhtar on Raddul Muhtar, Authored by Allamah Al-Haskafi. Book of partnership. Vol.4 p.400. Publication: M H Saeed

And fulfils the promise, undoubtedly the promise is to be questioned of.

(Suratul Isra:34)

To site the hadith in this regard:

”أَلَا لَيْحَلْ مَالِ امْرِئٍ إِلَّا بِطَيْبِ نَفْسٍ مِنْهُ“¹ -

However, the water taken by this evil way is pure and halal (lawful), but the way of taking is unlawful and haram according to Shariah. The one who does it, he commits multiple guilt according to the rule and Shariah.

Written by Rasheed Ahmad Sindhi. Authenticated by Muhammad Abdul Majeed Deenpuri and Muhammad Shafeeque Arif. Bayyinat. Muharram Al-Haram, 1424 A.H. (Fatawa Bayyinat. Vol.4 p. 447, 448)

The injunction about the water of toilet in train

Question: Is the water stored in train to use for toilet pure or not? Is it allowed to do tayammum in the presence of that water, because the heart does not accept it?

Answer: That what is pure, you should not doubt due to only abomination of heart.² Tayammum is not allowed in this condition. Allah knows the best. Mahnamah Kanpur, October, 1359 A.H. (Fatawa Mahmoodiyah. vol.5 p. 128)

Washing body and clothes with Zam Zam water for blessing

Question: Some people take bath and wash clothes with Zam Zam water in Kabah. Is it correct to take bath and wash clothes with that water?

Answer: It is correct to pour it on body and clothes for blessing, but the impurity should not be washed with it.³ Allah knows the best.

¹ Mishkatul Masabeeh. Book of grabbing and borrowing. P.255. Qadeemi.

² عند أبي يوسف: لا بأس بالوضوء إذا لم يتغير أحد أوصافه، كذا في شرح الوقاية، وفي النصاب: وعليه الفتوى، كذا في المصمرات.

(Al-Fatawa Al-Hindiyah. Vol.1 p.17. Book:3 about water. Rasheediyah. And so is in Al-Hidayah. Vol. 1 p.33. The water that is allowed to use in wudu. Shrikah Ilmiyah, Multan. And so is in Al-Tatarkhniyah. Vol.1 p.163. Water. Idarah Karachi)

³ يجوز الاغتسال والتوضؤ بماء زمزم إن كان على طهارة للتبرك، فلا ينبغي أن يغتسل به جنب ولا محدث ولا في مكان نجس ولا يستنجي به ولا يزال به

نجاسة حقيقة، وعن بعض العلماء تحريم ذلك، وقيل: إن بعض الناس استنجي به فحصل له بأسور.

(Hashiyah Al-Tahtawi on Maraqi Al-Falah. P.22. Purity. Qadeemi)

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 12/04/1401 A.H.
(Fatawa Mahmoodiyah. vol.5 p. 133)

The aromatized water remains normal water; it is allowed to make wudu and bath with water mixed with rose and Kewrah (a kind of aromatic liquid used in food)

Question: I have two ask that while distillation of attar and liquid in dixy the part where attar gathers is put inside cold water so that esteem changed into water or oil in that part. After sometimes the water becomes warm too much and then it is changed time to time. Sometimes, the aroma of the thing is being distilled comes in water. Is this water used the water or not and wudu and bath are correct with that water or not? Is it lawful to make wudu and bath with water mixed with rose and kewrah while the water is aromatic too much? Similarly, water is warmed in our pot that was not washed well and the fat appeared in the water, will it be allowed to use that water in wudu and bath?

Answer: It is allowed to make wudu and bath all that kinds of water. These are normal water.¹

27th Muharram, 1332 A.H. (Imdarul Fatawa Jadeed. Vol.1 p. 60)

The injunction about the water changed its colour and test by mixing with medicine

Question: The medicines of cholera is mixed into the water of well by government that changes its colour and smell. What is the injunction about this water? If the colour and test do not change, what is the injunction then? I hope you to explain completely.

Answer: If something solid mixed with water and all characteristics changed without cooking it, but its thinness and flow exist though it is named a new name, it is allowed to make wudu with this water.²

عن أبي أمامة الباهلي رضي الله عنه قال: قال رسول الله صلى الله عليه وسلم: إِنْ الْمَاءُ لَا يَنْجَسُهُ شَيْءٌ إِلَّا مَا غَلَبَ عَلَى رِيحِهِ وَطَعْمِهِ وَلَوْنِهِ

(Ibn Majah. Book of pounds. P.74. No.521)

The colour or test or smell of distilled water of trees or fruits do changes. It is mentioned in hadith that if one of them changed, wudu will not be allowed with that water. It can be proved by this hadith. Anees

² Unusual water

Unusual water means the water that is distilled from trees, fruits and flowers etc. like water of coconut, watermelon, muskmelon, banana, kewrah and rose etc. Besides these water all kinds of flowing substance like patrol, diesel, characin oil etc. are under the injunction of unusual water. That means, it can wash the impurity got on the body or cloth etc., but wudu and bath will not be correct, because Allah Almighty commanded to make wudu and bath with nature water like the water of rain, sea, river and well etc. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p.207)

”والغلبة تحصل في مخالطة الماء لشيء من الجاهل مادات الطابرات بإخراج الماء عن رفته، فلا ينقص عن الشوب، وإخراجه عن سيلانه فلا يسيل على الأعضاء سيلان الماء - وأما إذا بقي على رفته وسيلانه فإنه لا يضر: أي لا يمتنع جواز الوضوء به تغير أوصافه كلها بما مدخالته بدون طبخ كزعفران وفاكهة وورق شجرة اب“ مراقى الفلاح-” قوله: الطابرة أما النجسة فتنجس القليل منه مطلقاً والكثير إن ظهر أحد أوصافها-“

(Tahtawi. P.16,17)¹ Allah knows the best.

Similarly, if something pure mixed with normal water and overmatched on it, this kind of water will be in the injunction of unusual water and wudu and bath will not be correct with that.

Here are three kinds of mixing pure things with normal water and overmatching on it:

- (1) something is cooked with water like pulse, curry of vegetable and meat and soup etc. wudu and bath will not be correct with these kinds of carries though they are thin and flowing.
- (2) If water is corked with the leaf of berry, grass of ushnan, soap or surf for cleanliness, wudu and bath will be correct with that water as it is ordered in hadith to wash the dead with such water. Narrated Ibn Abbas (rz): The camel trampled a man in ihram to death. The Prophet (saws) ordered to wash him and said: "Wash him with the leaf of berry and water." (Bukhari. Al-Bahrur Raique. Vol.1 p. 71)

Second thing is that something solid mixed with water like soil, cement, flour, sugar etc. that becomes like loam and the thinness of water did not remain, wudu and bath will not be correct with that water also.

- (3) (a) Something flowing mixed with water like milk, vinegar or honey etc. that is different from water in colour and test. If one characteristic of water changed i.e. colour and test, wudu and bath will not be lawful with that water.

(b) Similarly, something mixed with water that is different in colour or test, that characteristic will be considered about overmatching. That means, which one of the colour or test overmatched on water, it will make water unusual. So, wudu and bath will not be correct with it. (Al-Bahrur Raique. Vol.1 p. 73)

Moreover, the water which name is changed like Coca-Cola, Pepsi or Rooh Afza etc. and all kinds of water used to dye clothes, wudu and bath will not be correct with that water also. (Al-Bahrur Raique. Vol.1 p. 74)

However, the water having a little colour that is not used to dye the clothes, wudu and bath will be allowed with it like bluing water which is used after washing clothes. The water of flood which is mixed with soil and becomes earthen, wudu is allowed with that. Wudu is allowed also with water of kusum and saffron if it is thin and water overcame on it, if the reddish is overmatched, wudu will not be allowed. Wudu and bath are not allowed with water used to writhe and design after mixing alum and black ink. If one mixed baquilla or gram (chana) with water and the thinness of water remained, wudu is allowed with that water though its colour, test or a smell changed, because it should be thin only in this case. If he mixed bread or flour with water or washed rice in water, he can make wudu and bath with that water if its thinness remained. The water which is used to make salt, wudu and bath are allowed with that, but if the salt melted and became like water, wudu and bath will not be allowed. (Extracted from Durre Mukhtar, Raddul Muhtar. Vol.1 p.122. Al-Bahrur Raique. Vol.1 p. 72, 73 and Fatahul Qadeer. Vol.1 p. 73 etc.) (Tahrir Ke Ahkam Wa Masail. P.61, 64. Anees)

¹ Hashiyah Tahtawi on Maraqqi Al-Falah. P.15. Book of purity. Qadeemi. Al-Halabi Al-Kabeer. P.90. Book of water. Suhail Academy, Lahore.

Written by Mahmood (May Allah forgive him) Assistant Mufti Madrasa Mazahir Uloom, Saharanpur. 7th Ziqadah, 1367 A.H. (Fatawa Mahmoodiyah. vol.5 p.129)

The injunction about water decayed because of the leaves

Question: Is wudu allowed with water decayed because of laying the leaves in it for a long time? Is this water pure or not?

Answer: The water is pure and wudu is allowed also.¹ Allah knows the best.

Rasheed Ahmad Gangohi (May Allah forgive him) (Baqiyat Fatawa Rasheediyah. P.130)

What is the injunction if hashish mixed with water?

Question: Are hashish and tobacco pure or impure? If they mixed with water, will wudu and bath be correct with that water or not?

Answer: Hashish and tobaccos are not impure, but it is haram to consume any smoke it while having a little as a medicine is allowed if it as little as it does not intoxicate as it is mentioned in Al-Shami:

ولم يقل أحد بنجاسة البنج ونحوه، الخ.

(Shami. Vol.3 P.126)² (Fatawa Darul Uloom. Vol.1 p. 184)

If the test of water changed, it will become impure

Question: If the colour or test or smell of water changed, is it pure or impure?

Answer: If the colour or test or smell or any one of three characteristics of water or all of them changed because of impurity, the water is impure.³

¹ "والغلبة تحصل في مخالطة الماء لشيء من الجامدات الطابرات بإخراج الماء عن رفته، فلا ينصرف عن الثوب، وإخراجه عن سيلانه فلا يسيل على الأعضاء سيلان الماء، وأما إذا بقي على رفته وسيلانه فإنه لا يضر: أي لا يمتنع جواز الوضوء به تغيّر أوصافه كلها بما دخله بدون طبع كزغفران وفاكهة وورق شجرة ابـ" مراقي الفلاحـ" قوله: الطابرة أما النجسة فتنجس القليل منه مطلقاً والكثير إن ظهر أحد أوصافهاـ"

(Hashiyah Tahtawi on Maraqi Al-Falah. P.15. Book of purity)

² wudu and bath are allowed with that water, if its characteristics did not change. (Hashiyah Al-Tahtawai on Maraqi Al-Falah. P.15. Book of purity. Anees)

³ إن الغدير العظيم كالجارى لا يمتنع إلا بالتغير من غير فصل، هكذا في فتح القديرـ

(Alamgiri Kishori. Book of water. vol.1 p.16)

(ويتغير أحد أوصافه) من لون أو طعم أو ريح (ينجس) الكثير... أما القليل فينجس وإن لم يتغيرـ

The injunction of bourn water in which the pipe of toilet falls

Question: A bourn is running in the town Halduwani. All residents drink its water and toilet pipe of some houses falls in it. Should we drink its water or not?

Answer: The water of that bourn is pure and it is correct to use it for wudu and drinking.¹

(Fatawa Darul Uloom. Vol.1 p. 177)

The injunction of the water of river where filth is dropped

Question: People throw filth and impurity in the rivers run near the towns usually. Moreover, toilet water of the villages also drops in it. Sometimes, there was a collection of impurities. What is the injunction about making wudu and bath with water of such river?

Answer: The water of the rivers is running water and it will not be impure because of the impurity existed there until its characteristics (colour, test, smell) did not change.

(Al-Durrul Mukhtar on Raddul Muhtar. Book of water. Matter about all kind of water. vol.1 p.171)

If rain water mixed with impurity is flowing on road, it should be noticed that if the water overmatched on impurity in a way that the effect of impurity is not obvious, wudu is allowed with that water without any dislike.

If there is impurity on floor, earth or roof and water is flowing over it, you should notice that if most of the water flows touching the impurity, the water will be impure otherwise it is pure. However, if the impurity is scattered on the roof and the water comes down by cullis after rain, it should be noticed that if the impurity is not next to the cullis and the colour or test or smell of water did not change, it is pure. (Raddul Muhtar. Vol.1 p. 189) (Taharat Ke Ahkam Wa Masail. Vol. 75, 76. Anees)

¹ (و) يجوز (بجاء وقعت فيه نجاسة). (و) الجاري (هو ما يعد جارياً عرفاً). النج

(Al-Durrul Mukhtar on Raddul Muhtar. Vol.1 p.173)

If the impurity like stool, urine, blood, wine or any other impure thing fell in water, it will not be impure until one characteristics of water (test or colour or smell) did not change. If any one of them changed because of impurity, the flowing water also will become impure and it will not be allowed to use for drinking, washing clothes, making wudu and bathing. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 164) If freshwater mixed with foresaid water and ended its changing, it will become pure. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 164) If a visible impurity fell in running water like stool or dead animal, wudu and bath are not allowed at the place of impurity, because the water of that place is impure. If an invisible impurity fell in running water like urine, wudu and bath are allowed until its colour or test or smell changed, because that water is not impure. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 164)

The gutters of cities and towns where dirty water flows and its colour, smell and test changes, its water is impure.

(Al-Fatawa Al-Tatarkhaniyah. Vol.1 p. 164) (Taharat Ke Ahkam Wa Masail. Vol. 74-76. Anees)

Impurities of such rivers do not affect the water anymore. Therefore, its water is pure and wudu and bath is allowed in it.

Allamah Al-Haskafi (r) said:

” (و) يجوز (بجاء وقعت فيه نجاسة، و) الجاري (هو ما يعد جارياً) عرفاً... (إب لم ير) أى يعلم (أثره) فلو فيه جيفة أو بال فيه رجال فتوضأ آخر من أسفله جاز ما لم ير في الحربة أثره (وهو) إما (طعم أو لوث أو ريح) “ -

(Al-Durrul Mukhtar with Raddul Muhtar. vol.1 p. 187. Chapter of water.)¹

(Fatawa Haqqaniyah. Vol.2 p. 548, 549)

The injunction about the water of gutters and drains

Question: Is it true that running water is pure. If it is correct according to Quran and hadith, what is the injunction about the water of gutters and drains?

Answer: Running water remains pure until one of its three characteristics (colour, smell, test) did not change because of impurity. If one of three characteristics changed, the running water also will become impure. Whereas these characteristics changed completely in gutters and drains. Therefore, though its water is running, it is impure.

Al-Hindiyah reads:

والفتوى في الماء الجاري أنه لا يتنجس ما لم يتغير طعمه أو لونه أو ريحه من النجاسة. كذا في المضمرة -

(Al-Hindiyah. Vol.1 p.17) Allah knows the best. (Fatawa Darul Ifta Wa Al-Qadha Jamia Binnoriyah, Pakistan. S. No. 10316)

The injunction about dropping water of wudu from face and hands

Question: If a person makes wudu in the courtyard of Masjid or anywhere, the water of wudu falls on floor or in cemented duct. Is that water pure or not?

Answer: The opinions of fuqaha differed about water used for wudu or bath, if when the water becomes used. Whether it becomes used as it is poured on parts of wudu or after falling from them. The authentic opinion is that the water will become used after falling from the parts of wudu, no matter it is stops anywhere or not.

¹ Al-Hindiyah reads:

” وفي النصاب: والفتوى في الماء الجاري أنه لا يتنجس ما لم يتغير طعمه أو لونه أو ريحه من النجاسة “ كذا في المضمرة -

(Al-Hindiyah. Book:3 about water. Vol.1 p.17. And so is in Al-Bahrur Raique. Book of purity. Vol.1 p. 82)

Al-Hidayah reads:

ومتى يصير الماء مستعملًا صحيح أنه كما زال عن العضوصار مستعملًا لأن سقوط حكم الاستعمال قبل الانفصال للضرورة ولا ضرورة بعده.

(Al-Hidayah. Vol.1 p. 39)

according to the known and mufta bihi (according to which fatwa is given) statement, the water used for wudu and bath is pure, but it does not have the ability to purify. It is the opinion of Imam Abu Hanifah (r).

However, it is correct to wash real impurity with that water as it is mentioned in Al-Shami:

(قوله وهو ظاهر) رواه محمدٌ عن الإمام وهذه الرواية هي المشهورة عنه، واختارها المحققون، قالوا عليها الفتوى، لافرق في ذلك بين الجنب والمحدث واستغنى الجنب في التجنيس إلا أن الإطلاق أولى وعنه التخفيف والتغليظ، ومثائن العراق نفوا الخلاف وقالوا إنه طاهر عند الكل - وقد قال في المجتبى: صحت الرواية عن الكل أنه طاهر غير طهور، وفي الدرر: (و) حكمه أنه (ليس بطهور) لحدث بل لخبث على الراجح المعتمد - (قوله ليس بطهور): أي ليس بمطهر (قوله على الراجح) مرتبط بقوله بل لخبث: أي نجاسة حقيقية، فإنه يجوز إزالتها بغير الماء المطلق من المائعات خلافاً لمحمد.

(Al-Durrul Mukhtar with Al-Shami. Vol.1 p. 134)

After-all, the water which is used for wudu is pure i.e. if it gets on clothes, they will not be impure, but one cannot use it to make wudu.¹ Allah knows the best.

¹ Getting purification with water is of five kinds:

1. It is allowed with some water.
2. It is disliked with some water.
3. It is doubtful with some water.
4. Some water is pure, but it cannot purify.
5. Some water is impure that cannot purify.

These are explained here as follow:

First kind is called "طاهر مطهر غير مكروه" (Pure and purifier not disliked). It is the water which is pure itself and getting purity is allowed with that without any dislike like water of rain, sea, river, waterway, bourn, fountain, pond, well and tap etc. one can use it to wash real impurity (urine and the like), invisible impurity (seminal bath) and to make wudu.

Second kind is the water which is pure itself, but it is somewhat disliked to purify with it that is called "طاهر مطهر مكروه" (Pure and purifier disliked). For example; the water became warm in sun or little water in which spit or snot of a person fell. Getting purification with such water in the presence of normal water is somewhat disliked.

Third kind is the little water in which donkey or mule has entered the mouth. One should not use it to make wudu and bath, because though it is pure, but getting purification is doubtful.

Falling the drops of used water on clothes

Question: If water of wudu fell on the body or a part of cloth during making wudu or after that, does the part of that body or cloth become impure where the water dropped? Please explain it in detail with evidences of authentic ahadith and Islamic juristic books.

Answer: According to mufta bihi (according which fatwa is given) statement, neither the body becomes impure nor cloth.

”والماء المستعمل لقربة أوقف حدث إذا استقر في مكان طاهر لا مطهر” -

(Bahr. Vol.1 p. 90)¹

وأما ما مسح بالمنديل أو تقاطر على الثوب فهو مستعمل، إلا أنه لا يمنع جواز الصلوة؛ لأن الماء المستعمل طاهر عند محمد، وهو المختار الخ -

(Bahr. Vol.1 p. 98)² Allah knows the best.

Written by Mahmood Gangohi (May Allah forgive him) Asst. Mufti Madrasa Mazahir Uloom, Saharanpur. 05/05/1366 A.H.

authenticated by Saeed Ahmad Mufti Madrasa Mazahir Uloom, Saharanpur and Abdul Lateef. (Fatawa Mahmoodiyah. vol.5 p. 125)

Fourth kind is the water used for wudu or bath and collected in a pot. Getting purification again with that water is not allowed. This is called "ظاهر غير مطهر", but it can be used to wash impurity.

Fifth kind is the water in which something impure (urine and stool etc.) fell down. Wudu and bath are not allowed with that water and it cannot wash the impurity of anything. (Taharat Ke Ahkam Wa Masail. P.64-66)

¹ Al-Bahrur Raique. Vol.1 p. 164, 169. Chapter about used water. Rasheediyah.

² ”أما غسله النجاسة الحكيمة: وهي الماء المستعمل، فهو في ظاهر الرواية طاهر غير مطهر، أي لا يجوز التوضؤ به، لكن في الراجح يجوز إزالة النجاسة الحقيقية به“.

(Al-Fiqhul Islami Wa Adillatuhu. Vol.1 p. 34. Chapter:4, injunction of used water. Rasheediyah. And so is in Al-Durrul Mukhtar. Vol.1 p. 201. Chapter: Used water. Saeed)

If one makes wudu sitting on the ground and splashes fly over his clothes, his clothes is pure

Question: People make wudu out of masjid sitting on the ground usually. Thus the splashes fly over clothes and they perform salah in them. Are there clothes pure in this condition or not?

Answer: The clothes do not get impure by those splashes and salah is correct, but it is against cleanliness and carefulness. Allah knows the best.

Written by Mahmood Gangohi (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p. 251)

The injunction about splashes of wudu

Question: Does the clothes get impure by the splashes that drop at the time of making wudu? Is it disliked to perform salah in those clothes? Is the collected water of wudu impure?

Answer: The clothes do not get impure by displaced drop from parts of wudu.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 253)

Are the splashes that fly back from impure ground pure or impure?

Question: We pet hens and the whole ground gets impure by their shits and people's walking. The ground of this country is wet. Since the sun is dim, neither the ground gets dry nor their shits. We have to make wudu on the ground. Thus, the splashes fly back to the pot of wudu and body. Are these splashes pure or impure?

Answer: You should not step on impure ground after making wudu. You should be careful as much as you can. However, the matter which is prevailed publicly, is remitted by shar'e.² Therefore, those splashes are forgiven, because the aforesaid matter is

قال العلامة الحسكي: "وانتضاح غسالة لا تظهر مواقف قطرها في الإناء عفو" (الدر المختار) وقال ابن عابدين: "وفي الفتى: "وماتررش على الغاسل من غسالة الميت مما لا يمكنه الامتناء عنه مادام في علاجه لا ينجسه لعموم البلوى" -

(Raddul Muhtar. Book of impurities. Matter about drops that fall.... Vol.1 p. 325. Saeed)

(و) عفى الخ (بول انتضاح كرووس إبر) الخ وإب كثر بإصابة الماء للضرورة، الخ وطین شارع وبخار نجس، وغبار سرقین، ومحل كلاب، وانتضاح غسالة لا تظهر مواقف قطرها في الإناء عفو (در مختار) وقال الشافى: وفي الفتى: و ماتررش على الغاسل من غسالة الميت مما لا يمكنه الامتناء عنه مادام في علاجه لا ينجسه لعموم البلوى -

prevailed publicly. But wudu should be made in a way that splashes do not fly. (Fatawa Darul Uloom. Vol.1 p. 360, 361)

Used water

Question: Zaid, Umar and Bakr argued about used to water. Zaid said: Used water is the water that falls on the ground from parts at the time of wudu. Its injunction is that it is pure itself, but it cannot purify other thing, though there is no impurity on parts of the body, but it is used for the sake of prayer and it removes the impurity supposedly. That's why, Zaid defines used water and predicates that the water which flows in the ducts of masjids, is used water. It is pure itself, but it cannot purify other thing and the water left in the pot after wudu is pure and purifier also. This water can be used to purify anything like body and clothes etc. it can be used for wudu also. So, there is no doubt to make wudu with this water.

Bakr said: The water which is left in the pot after wudu is used water. It is not allowed to make wudu with that. He defines the reason according to his opinion that drops of wudu to fall in the pot while making wudu. So, it became used water and it is not correct to use it for wudu.

Zaid replied that if the water of pot became impure by some drops, there should be a separate pot for each part of wudu, because the drop of wudu will fall in the pot surely (according to Bakr's statement) that will make it used to water. He replied again that he should not make wudu without washing the pot, because some one or two tiffs of water are left in it. Bakr said that this quantity will make no harm. Then Zaid replied that if one or two tiffs of water make no harm, one or two hundred tiffs are not falling while making wudu.

It is expected to write the answer in detail to explain that if the left water in the pot is used water or the one which falls in duct while making wudu. As it is allowed to drink left water of wudu, can it be used to purify any other thing or to make wudu?

What is the injunction about the person who knows wudu language, but did not learn Islamic masail from teacher and misinterprets masail according to his intelligence and logic to save his honour while there is an Alim who knows Arabic?

Answer: Used water is the one which is used to remove impurity or used for the sake of prayer on the body. As it separated from body, it will become used water before that it will not be called used water though it is on the body or left in the pot after wudu.¹

”الماء المستعمل ماء أزيل به حدث أو استعمل في البدن على وجه القربة-----ومتى يصير الماء مستعملاً؟ الصحيح أنه كما زال عن العضو صار مستعملاً“ـ

(Al-Hidayah. Vol.1 p. 22)²

so, the water left in the pot after making wudu are barred, is not used water. It is correct to drink and to wash the impurity, but the drops separate from the body and drop in the pot during making wudu are used water that is pure itself, but it is not allowed to use it to wash the impurity like wudu and bath. It can be used to wash clothes and the like.

(وهو أى الماء المستعمل طاهر)...(و)...(ليس بطهور)حدث بل نجس على الراجح المعتمد“ قال الشافى:”(قوله على الراجح) مرتبط بقوله بل نجس: أى نجاسة حقيقية، فإنه يجوز إزالتها بغير الماء المطلق من المائعات خلافاً للمحمد“

¹ Definition of used water:

It is the water which is used for bathing (whether seminal bath or masnoon bath or recommended bath), or it is used to make wudu (whether to remove minor impurity or to make wudu upon wudu righteously). The falling water from the body is called used to water in both cases.

One kind of water is the one which is used to wash Nijasad Hukmiyah (invisible impurity). (Nijasad Hukmiyah means that Allah Almighty obligates to make wudu are marked in some conditions to perform His prayers. It is required to remove the effects of sins from human body and to improve the spirituality. Though there is no visible impurity on the body, it is ordered to make wudu or bath. So, it will be understood that the purpose is to remove supposed impurity.)

This matter is of three kinds:

- (1) The water used for wudu: It means that if a person is without wudu and he made wudu or he is with wudu and make wudu again righteously, the water will be used water.
- (2) If a person who is not with wudu washed other than the parts of wudu like thigh, side and belly etc., the water will not be used water, because these are not the parts of wudu.
- (3) If one washed parts of wudu like hands, feet, face, nose, ear, mouth and head etc. with the intention of obligation or sunnah, the water will be used whether they all are washed or some of them.
- (4) If Junub or menstruating woman made wudu, the water will be used.
- (5) The water used to make wudu whether it washed once or three times, the water of each time will be used water. however, if he washed fourth times, it will be extravagance and it will not be used water.
- (6) If a person having wudu already made wudu again only for cooling not righteously, the water will not be used water.
- (7) If one took water in his hand or placed the finger into the water of wudu in pot, the water will not be used to water. (Taharat Ke Ahkam Wa Masail. P. 66- 69. Anees)

² Al-Hidayah. Vol.1 p.39. Used water. Maktabah Sharikah Ilmiyah.

But those drops are little. When pure water is more than used water, there is nothing wrong to use it for wudu.

”الثالث أنهم قد صرحوا بأن الماء المستعمل على القول بطهارته إذا اختلط بالماء الطهور، لا يخرج عن الطهورية، إلا إذا غلبه أوساؤه، أما إذا كان مغلوباً فلا يخرج عن الطهورية، فيجوز الوضوء بالكل” -

(Bahr. Vol.1 p. 70)²

Answering to Islamic masail with one's own intellect and logic without knowledge is a grave sin for a non-Alim, particularly, when there is an Alim. If that person answered wrong and someone acted upon, the one who replied will carry the sin of the one who acted upon:

”عن أبي هريرة رضي الله تعالى عنه قال: قال رسول الله صلى الله عليه وسلم: ”من أفتى بغير علم فإثمه على من أفتاه“ -

(Mishkat Shareef. P. 35)³ Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p. 122, 126)

Injunction of used water

Question: What do Ulama of Shariah say about following matter:

Zaid says: If the finger of a person having wudu or without wudu entered in water of wudu, it will be used water and wudu will not be allowed with that. When does water become used water and after entering how much part of the body?

(Fatawa Alamgiriya. Vol.1 p.12)

Please answer with evidences.

I did not understand the above underlined text. Please make me understand it. Is it authentic or not? Moreover, objectant describes reason that the impurity of finger or its part is washed after entering it into the water. So, according to Zaid's statement wudu is not allowed with that while usually we bring water in the same way. Are the salah performed after making wudu that water not valid? Is this doubt correct?

¹ Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 201. Chapter: Used water. Saeed.

² Al-Bahrur Raique. Vol.1 p. 129. Water. Rasheediyah.

³ Mishkatul Masabeeh. Book of knowledge. Before chapter:3. P. 35. Qadeemi.

Answer: Wudu is not allowed with used water, because it is pure but not purifier,¹ but when used and unused water are mixed and unused water is more, wudu is allowed.

If one or some fingers immersed into the water put in mug or pot, its whole water or most of it will not be used water, but the quantity of water touched by fingers will be used water while it is very little:

والغلبة في المائع الذي لا وصف له كالماء المستعمل، تكون الغلبة بالوزن، وهذا الاعتبار يجري في ماء ألقى الماء المستعمل في المطلق أو انغمس الرجل فيه على ما هو الحق. وأما ما في كثير من الكتب: من أن الجنب إذا أدخل يده أو رجله في الماء، فسد الماء، فمبني على رواية نجاسة الماء المستعمل، وهي رواية شاذة، وأما على المختار للفتوى، فلا.

It is mentioned in Al-bahr:

قال في البحر: فإذا عرفت هذا فلا تتأخر عن الحكم بصحة الوضوء: أي والغسل من الفساق الصغار الكائنة في المدارس والبيوت، إذ لا فرق بين استعمال الماء خارجاً ثم رصه في الماء المطلق وبين ما إذا انغمس فيه، فإنه لا يستعمل منه إلا ما تساقط عن الأغضاء أولاً في الجسد فقط. وبو بالنسبة لباقي الماء قليل، ويتعين عليك حمل كلام من يقول بعدم الجواز على القول الضعيف لا الصحيح، فالحاصل: أنه يجوز الوضوء والغسل من الفساق الصغار ما لم يغلب على ظنه أن الماء المستعمل أكثر أو مساوٍ، ولم يغلب على ظنه وقوع نجاسة فيه، وتماه فيه“²

”واعلم أن صفة الماء المستعمل حكى بعضهم فيها خلافاً على ثلاث روايات، وقال مشايخ العراق: لم يثبت في ذلك اختلاف أصلاً. بل هو طاهر غير طهور عند أصحابنا جميعاً، قال شيخ الإسلام في شرح الجامعة الصغير: وهو المختار عندنا، وهو المذكور في عامة كتب محمد عن أصحابنا، واختاره المحققون من مشايخ ما وراء النهر، وقال في المجتبى: وقد صححت الروايات عن الكل أنه طاهر غير طهور، إلا الحسن وروايته شاذة غير مأخوذ بها، كما في مجمع الأنهر الخ“.

¹ عن جابرٍ يقول: جاء رسول الله صلى الله عليه وسلم يعودني وأنا مريض لأعقل فتوضأ وصب عليّ من وضوئه ففعلت.

(Bukhari. Chapter: The Prophet (saws) sprayed the water of his wudu on fainted person.)

سمعت السائب بن يزيد يقول: ذبيت بي خالتي إلى النبي صلى الله عليه وسلم فقالت: يا رسول الله ! إن ابن أختي وقع، فمسح رأسي ودعا لي بالبركة ثم توضأ فشربت من وضوءه.

(Bukhari. Chapter: Using the left water by the people making wudu.)

It is understood by this hadith that used water is pure, that's why the Prophet (saws) made drink the water of wudu. The evidence of being not purifier is that the Prophet (saws) took separate water to wash each part of wudu. Abdullah Ibn Abbas (rz) said:

أتحبون أن أريكم كيف كان رسول الله صلى الله عليه وسلم يتوضأ فدعا بآباء فيه ماء فاغترف غرفة بيده اليمنى فتضمض واستنشق ثم أخذ أخزى فجمع بها يديه ثم غسل وجهه الخ

(Abu Dawood. Book of making wudu twice. Anees)

² Hashiyah Al-Tahtawi on Maraqqi Al-Falah. P.26. Book of purity. Qadeemi.

Allama Ibn Nujaim (r) and Shami (r) explained it in detail in Bahrur Raique and Raddul Muhtar respectively.

The meaning of under lined text is as follow:

It seems that if one put his hand completely in a little pot, the most of the water will become used water by touching hand. If he enters one or two fingers in the water, it will not be used water, because most of the water will not be touched by finger. So, used water is less and unused water is more. Thus, it is allowed to make wudu with whole water. Allah knows the best.

Written by Mahmood (May Allah forgive him) Asst. Mufti. Madrasa Mazahir Uloom, Saharanpur. 16th Jumada Al-Uoola, 1369 A.H.

authenticated by Saeed Ahmad (May Allah forgive him), and Abdul Lateef (May Allah forgive him) Madrasa Mazahir Uloom, Saharanpur. 76th Jumada Al-Uoola, 1369 A.H. (Fatawa Mahmoodiyah. Vol.5 p. 120, 121)

Injunction of used water

Question: (1) Is the used water of wudu that falls in ducts pure or impure? If the cap fell down in the duct while making wudu hastily and he performed salah wearing it without washing, is his salah correct or not?

Question: (2) Similarly, there is no impurity in bathroom and a person his clothes on its wall, they fell down inside bathroom and he performed the salah without washing them, is his salah correct or not?

Answer: (1) Used water is pure according to mufta bihi statement. If there was no impurity in the duct and he performed in the same cap, his salah will not be nullified.²

¹ Hashiyah Al-Tahtawi on Maraqqi Al-Falah. P.23. Book of purity. Qadeemi. And so is in Al-Durrul Mukhtar. Vol.1 p. 198. Chapter: Used water. Saeed. Al-Bahrur Raique. Vol.1 p. 164. Chapter: Used water. Rasheediyah. Majma Al-Anhur. Vol.1 p.30. Water. Daru Ihya Al-Turath Al-Arabi. Beirut)

² فى النوازل: روى عن أبى حنيفة رحمه الله تعالى: أن الماء المستعمل وهذا إذا اجتمع فى موضع، ثم أصاب الثوب، أما إذا تقاطر من أعضائه وأصاب الثوب، فإنه لا يغسل فى قولهم جميعاً.

Answer: (2) The injunction of those clothes are like cap, but it is better to wash the cap and clothes. Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband. 20/03/1390 A.H.

authenticated by Nizamuddin (May Allah forgive him) Darul Uloom Deoband. 20/03/1390 A.H. (Fatawa Mahmoodiyah. vol.5 p. 126)

Injunction of water used to make wudu bath

Question: What is the injunction of water used to make wudu or bath?

Answer: Used water of wudu or bath is pure, but it is somewhat disliked for internal use and wudu and bath are not correct with that. It can be used to purify real impurity i.e. it can purify something involved with the impurity.

قال العلّاء رحمه الله تعالى: (وهو طاهر) ولو من جنب وهو الظاهر. لكن يكره شربه والعجن به تنزيهاً للاستقذار، وعلى رواية نجاسته تحريماً (و) حكمه أنه (ليس بطهور) لحدث بل نجس على الراجح المعتمد، وفي الشامية: (قوله على الراجح) مرتبط بقوله بل نجس: أي نجاسة حقيقية، فإنه يجوز إزالتها بغير الماء المطلق من المائعات خلافاً لمحمد رحمه الله تعالى.

(Raddul Muhtar. Vol.1 p. 185) Allah knows the best. (Ahsanul Fatawa. Vol.2 p.40)

Washing impurity with used water

Question: It is written in book of fiqh that it is allowed to wash impurity with used water. How will it be correct while according to mufta bihi statement, used water is pure not purifier? By which evidence the real impurity is specified? Can both kinds of real impurity (visible and invisible) and supposed impurity not be washed with used water?

Answer:

”(و) حكمه أنه (ليس بطهور) لحدث بل نجس على الراجح المعتمد“ الخ. درمختار (قوله: ليس بطهور): أي ليس بمطهر (قوله على الراجح) مرتبط بقوله بل نجس: أي نجاسة حقيقية، فإنه يجوز إزالتها بغير الماء المطلق من المائعات خلافاً لمحمد، الخ.“

(Raddul Muhtar. Vol.1 p. 134)¹

¹ Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 201. Publication: Zakariya Deoand. Chapter: Used water. Saeed.

”أما غسالة النجاسة الحكيمة: وبى الماء المستعمل فهو فى ظاهر الرواية طاهر غير مطهر، أى لا يجوز التوضؤ به لكن فى الراجح يجوز إزالة النجاسة الحقيقية به الخ.“

(Al-Fiqhul Islami wa Adillatuhu. Vol.1 p. 34. Maktabah Darul Fikr. Chapter:4. Injunction of used water. Rasheediyah)

It is understood by the text that washing all kinds of real impurity and supposed impurity with used water will not be correct according to the preferred and authentic statement.¹ Allah knows the best.

Written by Mahmood (May Allah forgive him) (Fatawa Mahmoodiyah. vol.5 p. 243, 244)

Injunction of making wudu from duct where used water of wudu flows

Question: (1) Here many people make wudu from the mugs sitting near the duct of tin and the water flows out through the duct. If a person makes wudu with that water sitting at the end of duct thinking that it is running water, is it allowed for him or not?

Question: (2) If there is no water except that for making wudu, what should other people do? Should they do wudu and tayammum both or only wudu or only tayammum?

Answer: If only used water that falls from the body of people's flows through the duct, the whole water is not purifier. Wudu is not allowed that, but other water except used water also flows and it is more than used water, it is pure and purifier and wudu is allowed with this water.² Allah knows the best.

Muhammad Kifayatullah (May Allah help him) (Kifayatul Mufti. Vol.2 p. 285)

If water of wudu dropped into the mug, it will not be used water

Question: What do Ulama and Islamic jurists say in regard that if water of wudu dropped into the mug during wudu, will the water of mug be detestable or not?

¹ The injunction of using used water

Used water is pure but it is not purifier. So, it cannot be used for wudu and bath, but the water of wudu and masnoon bath can be used to wash real impurity not used water of seminal bath. (Al-Fatawa Al-Tatarkhaniyah. Vol.1 p.211. Al-Durrul Mukhtar. Vol.1 p.200)

if there is no other pure water and they want to utilize used water, they should mix unused water more than used one. Now it will be allowed to use it for wudu and bath. (Badai Al-Sanai. Durrul Mukhtar. Vol.1 p. 182)

The used water of wudu and masnoon bath is pure, but somewhat disliked for drinking and cooking food is due to abhorring. That's why it should not be used. The water which is not allowed to make wudu or bath like rose water and acetate etc.; if one used them for wudu or bath, it will not be used water. (Al-Durrul Mukhtar. Vol.1 p. 198) (Taharat Ke Ahkam Wa Masail. P. 71, 72. Anees)

² الماء المستعمل إذا وقع في البئر لا يفسده إلا إذا غلب.

(Al-Fatawa Al-Hindiyah. Vol.1 p. 23. Chapter:2 The thing that is not allowed to use for wudu.)

Answer: It is disliked to drop the water of wudu into mug, but it will not be used to water and wudu is correct with it.¹

Rasheed Ahmad Gangohi (May Allah forgive him) (Fatawa Rasheediyah Kamil. P. 237, 238)

The water will not be used water by immersing hand without intention of wudu

Question: What do Ulama and Islamic jurists say in regard that if a person immersed his hand into the can of water, is this water will be used water?

Answer: It is not used water.

لعدم إزالة الحدث به وعدم التقرب عندهـ

(Shami)² Allah is all Helping.

(Fatawa Deoband Pakistan. Known by Fatawa Faridiyah. Vol.2 p. 53)

If finger or hand immersed into a little pot of water, will it be called used water are not?

Question: I listened to some maulana that if any part of hand like finger or palm immersed into little water before making wudu, the water remains pure, but it becomes used water and wudu is not correct with such water. Is it correct or not?

Answer: The water of the pot will become used water when he intended wudu or bath at the time of immersing. For example; he entered his hand into the pot of the water and rubbed it inside for the sake of making wudu or batting. However, if he immersed his hand to take out the water to make wudu out of the pot, the water of the pot will not be used water. The water that is falling during rubbing hands is used water.³ Allah knows the best.

26th Muharram, 1349 A.H. (Imdadul Ahkam. Vol.1 p. 385, 386)

¹ Al-Fatawa Al-Hindiyah. Vol.1 p. 23. Chapter:2 The thing that is not allowed to use for wudu.

² قال العلامة المصنف: (أو بماء) (استعمل) لأجل (قربة) أي ثواب ولومعة رفع حدث أو من مميز أو حائض لعادة عبادة أو غسل ميت أو يد لأكل أو منه بنية السنة (أو لأجل) (رفع حدث) ولومعة قربة كوضوء محدث ولو للترديد، فلو توضأ متوضيئاً لترك أو تعليم أو لطين بيده لم يصير مستعملاً اتفاقاً. الخـ

(Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 138, 139. Chapter: Used water)

³ (Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 138, 139. Chapter: Used water)

Question: A Shiah person made wudu and left some water. Is this water pure or not?

Answer: Maulana Abdush Shakoor Sahab (r) knows about Shiahs completely. You should consult him. According to my opinion, the left water of wudu by them is pure.¹ (Maktoobat: vol.1 p. 278) (Fatawa Shaikhul Islam (r). P. 21, 22)

The conditions of disliking warm water by sun

Question: It is narrated in hadith that one should not use sunbaked water. What is the definition of warm water by sun? Is the water of container that became warm because of sun comes under the definition?

Answer: According to Hanafis schools of thought, disliking warm water by sun is contradictory, but the preferred opinion is that it is somewhat disliked and it is only in the condition when it is in hot area and hot weather and the water is in the pot of metal other than gold and silver and used it while it is hot.

قال في العالائية: (وبما قصد تشميسه بلاكراهة) وكراهته عند الشافعية طيبة، وفي الشامية: وذكر شروط كراهته عند همر (الشافعية)، وهي أن يكون بقطر حار وقت الحر في إناء منطبع غير نقد، وأن يستعمل وهو حار، (إلى قوله) وفي الغاية: كرهه بالشمس في قطر حار في أوان منطبعة، (إلى قوله) أن المعتمد الكراهة عندنا لصحة الأثر وأن عدمها رواية - والظاهر أنها تنزيهية عندنا أيضاً، بدليل عدة في المندوبات، فلا فرق حينئذ بين مذهبنا ومذهب الشافعي -

(Raddul Muhtar. Vol.1 p. 167. Book of water) Allah knows the best.

22nd Rajab, 1388 A.H. (Ahsanul Fatawa. Vol.2 p. 43, 44)

What is the injection, if used water comes under feet?

Question: What is the injunction, if used water of wudu comes under the feet of walkers?

Answer: Used water of wudu is pure but not purifier.² There is nothing wrong if it comes under the feet. When it is not disliked if pure and purifier water (that can be used for

¹ The injunction is inferred from the text:

”ولا فرق بين الكبير والصغير والمسلم والكافر ذكره صاحب مراق الفلاح تحت حكم الآسار: أنه طاهر مطهر“

(Maraqi Al-Falah with Al-Tahtawi. P.17. Alamgiri. Vol.1 p. 23. Qadhikhan. Vol.1 p.18)

² وقال محمدٌ وهو رواية عن أبي حنيفةٍ هوطا بر غير طهور -

(Al-Hidayah. Vol.1 p. 22)

wudu and bath without any dislike) comes under feet, it is also not disliked if pure not purifier water (used water of wudu that cannot be used for wudu and bath) comes under the feet according to shariah and nature. Allah knows the best.

(Marghoobul Fatawa. Vol.2 p. 34, 35)

Water of wudu in the duct of toilet

Question: On Sunday, the members of Administration committee had a meeting to resolve the administration problems of Jama Masjid Waqar Abad. The duct of toilet was not being cleaned due to the shortage of water. So, they designed that the duct of water of wudu should be turned towards the duct of toilet. By this way, is the duct of toilet will be clean with the water of wudu. One of the members objected that flowing water of wudu in the duct of toilet creates doubts in the hearts of worshippers. Is this objection right?

Answer: This opinion (if the water of wudu flows in the duct of toilet it creates doubts in the hearts of worshippers) is not mentioned in any hadith and fuqaha did not write so according to my knowledge. However, it is mentioned in hadith that not caring about urine and making wudu in bathroom creates doubts. Therefore, you can join both ducts. Finally, both water has to drop in drain. (Kitabul Fatawa. Vol.2 p. 42, 43)

The value of water used for wudu

Question: What do Ulama and Islamic jurists say in regard to the water used for wudu and bath? Is there any respect and value of this water? Is it allowed to use it for cleaning impure places like toilet? Is it allowed to pass urine in this water? If one commits this knowingly and regularly, what do you think about this person? Is he called evil doer or not?

Answer: It is mentioned in Al-Durrul Mukhtar:

ومن منهياته التوضؤ بفضل ماء المرأة، وفي موضع نجس، لأن الماء الوضوء حرمة، الخ

(Al-Durrul Mukhtar with Shami. Vol.1 p. 138)¹

It is understood by the text that used water of wudu has respect according to Shariah. That's why it is disliked to make wudu in impure place, but I did not find any evidence that the injunction of disliked means disliked prohibitively. Obviously, it is somewhat

¹ Al-Durrul Mukhtar on Raddul Muhtar. Book of purity. Chapter: Matter about extravagance in wudu. Anees

disliked and even it is according to the third statement of Hanafis is schools of thought that used water is pure not purifier. It is the authentic and mufta bihi statement. While according to the statement of impurity (used water is impure whether it is solid or light) used water will have no respect:

لأن النجس لا حرمة بل يحترز عنه ويتوقى-

Therefore, there should not be argument and exaggeration about this matter, because Hanafis statements are different about purity and impurity of used water. Thus, its respect is the same. Allah knows the best.

1st Rajab, 1345 A.H. (Imdadul Ahkam. Vol.1 p. 379, 380)

What is the injunction about water drops from Junub into the pot during bathing?

Question: If a person takes seminal bath or a woman takes bath of menstruation or nifas, and the drops fall into the pot, what is the injunction about this water?

Answer: There is nothing wrong and the water is pure.¹ Less used water does not make normal water used one.² (Fatawa Darul Uloom. Vol.1 p. 173, 174)

¹ جنب اغتسل فانتضم من غسله شيء في إنائه لم يفسد عليه الماء-

(Egyptian Alamgiri. Vol.1 p. 22. Book of water. Zafeer)

(قوله وهو ظاهر ولو من جنب الخ) رواه محمد بن عيسى عن الإمام وهذه الرواية هي المشهورة عنه، واختارها المحققون، قالوا عليها الفتوى، لا فرق في ذلك بين الجنب والمحدث، واستعني الجنب في التجنس إلا أن الإطلاقات أولى وعنه التخفيف والتغليظ، ومشائخ العراق نفوا الخلاف وقالوا إنه طاهر عند الكل - وقد قال في المجتبى: صحت الرواية عن الكل أنه طاهر غير طهور الخ (قوله وهو الظاهر) كذا في الذخيرة أي ظاهر الرواية، ومن صرح بأن رواية الطهارة ظاهر الرواية وعليها الفتوى-

(Raddul Muhtar. Chapter: Used water. vol.1 p. 185)

But the condition is that there should not be any real impurity neither on clothes nor on body. Zafeer.
Used water of bath

The water will be used by taking seminal bath or bath of menstruation or nifas. Similarly, taking bath when it is sunnah or recommended like Jumah and Eidain etc. will make the water used water. If one takes bath righteously on these occasions, the water will be used water. If Junub or menstruating or childbed woman washed some parts of the body (hand, mouth or head etc.) the water will be used water. If a pure person to bath or wash the head for cooling, the water will not be used water. If one wiped his own parts of wudu and bath with handkerchief and it got wet or the water of wudu blogged on clothes, it makes no harm and both are pure. (Taharat Ke Ahkam Wa Masail. P. 69. Anees)

² أو مما لا كاستعمل في الأجزاء، فإن المطلق أكثر من النصف جاز التطهير بالكل - - ولا لا، وهذا يعبر الملقى والملاقى، ففي الفساق يجوز التوضؤ ما لم يعلم تساوى

المستعمل-

(Al-Durrul Mukhtar on Raddul Muhtar. Book of water. vol.1 p. 168. Zafeer)

Injunction about water used by Junub and menstruating woman

Question: Is the water used by Junub or menstruating woman pure or not? That means if the water used by Junub or menstruating woman drop to into little water or well etc. will it be pure or not? Similarly, if it got on clothes more than one dirham (coin), will salah be correct in that cloth or not? If her used water is impure, the food by her and other things will be doubtful.

Answer: The water touched by the hands of Junub, menstruating and childbed women is not impure, if there was no real impurity.¹ If such water dropped into the well, it will not be impure.² Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband (Fatawa Mahmoodiyah. vol.5 p. 126, 127)

If the child put his hand into the water

Question: If the child put his hand into the water, is the water pure or not?

Answer: The water does not become impure by putting child's hand, but when it is known that there was impurity on his hand, the water will become impure. Since, little children are careless, it is not good to use that water in the presence of other water.

ولو أدخل الكفار والصبيان أيديهم لا يتنجس إذا لم يكن على أيديهم نجاسة حقيقية فلو أدخل الصبي يده في الإناء لا يتوضأ به استحساناً ولو توضأ به جاز.

(Muniyah)³ Allah knows the best.

¹ It is written in Fatawa Qadhikhan:

المحدث أو الجنب إذا أدخل يده في إناء للاغتراف، وليس عليه نجاسة، لا يفسد الماء يعني لا ينجس، ولا يصير مستعملًا الخ.

(Al-Halabi Al-Kabeer. P. 152. Used water. Suhail Academy, Lahore)

عن ابن عباس رضي الله عنه قال: ليس على الثوب جنابة، ولا على الأرض جنابة، ولا على الرجل يمس الجنب جنابة وليس على الماء جنابة يقول إذا سبقت يده فأدخلهما في الماء وهو جنب قبل أن يغسلهما فلا بأس.

(Musannaf Abdur Razzaque. Book of water that Junub that is it and enters in it. vol.1 p. 71. No. 309) The statement of Prophet's Companion proves that if Junub immersed his hand into the water, it will not be impure if there is no impurity on hand. Anees

² وإن انتفض من غسالة الجنب في الإناء لا يفسد الماء، أما إن سأل فيه سيلاناً، فإنه يفسده، وعلى هذا حوض الحمام، وعلى قول محمد صلى الله عليه وسلم وهو المختار لا يفسده ما لم يخلب عليه على ما تقدم الخ

(Al-Halabi Al-Kabeer. P. 153. Used water. Suhail Academy, Lahore)

³ Al-Halabi Al-Kabeer. Chapter: Injunctions of ponds P. 103. Suhail Academy, Lahore

Taking water from drum by immersing toilet mug

Question: There is a drum in Jama Masjid to warm the water. Most of the people immerse the mug of bathroom or toilet to take water. Does the water of drum become impure or not? Though there is no impurity on mug obviously, but this mug is put inside bathroom and toilet.

Answer: The mug used in bathroom or toilet is not impure and it does not get impure by putting on the ground.¹ However, if the water of bathroom gathered there and mug is put after gathering water, the bottom of mug will get impure. Usually, an alcove is set up in toilet where the mug is put, but if there is no specific place for mug and it is put where the water of purification falls or the nightman cleaned the toilet and the mug is put in wet, the bottom of mug will get impure in both cases.

The bottom of mug gets impure by touching impure water or soil with the it is seen or not. Therefore, they should be careful to put that mug inside the drum. If there is doubt, it should not be put until it is washed. Allah knows the best.

Written by Mahmood (May Allah forgive him) Darul Uloom Deoband 28/11/1389 A.H. (Fatawa Mahmoodiyah. vol.5 p. 283)

The water will not be regarded impure by children's information

Question: What do Ulama and Islamic jurists say in regard to the matter that an impure sandal fell down in the well and after 20 days, little children agreed that they have thrown it. What is the injunction of the water of that well? And what about salah and the things washed with that water? Is it necessary to repeat salah? If it is, for how many days they have to repeat salah?

Answer: For, the report of immature children is unacceptable, the water will be impure from the time when they knew or saw.²

¹ "مشی فی حمام و نحوه، لاینجس مالری علمر أنه غسالة نجس" -

(Al-Durrul Mukhtar. Vol.1 p.350. Chapter about purification. Saeed)

² قال العلامة المصنفی: (ومذ ثلاثة أيام) بلیا لیه (إرت) انتفخ أو تفسخ استحساناً، وقالوا: من وقت العلم فلا یلزمه شيء قبله، قیل: وبه یفتی -

(Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 161)

كما في أحكام الصغار: الصبي أو المعتوه إذا أخبر بنجاسة الماء لا تثبت النجاسة بقوله لأنه لقلة عقله قد يكذب فلا يترجح صدقه على كذبه.

(The margin of Jame Al-Fusoolain. Vol.1 P. 143)¹ Allah is all Helping.

(Fatawa Deoband Pakistan. Known by Fatawa Faridiyah. Vol.2 p. 113)

If something whose impurity is not known fell into the water, will not make the water impure

Question: Here are red medicine is dropped into the wells that makes the water red. That red water is used for making wudu, bathing, cooking food and drinking etc. No one knows about the reality of that medicine here except doctors. It cannot be said that there is something other than colour that is forbidden to use according to shariah. Please inform me that is there anything wrong according to shariah in using this water?

Answer: If it is not proved that the medicine contains something impure, that water should be considered pure by the rule:

”الأصل في الأشياء الطهارة“ - 2

Therefore, it is allowed to use that water.

13th Ramadhan, 1331 A.H. (Imdadul Fatawa. Vol.1 p. 59, 60)

Giving fatwa according to the matter prevailed publicly (Umoom -e- Balwa) and its limit

Question: Is it allowed to give fatwa according to ”الماء طهور لا ينجسه شيء“ (water is pure, nothing makes it impure) because of the matter prevailed publicly (Umoom -e- Balwa)? What is the limit of the matter prevailed publicly (Umoom -e- Balwa)?

Answer: Umoo -e- Balwa means the matter that prevailed publicly and it is difficult and hard to prevent from it for common people. It is a rule of fiqh also:

¹ It is written in Al-Hindiyah:

ولو كانت المخبر بنجاسة الماء صبيّاً أو معتوهاً يعقلان. ما يقولان. فالأصح أن خبرهما في هذا خبر النهي (أي لا يقبل) لأنه ليس لهما ولاية الإلزام هكذا في فتاوى قاضي خانب.

(Fatawa Alamgiriya. Vol.5 p. 309. Book:1 acting upon the information of one person)

² Al-Ashbath wa Al-Nazair. Rule:3, vol.1 p.188

”اليقين لا يزول بالشك“ -1

Therefore, the water will not be regarded impure due to doubt only. It is allowed to act upon the rule ”الماء طهور لا ينجسه شيء“² because of Umoom -e- Balwa. (Fatawa Darul Uloom. Vol.1 p. 183)

What is the injunction if the lizard fell down in water tank and died?

Question: The lizard fell down in water tank of masjid and died. People used to make wudu and bath from it and they came to know when the water began smelling. Is this tank impure or not? Do the people have to repeat salah what they had performed in this duration?

Answer: If the lizard is little as it lives in houses that does not have fluid blood, the water will not get impure by its death in the water. So, there is no need to repeat wudu and salah.³ (Fatawa Darul Uloom. Vol.1 p. 182, 183)

The water does not get impure by falling lizard

Question: If the normal lizard fell down in the water and is took out, is this water pure or not? Is it correct to use this water for wudu and bath?

Answer: This water is pure and wudu and bath is correct.

وموت ما ليس له نفس سائلة في الماء لا ينجسه

(Al-Hidayah. Vol.1 p. 37) Allah knows the best.

Written by Muhammad Anwar (May Allah forgive him) Mufti Khairul Madaris, Multan. 08/11/1399 A.H. (Khairul Fatawa. Vol.2 p. 151)

Injunction about water if the spider died in it

Question: The spider or any other insect that does not have blood fell down in the water and died, will the water get impure or not?

¹ Al-Ashbath wa Al-Nazair with Sharah Al-Hamawi. P.188

² Mishkat. Book of water. p. 75. Zafeer

³ وموت ما ليس له دمر سائل لا ينجس الماء ولا غيره إذا وقع فيه فمات أو مات ثم وقع فيه (Ghunyatul Mustamli. P. 164)

وكالحية البرية والوزغة لو كبرت لهما دمر سائل

(Raddul Muhtar. Book of water. vol.1 p. 171. Zafeer)

Answer: If the spider fell down in the water, it will not get impure.¹ Allah knows the best.

Muhammad Uthman Ghani. 30/02/1376 A.H. (Fatawa Amarat Shariah. P.2 p. 49)

If the shit of sparrow fell down in the water

Question: If the shit of some sparrows fell down in the water of bucket, will whole water get impure and it cannot be used for purification?

Answer: The water will not get impure by this.² Allah knows the best.

Nizam, April, 1956 C.E. (Fatawa Mahmoodiyah. Vol.5 p. 156)

Injection of water if fish rotted in it

Question: How much water will be pulled, if a fish died and rotted in the well?

Answer: If the parts of fish did not spread, it is allowed to drink, make wudu and bath from that water without pulling it. However, if its parts spread, it is not allowed to drink that water without taking out that parts. Durre Mukhtar reads:

(ويجوز) رفع الحدث (بما ذكر وإن مات فيه) أي الماء ولو قليلاً (غير دموى) --- (كسمك و سرطان) --- فلو تفتت فيه نحو ضفدع
جاز الوضوء به لا شربه لحرمته لحمه

(Durre Mukhtar. Vol.1 p. 123, 124)³ Allah knows the best. Suhail Ahmad Qasmi. 07/09/1406 A.H. (Fatawa Imarat Shariah. Vol.2 p. 93)

¹ Similarly, the water will not get impure by dying the insect that does not have fluid blood. Mujahid.

(ويجوز) رفع الحدث (بما ذكر وإن مات فيه) أي الماء ولو قليلاً (غير دموى كزنبور) وعقرب وبق: أي يعوث.
(Al-Durrul Mukhtar on Raddul Muhtar. Book of water. vol.1 p. 329. Publication: Darul Kutub Al-Ilmiyyah. Beirut)

² لا يبرق إبلى وغنم وخرء حمام وعصفور: أي لا يجب النزء بوقوع هذه الأشياء فيها --- وأما خمر الحمام والعصفور، فليس بنجس لعدم الاستحالة إلى الفساد
ولإجماع المسلمين على اقتناء الحمامات في المساجد

(Tabyeenul Haqaique. Vol.1 p. 95. Purity. Darul Kutub Al-Ilmiyyah. Beirut. And so is in Badai Al-Sanai. Vol.1 p. 366. The. Darul Kutub Al-Ilmiyyah. Beirut. And so is in Al-Durrul Mukhtar with Raddul Muhtar. Vol.1 p. 220. Chapter about well. Saeed)

³ The water does not get impure by dying fish in it, because it does not have fluid blood, but if it swelled and broke, it is haram to eat. So, when its parts mixed with water, it will not be allowed to drink. Mujahid

Is the water of skin bag involved with dung pure or impure?

Question: When the water man put the water in bathroom, the skin bag involves with dung. I have seen it myself. Is this water pure or impure? Is it correct to use it for wudu and bath?

Answer: If the impurity is seen in the water of bathroom, you should not make wudu or bath with that water. You should not have such doubt always.¹ (Fatawa Darul Uloom. Vol.1 p. 183)

what is the injunction if the insect living in toilet found dead in water?

Question: Sometimes the cockroach is found dead in water tank. Will the water get impure?

Answer: The water will not be regarded impure by its dying, because the cockroach does not have fluid blood, but if there is impurity on its body and it is found in water with that impurity, the water will get impure.

It is mentioned in Maraqqi Al-Falah:

(ولا) ينجس الماء ولا المائعات على الأصح (بموت ما) بمعنى حيوان (لا دمر له) سواء البرى والبحرى (فيه) أى الماء، أو المائعات - - الخ

(with Tahtawi. P. 23. Chapter: Matters of wells) Allah knows the best. (Fatawa Rahimiyah. Vol.7 p. 147, 148)

Using dirty water for boring

Question: (1) A government hand pipe is bored with dirty water of drain. The water is used to wet the soil. Can be used such hand pipe that provides quite clear water for drinking and bathing?

Question: (2) Will the house made with dirty water be considered pure? Is it correct to perform salah and recite the glorious Quran in it?

لَو أَدْخَلَ الصَّبِي يَدَهُ فِي الْإِنَاءِ إِنْ عَلِمَ أَنَّهَا طَاهِرَةٌ بَأْتِ كَأَن مَعَهُ مِنْ يَرِاقِهِ جَازَ التَّوَضُّعُ بِذَلِكَ الْمَاءِ وَإِنْ عَلِمَ أَنَّ فِيهَا نَجَاسَةً لَمْ يَجِزْ وَإِنْ حَصَلَ الشُّكُّ لَا¹ يَتَوَضَّعُ بِهِ اسْتِحْسَانًا لَمْ يَلَوْ تَوَضَّعُ بِهِ جَازٌ لِأَنَّهُ لَا يَتَنَجَّسُ بِالشُّكِّ -

(Ghunyatul Mustamli. P. 101)

Answer: (1) The water of that by can be used after boring.¹

Answer: (2) That house is pure.

Written by Muhammad Mustaqeem Nadawi. Authenticated by Nasir Ali Nadawi.
(Fatawa Nadwatul Ulama. Vol.1 p. 271)

Purifying hand pump

Question: If the impurity fell down in hand pump, how will it be purified? Will it be in the injunction of running water after pulling some water?

Answer: It will not be in the injunction of running water by pulling it from hand pump. For, the water is coming in the bottom of hand pump from pores of earth after seeping that is not in the injunction of entering according to shariah. Thus, because of this difference, injection is not regarded the nullifier of fasting. Similarly, though the water enters in the well from the pores of earth, the well does not become pure with the consent of all by pulling some buckets or pulling some water by machine. So, it is not enough to pull some water to purify hand pump.

Some people regarded hand from like well and said: The hand pump will be pure after pulling its all water.

But it has some doubts that the water of well flows within its limit naturally after coming out from the pores of earth, but the water of hand pump is pulled above from the level of the earth. By this way, the hand pump seems in the injunction of pot.

Moreover, it is difficult to purify the bottom and walls of well while it is not hard to purify hand pump. Therefore, the way to purify hand pump is that after pulling its water that is inside, the water should be pulled in a quantity that can wash the whole pipe three times. The method to know the quantity of water inside pipe is (Murabba' 1 / 2 Qutr Pai, Umuque) $V = \pi r^2 h$ According to this rule the depth of water will be recognized and the water will be pulled accordingly. If the depth of water cannot be recognized, then they should act upon most probable thought.

¹ (و) يجوز (بما وقعت فيه نجاسة. و) الجاري (هو ما يعد جارياً) عرفاً... (اب لم ير) أي يعلم (أثره) فلو فيه جيفة أو يال فيه رجال فتوضأ اخر من أسفله جازماً لم ير
في الجارية أثره (وهو) إما (طعم أو لون أو ريح) -

(Al-Durrul Mukhtar on Raddul Muhtar. Book of water. vol.1 p. 187)

The easiest way is that the water should be poured from above in such quantity that can fill the pipe and began to flow. By this way the water will be running water that is pure.

Allamah Ibn Abideen (r) said:

إن دلواً تنجس فأفرغ فيه رجل مائاً حتى امتلأ وسال من جوانبه هل يطهر بمجرد ذلك أم لا؟ والذي يظهر لي الطهارة، أخذاً مما ذكرناه هنا ومما مر من أنه لا يشترط أن يكون الجريان بمدد (وقال في المنهية): أقول: رأيت بعد كتابتي لهذا المحل في حاشية الأشباه والنظائر في آخر الفن الأول للعلامة الكفيري التي تلقاها عن شيخنا الشيخ إسماعيل الحائلي مفتي دمشق، ما نصه: مسألة: إذا كان في الكوز ماء متنجس فصب عليه ماء طاهر حتى جرى الماء من الأنبوب بحيث يعد جرياناً ولم يتغير الماء فإنه يحكم بطهارته الخ منهـ

(Raddul Muhtar. Vol.1 p. 180) Allah knows the best.

18th Jumada Al-Ukhra, 1396 A.H. (Ahsanul Fatawa. Vol.2 p. 50, 51)

How to purify impure hand pump?

Question: How to purify hand pump if it got impure?

Answer: The way to purify hand pump is that the water will be pulled in such quantity that can wash the pump three times, the water of hand pump can be recognized by most probability. However, the way of purifying after making it running water that is written in some books (that the water will be poured from above in such quantity that can fill the pipe and began to flow out. Thus the water will be pure because of running) is doubtful. It cannot be called flowing water, because flowing means the water enters from one side and coming out from another side.

It is written in Raddul Muhtar:

وبقي شيء آخر سئلت عنه، وهو أن دلواً تنجس فأفرغ فيه رجل مائاً حتى امتلأ وسال من جوانبه، هل يطهر بمجرد ذلك أم لا؟ والذي يظهر لي الطهارة، أخذاً مما ذكرناه هنا ومما مر أنه لا يشترط أن يكون الجريان بمددـ

(Raddul Muhtar. Vol.1 p. 196) Allah knows the best. (Fatawa Darul Uloom Zakariya. Vol.1 p. 599, 600)

URDU BOOKS OF FATAWA

Urdu Books of Fatawa

Sl. No.	Fatawa Books	Respected Muftis	Publication
01	Fatawa Azizia	Shah Abdul Aziz of Delhi	Pub. M. H. Said Comp. Adab Manzil, Chowk, Karachi
02	Fatawa Rashidiya	Maulana Rashid Ahmad Gangohi	Rahimiya Book Depot, Deoband, India
03	Talifate Rashidiya	Maulana Rashid Ahmad Gangohi	Maktaba al-Haq, Modern Dairy Jogeshwari, Mumbai
04	Baqiyate Fatawa Rashidiya	Maulana Rashid Ahmad Gangohi	Mufti Ilahi Bakhs Academy, Kandhla, Muzaffarnagar, UP
05	Azizul Fatawa	Mufti Azizur Rahman Usmani	Zakariya book Depot, Deoband, Saharanpur, India
06	Fatawa Darul Uloom Deoband	Mufti Azizur Rahman Usmani	Zakariya book Depot, Deoband, Saharanpur, India
07	Imdadul Fatawa	Maulana Ashraf Ali Thanawi	Zakariya book Depot, Deoband, Saharanpur, India
08	Al- Hilatu-Najizah	Maulana Ashraf Ali Thanawi	Maktabah Razi, Deoband, Saharanpur, India
09	Imdadul Ahkam	Maulana Zafar Ahmad Usmani	Zakariya book Depot, Deoband, Saharanpur, India
10	Aallate Jadidah Ke Sharai Ahkam	Mufti Maulana Shafi, Deobandi	Maktaba Tafsirul Quran, Deoband, Saharanpur, India
11	Jawahirul Fiqh	Mufti Maulana Shafi, Deobandi	Maktaba Tafsirul Quran, Deoband, Saharanpur, India
12	Imdadul Muftiyeen	Mufti Maulana Shafi, Deobandi	Zakariya book Depot, Deoband, Saharanpur, India
13	Majmu Fatawa Abdul Hai	Abul Hasanat Abdul Hai Lucknawi	Maktab Thanawi, Deoband, Saharanpur, India
14	Fatawa Mazahir Uloom	Maulana Khalil Ahmad Saharanpuri	Publication Department Mazahir Uloom, Saharanpur, India
15	Fatawa Mahmodiyah	Mufti Mahmood Hasan Gangohi	Maktaba Shaikhul Islam, Deoband, Saharanpur, India
16	Fatawa Imarat-e-Shar'iyah	Maulana Abdul Mahasin Sajjad et al	Publication Department, Imarat Sharia, Phulwari Shareef, Patna
17	Kifayatul Mufti	Maulana Mufti Kitayatullah Delhi	Hafeezur Rahman Wasif, Kohinoor Press, Delhi, India

18	Fatawa Baqiyat Salihat	Maulana Shah Abdul Wahab	Jamiyah Baqiyat Salihat, Velor Bangalore, India
19	Fatawa Ihyaul Uloom	Maulana Mufti Md. Yasin Mubarakpuri	Jamia Ihyaul Uloom, Mubarakpur, U.P.
20	Muntakhabaat Nizamul Fatawa	Maulana Mufti Nizamuddin Azami	Ifa Publications, Jogabai, New Delhi
21	Nizamul Fatawa	Maulana Mufti Nizamuddin Azami	Ifa Publications, Jogabai, New Delhi
22	Khairul Fatawa	MI Khair Md. Jalandhari	Maktaba al-Haq, Modern Dairy, Jogeshwari
23	Fatawa Shaikhul Islam	Maulana Husain Ahmad Madani	Maktaba Shaikhul Islam, Deoband, Saharanpur, India
24	Fatawa Haqqania	Maulana Abdul Haq Pakistani	Deccan Traders, Mughal Pura, Hyderabad, India
25	Ahsanul Fatawa	Maulana Mufti Rashid Ahmad Pakistani	Zakariya book Depot, Deoband, Saharanpur, India
26	Fatawa Usmani	Maulana Mufti Md. Taqi Usmani (Pakistan)	Naemiya Book Depo, Deoband, Saharanpur, India
27	Fatawa Qazi	Maulana Qazi Mubahidul Islam Qasmi	Ifa Publications, Jogabai, New Delhi
28	Fatawa Rahimiya	Maulana Mufti Abdul Rahim Lajpuri	Maktaba Rahimiya, Munshi Street, Rander, Surat, Gujrat
29	Kitabul Fatawa	Maulana Khalid Saifullaf Rahmani	Naemiya Book Depo, Deoband, Saharanpur, India
30	Mahmoodul Fatawa –	Maulana Mufti Ahmad Khanpuri	Maktaba Noor, Mahmood Nagar, Near Jamia Dhabhel, Gujrat
31	Habibul Fatawa	Maulana Mufti Habibullah Qasmi	Sami Publication PVT. Ltd, Darya Ganj, New Delhi

32	Fatawa Firangi Mahal	Maulana Md. Abdul Qadir Firangi Mahali	Nami Press, Nakkhas, Lucknow, India
33	Fatawa Nadwatul Ulama	Maulana Mufti Md. Zahoor Nadwi	Majlis Sahafat, Nadwa, Lucknow, India
34	Fatawa Bayyinat	Muftis of Jamia Uloom Islamiya, Pakistan	Darul Ifta and Qaza, Jamiatul Uloom al Islamia, Binnori town, Karachi, Pakistan
35	Fatawa Faridiyah	Maulana Mufti Muhammad Farid Pakistani	Dare Umme Siddiqah, Zaroobi, Dist, Sawabi. Pakistan
36	Fatawa Mufti Mahmood	Maulana Mufti Mahmood Pakistani	Jamiat Publications, Wahdat Road, Lahore, Pakistan
37	Apke Masail our Unka Hal	Maulana Md. Yusuf Laudhyani	Maktaba Ludhyanawi, Karachi, Pakistan
38	Marghubul Fatawa	Maulana Mufti Marghubur Rahman Lajpuri	Jamiatul Qirat- Kafilata, Surat, Gujrat
39	Fatawa Darul Uloom Zakariya	Maulana Mufti Razaul Haq, Afrika	Educational Publishing House Delhi 6
40	Fatawa Shakir Khan	Maulana Mufti Shakir Khan	Madrasa Baitul Uloom, Pune, India
41	Fatawa Riyazul Uloom	Muftis of Madrasa Arabia Riyazul Uloom	Madrasa Arabia Riyazul Uloom, Chowkiyah, Goraini, Jaunpur, India
42	Fatawa Bismillah	Mufti Ismail bin Muhammad Bismillah	Jamiatul Qira't Maulana Abdul Hai Nagar, Kafletah, Gujarat, India
43	Fatawa Usufiyah	Mufti Muhammad Usuf Tawlawi	Maktabah Faqihul Ummat, Deoband, Saharanpur, India

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Sl. No.	Names of the book	Author/Compiler	Date of death

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01	The Holy Qur'an	The Book of Allah	
02	Ahkamul Qur'an	Abu Bakr Ahmad bin Ali Al-Razi Al-Jassan Al-Hanfi	370 AH

Hadith and its commentary

03	Muwatta Imam Malik	Imam Darul Hijrah, Malik bin Anas bin Malik bin Amir Al-Asbuhi Al-Madani	179 AH
04	Musannaf Abdur Razzaque Sana'ani	Abdur Razzaque bin Humam bin Nafe Al-Sana'ani	211 AH
05	Musannaf Ibn Abi Shaibah	Hafiz Abu Bakr Abdullah bin Muhammad bin Abi Shaibah Ibrahim bin Usman bin Khursati	235 AH
06	Musnad Ahmad	Imam Ahmad, Abu Abdullah Ahmad bin Muhammad bin Hanbal Al-Shaibani Al-Zuhali	241 AH
07	Sahih Al-Bukhari	Abu Abdullah Muhammad bin Ismail bin Ibrahim bin Mughirah Al-Ju'fi Al-Bukhari	256 AH
08	Sahih Muslim	Muslim bin Al-Hajjaj bin Dawood Al-Qushairi	261 AH
09	Sunan Ibn Majah	Hafiz Abu Abdullah Muhammad bin Yazeed bin Majah Al-Ribee' Al-Qazwini	273 AH
10	Sunan Abu Dawood	Imam Hafiz Sulaiman bin Al-Asas Al-Sijistani Al-Azdi	275 AH
11	Sunan Al-Tirmizi	Abu Isa Muhammad bin Isa bin Saurah Al-Tirmizi	279 AH
12	Suana Al-Nasai	Ahamad bin Shuaib bin Ali bin Sinan Al-Nasai	303 AH
13	Al-Musnad	Hafiz Abu Yala Ahamad bin Ali Al-Mausili	307 AH

14	Al-Muntaqa	Ibn Jarood Abu Muhammad Abdullah bin Ali Al-Nishapuri	307 AH
15	Sharah Ma'ani Al-Athar	Abu Jafar Ahmad bin Muhammad bin Salamah	321 AH
16	Al-Mujam Al-Ausat/ Al-Mujam Al-Kabeer	Sulaiman bin Ahmad bin Ayyoob bin Mitr Abul Qasim Al-Tabarani	360 AH
17	Sunan Al-Dara Qutni	Abul Hasan Ali bin Umar bin Ahmad bin Mihdi bin Masood Al-Baghdadi Al-Dara Qutni	385 AH
18	Al-Mustadrak Ala Al-Sahihain	Muhammad bin Abdullah A-Hakim Al-Nisapuri	405 AH
19	Sunan Al-Baihaqi	Abu Bakr Ahmad bin Al-Husain bin Ali bin Musa Al-Khurasani Al-Baihaqi	458 AH
20	Sunan Al-Darami	Abdullah bin Abdur Rahman bin Al-Fazl bin Bahzam Al-Tamimi Al-Samarqandi	552 AH
21	Kanzul Ummal Fi Sunan Al-Aqwal Wal Afa'al	Alauddin Ali Al-Muttaqi bin Husamuddin Al-Hindi	579 AH
22	Mishkatul Masabeeh	Waliuddin Muhammad bin Abdullah Al-Khateeb Al-Tabrezi	720 AH
23	Al-Targheeb Wa Al-Tarheeb	Abu Muhammad Zakiuddin Abdul Azim bin Abdul Qawi Al-Munziri Al-Shami Al-Shfaee'	656 AH
24	Fath Al-Bari	Zainuddin Abdur Rahman bin Ahmad bin Rajab bin Al-Hasan Al-Salami Al-Baghdadi and Damashqi Al-Hanbali	795 AH
25	Umdah Al-Fiqh	Sayyid Zawar Husain Shah	1400 AH
26	Mirqat Al-Mafateeh Sharah Mishkatul Masabeeh	Nooruddin Ali bin Sultan Muhammad Al-Hirawi Al-Qadiri, Mulla Ali Qari	1014 AH
27	Jamul Fawaid Min Jame Al-Usool Wa Majma Al-Zawaid	Al-Allamah Muhammad bin Muhammad Sulaiman Al-Maghribi	1094 AH
28	Bazlul Majhood Fi Halli Abu Dawood	Al-Muhaddith Khalil Ahmad Saharanpuri	1297 AH
29	Aathar Al-Sunan	Muhammad bin Ali Al-Shaheer Ahsan Al-Naimwi Al-Bihari Al-Hanafi	1322 AH
30	Ihyaus Sunan	Maulana Sayyid Ahmad Hasan Sanbhali	

31	Ilaus Sunan	Maulana Zafar Ahmad bin Muhammad Lateef Usmani Thanawi	1394 AH
32	Ma'arif Al-Sunan Sharah Jame Al-Tirmizi	Maulana Muhammad Usuf bin Sayyid Zakariya Husaini Binnauri	1397 AH
33	Aujazul Masalik Ila Muwatta Imam Malik	Maulana Muhammad Zakariya bin Muhammad Yahya Kandhelwi	1402 AH
34	Miftahul Jannah	Abu Khuzaimah Muhammad Husain Zahiri	

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35	Mukhtasar Al-Tahawi	Abu Jafar Ahmad bin Muhammad bin Salamah Al-Tahawi	321 AH
36	Mukhtasar Al-Qudoori	Muhammad bin Ahmad bin Jafar bin Hamdan Al-Quduri	428 AH
37	Al-Mabsoot	Shamsul Aimmah Abu Bakr Muhammad bin Ahmad bin Sahl Al-Srakhsi	483 AH
38	Tuhfatul Fuqaha	Alauddin Muhammad bin Ahmad bin Abu Ahmad Al-Samargandi Al-Hanfi	539 AH
39	Khulasah Al-Fatawa/ Majmoo' Al-Fatawa	Tahir bin Ahmad bin Abdur Rasheed Al-Bukhari	542 AH
40	Zakheeratul Fatawa	Abul Ma'ali Mahmood bin Ahmad bin Abdul Aziz bin Mazah Al-Bukhari	570 AH
41	Al-Muheet Al-Burhani Fil Fiqh Al-Nomani	Abul Ma'ali Mahmood bin Ahmad bin Abdul Aziz bin Mazah Al-Bukhari	570 AH
42	Badai Al-Sanai Fi Tarteef Al-Sharai	Allamah Alauddin Abu Bakr bin Masood Al-Kasani Al-Hanafi	587 AH
43	Fatawa Qazi Khan	Mahmood Awzjandi Qazi Khan Hasan bin Mansoor	592 AH
44	Bidayah Al-Mubtadi Wa Sharhuhu Al-Hidayah	Burhanuddin Abul Hasan Ali bin Abu Bakr Al-Marghinani	593 AH
45	Al-Wiqayah (Wiqaya Al-Riwayah)	Sadrush Shariah Mahmood bin Abdullah bin Ibrahim Al-Mahboobi Al-Hanafi	673 AH

46	Fatah Al-Qadeer Ala Al-Hidayah	Ibn Humam Kamaluddin Muhammad bin Abdul Wahid bin Abdul Hameed Al-Hanafi	861 AH
47	Munyatul Musalli Wa Ghunyatul Muhtadi	Sadiduddin Muhammad bin Muhammad bin Al-Rasheed bin Ali Al-Kashghari	705 AH
48	Kanz Al-Daqaique	Hafizuddin Abul Barakat Abdullah bin Ahmad bin Mahmood Al-Nasafi	710 AH
49	Tabyeenul Haqaique Sharah Kanz Al-Daqaique	Fakhruddin Usman bin Ali bin Mehjan Al-Zailaee'	743 AH
50	Al-Niqayah Mukhtasar Al-Wiqayah	Sadrush Shariah Al-Sagheer Ubaidullah bin Masood bin Mahmood bin Ahmad Al-Mahboobi Al-Hanafi	747 AH
51	Al-Kifayah Sharah Al-Hidayah	Jalaluddin Shamsuddin Al-Khawarizmi Al-Karmani	767 AH
52	Al-Yanabee' Fi Marifatil Usool Wat Tafaree'	Muhammad bin Abdullah Al-Shibli	769 AH
53	Al-Fatawa Al-Sirajiyah	Sirajuddin Umar bin Ishaque Al-Ghaznawi	773 AH
54	Al-Fatawa Al-Tatarkhaniyah	Allamah Alam bin Al-Ala Al-Ansari Al-Dehlawi	786 AH
55	Sharah Al-Inayah Ala Al-Hidayah	Akmaluddin Muhammad bin Muhammad bin Mahmood Al-Babarti	786 AH
56	Al-Sirajul Wahhaj Fi Sharhe Mukhtasar Al-Qudoori	Abu Bakr bin Ali bin Muhammad Al-Haddadi Al-Ibadi	800 AH
57	Al-Jauharun Nayyirah Fi Sharhe Mukhtasar Al-Qudoori	Abu Bakr bin Ali bin Muhammad Al-Haddadi Al-Ibadi	800 AH
58	Al-Fatawa Al-Bazzaziyah	Muhammad bin Muhammad bin Shihab bin Usuf Al-Kurdi Al-Khawarizmi	827 AH
59	Khazantur Riwayat	Qazi Jugan Al-Gujarati Al-Hanafi, Hasan bin NusooH	842 AH
60	Hilyatul Muhalli Sharah Munyatul Musalli	Ibn Ameerul Hajj, Abu Abdullah Shamsuddeen Muhammad bin Muhyammd Al-Hanafi	879 AH

61	Zakheerahtul Uqba Fi Sharhi Sadrish Shariahtil Uzma	Yusuf bin Junaid Al-Tauqani Al-Roomi Al-MarooF bihi Akhi Chilpi	902 AH
62	Sharah Al-Niqayah	Abul Makarim Abdul Ali bin Muhammad bin Husain Al-Barjandi	932 AH
63	Hashiyah Alal-Inayah Sharah Hidayah	Sadullah bin Isa bin Ameer Khan Al-Roomi Al-Hanfi	945 AH
64	Multaqa Al-Abhur	Ibrahim bin Muhammad bin Ibrahim Chilpi Al-MarooF Al-Halabi Al-Kabeer	956 AH
65	Al-Kabeeri Sharah Munyatul Musalli	Ibrahim bin Muhammad bin Ibrahim Chilpi Al-MarooF Al-Halabi Al-Kabeer	956 AH
66	Al-Sagheeri Sharah Munyatul Musalli	Ibrahim bin Muhammad bin Ibrahim Chilpi Al-MarooF Al-Halabi Al-Kabeer	956 AH
67	Al-Sagheeri Sharah Munyatul Musalli	Ibrahim bin Muhammad bin Ibrahim Chilpi Al-MarooF Al-Halabi Al-Kabeer	956 AH
68	Al-Bahrur Raique	Ibn Nujaim Zainuddin bin Ibrahim Al-Misri Al-Hanafi	970 AH
69	Tanweerul Absar	Shamsuddin Muhammad bin Abdullah bin Ahmad Al-Khatib Al-Tamartashi	1004 AH
70	Al-Nahrul Faique Sharah Kanz Al-Daqaique	Allamah Sirajuddin Muhammad bin Ibrahim bin Nujaim Al-Misri Al-Hanafi	1005 AH
71	Fiqhe Akbar	Abu Hanifah, Noman bin Thabit bin Zooti bin Hurmuz	150 AH
72	Noorul Idah Wa Nijatul Arwah	Abul Ikhlas Hasan bin Ammar bin Ali Al-Shurunbulali	1069 AH
73	Imdadul Fattah Sharah Noorul Idah	Abul Ikhlas Hasan bin Ammar bin Ali Al-Shurunbulali	1069 AH
74	Maraqi Al-Falah Sharah Noorul Idah	Abul Ikhlas Hasan bin Ammar bin Ali Al-Shurunbulali	1069 AH
75	Ghunyatu Zawil Ahkam Fi Bughyati Duraril Hukkam	Abul Ikhlas Hasan bin Ammar bin Ali Al-Shurunbulali	1069 AH
76	Hashiyah Al-Durar Wal Ghurar	Al-Allamah Nooh Aafandi	1070 AH
77	Majma Al-Anhur Fi Sharah Multaqa Al-Abhur	Abdur Rahman bin Shaikh Muhammad bin Sulaiman Al-Klibooli Al-Maduoo Bi Shaikhi Zadah	1078 AH

78	Al-Fatawa Al-Khairiyah Linafe Al-Barriyah	Khairuddin bin Ahmad bin Nooruddin Ali Ayyoobi Aleemi Farooqi Al-Ramali	1081 AH
79	Hashiyah Ala Hamish Jameul Fusoolain	Khairuddin bin Ahmad bin Nooruddin Ali Ayyoobi Aleemi Farooqi Al-Ramali	1081 AH
80	Al-Durrul Mukhtar Sharah Tanweerul Absar	Muhammad bin Ali bin Muhammad bin Abdur Rahman bin Muhammad bin Hasan Al-Hisni Al-Marooof Al-Ala Al-Haskafi	1088 AH
81	Al-Fatawa Al-Hindiyah	Shaikh Nizamuddin Burhanpuri Gujarati and a group of great Indian Ulama	1161 AH
82	Hashiyah Al-Tahtawi Ala Maraqi Al-Falah	Allamah Al-Sayyid Ahmad bin Muhammad Al-Tahtawi	1221 AH
83	Hashiyah Al-Tahtawi Ala Al-Durrul Mukhtar	Allamah Al-Sayyid Ahmad bin Muhammad Al-Tahtawi	1221 AH
84	Mala Budda Minhu (Persian)	Qazi Sanaullahh Al-Hindi Panipati	1225 AH
85	Raddul Muhtar Hashiyah Al-Durrul Muhtar (Shami)	Allamah Muhammad Ameen bin Umar bin Abdul Aziz Aabideen Al-Shami	1252 AH
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89	Tarjumah Urdu Al-Durrul Mukhtar	Maulana Muhammad Ahsan Siddiqi Nanautawi	————
90	Al-Tahrirul Mukhtar Hashiyah Raddul Muhtar	Abdul Qadir Al-Rafiee' Al-Farooqi	1283 AH
91	Al-Siyah Fi Kashfi Ma Fi Sharh Al-Wiqayah	Abul Hasanat Muhammad Abdul Hai bin Hafiz Muahammd Abdul Haleem bin Muhammad Amin Lakhnawi	1304 AH
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96	Bahishti Gauhar	Maulana Ashraf Ali bin Abdul Haque Al-Thanawi	1362 AH
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99	Idhahul Isbah Sharah Noorul Idhah	Maulana Ezaz Ali Amrohawi	1374 AH
100	Nailul Maarib Fil Mashi Alal Jawarib	Maulana Mufti Muhammad Shafee Deobandi	1396 AH
101	Umdah Al-Fiqh	Sayyid Zawar Husain Shah	1400 AH
102	Muallimul Hujjaj	Maulana Qari Saeed Ahmad Mufti Madrasah Mazahir Uloom Saharanpur	1432
103	Kashful Hajah Tarjumah Maa Laa Budda Minhu	Maulana Muhammad Nooruddin Islam Abadi	
104	Taharat Ke Ahkam Wa Masail	Maulana Aneesur Rahman Qasmi	Alive
105	Jadid Fiqhi Masail	Mualan Khalid Saifullah Rahmani	Alive

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106	Bidayatul Mujtahid Wa Nihayatul Muqtasid	Muhammad bin Ahmad bin Muhammad bin Ahmad bin Rushd Maliki	595 AH
107	Al-Mughni	Abu Muhammad Abdullah bin Ahmad bin Muhammad bin Qudamah Al-Maqdisi	620 AH

108	A'alamul Muawwiqeen An Rabbil Aalameen	Ibn Al-Qayyim Al-Jauziyah, Muhammad bin Abu Bakr bin Ayyoob bin Saad Zuriee' Hanbali	751 AH
109	Elamus Sajid Bi Ahkamil Masajid	Imam Zarakshi Muhammad bn Abdullah Shafae'	794 AH
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111	Al-Talkhees Al-Habeer	Abul Fazl Ahmad bin Ali bin Muhammad bin Ahmad bin Hajar Al-Kinani Al-Asqalani	852 AH
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121	Hujjatullah Al-Balighah	Shah Waliullah Ahmad bin Abdur Rahim Abu Abdul Aziz Wa Abu Abdullah	1776 AH
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Note: The above-mentioned books are partially included in Fatawa Ulama Al-Hind Vol.2. The names of publishers are mentioned in their respective places.

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(Translation completed by Mufti Muzammil Ali Qasmi on 10th Safar, 1438 AH / 10th November, 2016 after Maghrib Salah.)

