

A GUIDE BOOK

FOR STUDENTS OF HANBALI FIQH

A CONCISE COMMENTARY ON

DALEEL AT-TALIB

MARYEE BIN YOUSUF AL-KARMI AL-HANBALI

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

BOOK OF PURIFICATION¹

1: Types of Water

1.1: Definition of Purification:

The process of deleting ritual impurity² and removing filth³ is called purification.⁴

¹ **TAHARAH** (Purification) in Shariah refers to two meanings:

- (a) Avoiding filth (all the materials that inhibit performing Salaah, if they are on the body or clothes)
- (b) Removing *Hadath* by using water or dust, as directed by Shariah.

[Al-Insaf, vol.1, p.20]

Allah Almighty says:

“Purify your clothes, and keep yourself away from filth.” [74:4-5]

“Surely Allah loves those who turn to Him in repentance and keep themselves clean.” [2:222]

“Certainly the Masjid founded on piety from the very first day is more deserving that you should stand to offer Salah in it; for in it there are men who love to be purified; and Allah loves those who purify themselves.” [9:108]

Several Companions of the Prophet (May Allah shower His blessings and peace on him) reported that Allah’s Apostle (May Allah shower His blessings and peace on him) said, “Purification equals to the half *Eeman* (faith).”

[Musnad Imam Ahmad:H.18476, 23461, 23487, 23527, 23547, Jami at-Tirmidhi:H.3519]

² **HADATH OR RITUAL IMPURITY** means anything that obligates Wudhu or Ghusl. Ritual impurity is of two types:

- (a) **Hadath Akbar /Major Impurity** i.e post-sexual impurity, menses and post-partum bleeding

1.2: Types of water:

There are three types of water⁵:

First: Purifying water, that preserves its original properties, deletes ritual impurity and removes filth.⁶

(b) **Hadath Asghar /Minor Impurity** i.e when a person's ablution has been nullified.
[Kashaf-ul-Qina'a, vol.1, p.26]

³ **NAJASAH or FILTH** means the materials that make the body, clothes or soil etc impure hence inhibit performing Salat. Najasah are of two types:

- (a) **Najasah Ayniah/Physical Filth**: Najasah (filth) that can't be purified at all, including, all the concrete filth, whether dry, moist or liquid. It can't be made pure either by washing it or by changing its composition, like human feces and urine.
- (b) **Najasah Hukmiah/Ritual Filth**: Najasah that can be purified by itself, either by a purifier (water or dust) or by changing its composition, like wine.
[Al-Insaf, vol.1, p.26, Kashaf-ul-Qina'a, vol.1, p.27]

⁴ **Purification** is acquired either by water or stone or dust, details are coming next.

⁵ Water is a main tool to get purified, both from Hadath and Najasah.

The Shari'ah has divided water into three types:

- (i) Purifying Water
- (ii) Pure Water
- (iii) Filthy Water

⁶ **TAHOOR OR PURIFYING WATER**: It is the pure water, acquired from natural sources like rain, sea, river, lake, canal, well etc. Generally, it is colourless, odourless and tasteless; however, in some cases it may be salty or muddy. It is not only pure itself, but has the ability to purify.

(a) **Rain Water**: Allah Almighty says:

"And He it is Who sends the Winds as heralds of glad tidings going before His Mercy and We send down purifying water from the sky." [25:48]

"Remember He covered you with a sort of drowsiness to give you calm as from Himself and He caused rain to descend on you from heaven to clean you therewith to remove from you the stain of Satan to strengthen your hearts and to plant your feet firmly therewith." [8:11]

(b) **River / Canal Water**: Allah Almighty says:

“See you the water which you drink? Do you bring it Down (in rain) from the Cloud or do We?” [56:68-69]

It is already mentioned that rain water is pure. This rain water flows in the form of rivers and streams.

(c) **Sea Water:** Allah Almighty says:

“And two seas are not alike: this, fresh, sweet, food to drink, this (other) bitter, salt. And from them both you eat fresh meat and derive the ornament that you wear.” [35:12]

Of course, drinking water from sweet aquifers in the sea, is pure and sanctity of sea food (Fresh Meat) proves that sea water is pure.

Abu Hurairah (May Allah be pleased with him) reported that a man said to the Allah’s Apostle (May Allah shower His blessings and peace on him), “ O’ Allah’s Apostle! We travel through the sea, and we have a little (sweet) water; if we perform *Wudhu* (ablution) with that water, we shall be left thirsty, so may we perform *Wudhu* with sea water? the Allah’s Apostle (May Allah shower His blessings and peace on him) said, “Sea water is purifier and (eating) its dead (animal) is permissible.”

[Musnad Imam Ahmad:H.7232, 8720, 8899, 9088, 9089, Sunan Abu Dawood:H.83, Jami at-Tirmidhi:H.69, Sunan Ibni Majah:H.386,3246, Sahih Ibni Khuzaimah:H.111, Sahih Ibni Hibban:H.1243]

(d) **Underground Water:** Allah Almighty says:

“And there is not a thing but with Us are the stores thereof. And We send it not down save in appointed measure. And We send the winds fertilizing, and cause water to descend from the sky, and give it you to drink. It is not you who are the holders of the store thereof.” [15:21-22]

“And We send down water from the sky according to (due) measure and We cause it to soak in the soil; and We certainly are able to drain it off.” [23:18]

Both the verses mentioned above allude to the underground water, that comes from the sky, and diffuses down through filtration making underground oceans. This underground water is drawn out through wells or water pumps.

Ali bin Abu Talib (May Allah be pleased with him) reported that the Allah’s Apostle (May Allah shower His blessings and peace on him) ordered to fetch a container of water from Zamzam well, drank its water and performed *Wudhu* with it.

[Musnad Imam Ahmad:H.564]

There are four types of that (pure) water.

Water forbidden to use, neither deletes ritual pollution nor removes filth. It is the unlawful water.⁷

Water that deletes the ritual impurity of a woman, but neither of an adult man nor an effeminate. It is the water that is used by a legally responsible woman alone, for full ritual purification.⁸

The water, that's use is offensive without a necessity, like the water of a well located in a graveyard,⁹ the extremely hot or cold water,¹⁰ the water heated

⁷ The water that has been misappropriated, snatched or stolen, is unlawful to use for the purification. [Al-Insaf, vol.1, p.29, Kashaf-ul-Qina'a, vol.1, p.27]

Abdullah bin Masood (May Allah be pleased with them) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "Whoever takes a false oath to grab a Muslim's property, he will meet Allah the Exalted, whereas He will be angry with him." [Musnad Imam Ahmad:H.3597, Sahih Bukhari:H.2416, Sahih Muslim: H.138]

⁸ Hakam bin Amr (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) forbade a man to make ablution by the water left after purification of a woman. [Musnad Imam Ahmad:H.1801, Sunan Abu Dawood:H.82]

An effeminate is analogous to man in this case.

⁹ Water of the well located in a graveyard is analogous to the well located in the land of people who were punished by Allah Almighty like Aad and Thamood. Water of such destroyed lands, is offensive to use. Though the author of this book did not mention this reason, but other Hanbali scholars have discussed it.

[Al-Insaf, vol.1, p.29, Kashaf-ul-Qina'a, vol.1, p.27]

Abdullah bin Umar (May Allah be pleased with them) reported that When the Allah's Apostle (May Allah shower His blessings and peace on him) landed at Al-Hijr during the Ghazwa of Tabuk, he ordered his companions not to drink water from its well or reserve water from it. They said, "We have already kneaded the dough with its water and also filled our bags with its water." On that, the Prophet (May Allah shower His blessings and peace on him) ordered them to throw away the dough and pour out the water.

[Sahih Bukhari:H.3378]

Abdullah bin Umar (May Allah be pleased with them) reported that the people landed at the land of Thamood called Al-Hijr along with Allah's Apostle (May Allah shower His blessings and peace on him) and they took water from its well for drinking and kneading the dough with it as well. (When Allah's Apostle heard about it) he ordered them to pour out the water

by using **Najasah (filth)**¹¹ or **misappropriated fuel**,¹² the water used in **voluntary purification**,¹³ or **bathing of a disbeliever**,¹⁴ the water that's **changed by aquatic salt**¹⁵ or **by mixing anything insoluble in water e.g *Ood-ul-***

they had taken from its wells and feed the camels with the dough, and ordered them to take water from the well whence the she-camel (of Prophet Salih a.s) used to drink.

[Musnad Imam Ahmad:H.5984, Sahih Bukhari:H.3379, Sahih Muslim: H.2081, Sahih Ibn Hibban:H.6202]

¹⁰ Water that is extremely hot or cold is disliked to use for purification, without necessity, because it inhibits the perfect purification that is required by Shariah or it may be harmful to health.

Allah Almighty says:

"Don't kill yourselves, verily! Allah Almighty is the Merciful to you."[4:29]

Abu Hurairah (May Allah be pleased with them) reported that Allah's Apostle (May Allah shower His blessings and peace on him) said, "When I forbid you from doing something, avoid it and when I command you to perform something, do it according to your capacity."

[Musnad Imam Ahmad:H.7361, 9519, 10716]

Amr ibn al-'As (May Allah be pleased with them) reported that, "I had a sexual dream on a cold night in the battle of Dhat as-Salasil. I was afraid, if I showered, I would die. I, therefore, performed *Tayammum* and led my companions in the Fajr prayer. They mentioned that to the Apostle of Allah (May Allah shower His blessings and peace on him). He said: Amr! you led your companions in prayer while you were sexually defiled? I informed him of the cause which impeded me from bathing. And I said: I heard Allah say: "Do not kill yourselves, verily Allah is Merciful to you." The Apostle of Allah (May Allah shower His blessings and peace on him) laughed and did not say anything.

[Musnad Imam Ahmad:H.17965, Sunan Abu Dawood:334]

Uthman bin Affan (May Allah be pleased with them) reported that Allah's Apostle (May Allah shower His blessings and peace on him) said, "One who performs *Wudhu* well, then goes to perform obligatory Salaah and performs it, his sins are forgiven."

[Musnad Imam Ahmad:H.516]

¹¹ The reason behind offensiveness of water heated by using filth, is impermissibility of burning filth as a fuel.

¹² Misappropriated fuel is forbidden to use. See footnote No.7, so water heated by such a fuel is offensive to use.

¹³ See footnote no..

¹⁴ A man, Muslim or Non-Muslim, is pure and clean inherently. But Muslim scholars differ on the issue. Some Muslim scholars believe that non-Muslims are impure inherently, so when they take bath, they make the water in the container impure by inserting their hands into it. Though Hanbalis do not believe in it, still they consider it offensive to use the water for purification that has been left over in the container after bathing of a disbeliever, just for avoiding the fear of controversy.

[Manar-us-Sabeel, vol.1, p.26]

¹⁵ The water body running or stagnant on a saline soil is saline too. Using such saline water for purification is offensive, without necessity. The reason for offensiveness is losing original

***Qamari (Aromatic Wood), traces of Kafoor (camphor) and oil.*¹⁶ Using Water of *Zamzam* (a sacred well at *Makkah*) for cleaning ritual impurity is not offensive, but to remove filth.¹⁷**

The water that's use is not offensive like water of ocean, wells, springs, streams¹⁸ and bath-house.¹⁹ Using heated water by sun²⁰ and altered water being stagnant for long time²¹ or by the air coming from carrion,²² or by

property of pure water. Though this saline water resembles with marine water, but these are not identical perfectly, so its use is declared offensive to avoid fear of controversy.

¹⁶ The substances mentioned in the text are insoluble in water, though they do not change the property of water altogether, still some scholars believe that such water loses its originality and ability to purify, that is why using such water for purification is offensive, to avoid the fear of controversy.

¹⁷ Using water of the sacred well Zamzam, for ritual purification i.e *Wudhu* and *Ghusl*, is permissible, but using for removing filth after relieving one-self, is offensive, for the sake of its sanctity. [Al-Insaf, vol.1, p.28, Kashaf-ul-Qina'a, vol.1, p.26]

Ali bin Abu Talib (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) ordered to fetch a container of water from Zamzam well, drank its water and performed *Wudhu* with it. [Musnad Imam Ahmad:H.564]

¹⁸ See the footnote no.6.

¹⁹ Using water of a bath-house for purification is permissible, because the Companions of the Prophet (May Allah shower His blessings and peace on him) used to visit bath-houses. [Al-Insaf, vol.1, p.28, Kashaf-ul-Qina'a, vol.1, p.25]

²⁰ Water heated by the sunlight is analogous to the water heated by burning pure fuel. [Al-Insaf, vol.1, p.24, Kashaf-ul-Qina'a, vol.1, p.24]

Asla'a bin Shareek reported, "I used to prepare the she-camel of the Prophet (May Allah shower His blessings and peace on him) for travelling, while I got impure due to Janbah(post-sexual impurity) in a cold night I had to prepare the Prophet's she-camel, but I disliked to do this in the state of post-sexual impurity. I was afraid of death in case of bathing with cold water. So I put stones (for making stove), heated water and took bath. Then I met the Prophet (May Allah shower His blessings and peace on him) and on asking about the preparation, I told him the whole story.

[Sunan Al-Bayhaqi:H.10]

Aslam, librated slave of Umar (May Allah be pleased with him), reported that the water was heated in Qumqumah (a narrow-necked container) for Umar (May Allah be pleased with him) and he took bath with it.

[Musannaf Ibni Abi Shaybah:H.256, Sunan Al-Bayhaqi:H.11]

The narration that Umar (May Allah be pleased with him) disliked to take bath with water heated by sunlight, is extremely weak, while the Hadith narrated by Ayesha (May Allah be pleased with her) regarding prohibition of this action is fabricated. (Maudhuaat Ibnul Jauzi)

²¹ The water that is altered by remaining stagnant for a long time, either in a container or a water body like a pond, is permissible to use for purification.

mixing something inevitable like algae and leaves of a tree, that have not been added to water intentionally.²³

Second: The pure water that is permissible to use for other purposes, except for deleting ritual impurity and removing filth.²⁴ It is the water whose dominant colour, taste or odour is altered by dissolving something pure.²⁵ If

[Al-Insaf, vol.1, p.22, Kashaf-ul-Qina'a, vol.1, p.24-25]

²² It is agreed upon among the Muslim scholars, that air coming from the side of carrion does not pollute the water present on the way of that air. [Manar-us-Sabeel, vol.1, p.28]

²³ Aquatic plants and animals or falling leaves of nearby trees in water may change the properties of water body, but this change is inevitable, so such water is permissible to use for purification. [Kashaf-ul-Qina'a, vol.1, p.24]

²⁴ **PURE BUT NOT PURIFYING:** This is the second type of water that is inherently pure but loses its ability to purify. This water can be used for other purposes, like drinking, washing hands and face just to remove dust or dyes etc, taking bath just with intention of cooling body or removing dust, washing vessels, clothes or floor, that are not defiled with a filth. [Al-Insaf, vol.1, p.28, Kashaf-ul-Qina'a, vol.1, p.25]

The reason for this water being pure is that no filth has been added to it, so it retains its original pure quality. It is also concluded from the following Hadith:

Jabir (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) came to visit me while I was sick and unconscious. He performed ablution and sprinkled the remaining water on me and I became conscious and said, "O Allah's Apostle! To whom will my inheritance go as I have neither ascendants nor descendants?" Then the Divine verses regarding *Fara'id* (inheritance) were revealed.

[Musnad Imam Ahmad:H.14349, Sahih Bukhari:H.194, 4577, Sahih Muslim:H.1616, Sahih Ibn Hibban:H.1266, Sahih Ibn Khuzaimah:H.106]

There are two types of this pure water:

- (a) Water that loses its original colour, odour or taste, by dissolving something pure
- (b) The water used for ritual purification

²⁵ When some pure substance is dissolved in water, that changes its dominant colour, odour or taste, it remains pure, but loses its ability to purify. The reason for this ruling is as following:

Allah Almighty says:

"If you are sick, or on a journey, or one of you has used the toilet, or has had contact with women and can find no water, then make Tayammum, take some clean soil and rub your faces and hands with it. Allah is the Lenient, the Forgiving.." [4:43]

this change disappears by itself, it acquires ability to purify again.²⁶ It also includes the small quantity of water that is used to delete ritual impurity²⁷ or

Abu Zar Al-Ghifari (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "Verily! Pure dust is a means of purification for you until you find water, even after ten years, and when you find water, clean your skin with it."

[Musnad Imam Ahamad:H.21629, 21630, 21698, Sunan Abu Dawood: H.332, Jami at-Tirmidhi:H.124]

Shariah recommends *TAYAMMUM* (Dry Ablution with Dust), when someone can't find water for ablution, instead of making ablution with other liquids like fruit juices, milk, oil and vinegar. Even *Nabeedh* (Date Syrup) can't be used for ritual purification. The water, that loses its original properties by dissolving something pure, whether it is baked or not, is not allowed to use for ritual purification and removal of filth. For example when saphron, camphor, dye etc is added to water and it dominates water's colour, odour or taste, then it loses its originality. Now the water is attributed to the substance dissolved in it. Likewise when some grains, flowers or fruits are baked in water, it again loses its originality and it is called now Rose Water, Barley Water etc. So, despite being pure, such altered water neither deletes ritual impurity nor removes filth.

[Al-Insaf, vol.1, p.32-34, Kashaf-ul-Qina'a, vol.1, p.29]

There is an exception for dust/soil. When soil is added to water naturally or artificially, the water retains its ability to purify, provided that the water can flow normally, retaining its liquidity, without turning into mud. The reason for this exception is that Shariah considers soil, a mean of ritual purification, as described in the aforementioned verse and Hadith.

[Al-Insaf, vol.1, p.35, Kashaf-ul-Qina'a, vol.1, p.29]

²⁶ Because it has restored its original properties.

²⁷ **THE USED WATER:** The water that has been used for washing body or some of its parts in case of deleting ritual impurity, like obligatory *Wudhu* (Ablution) or *Ghusl* (Ritual Bath), is considered pure but loses its ability to purify. It is the water that flows over the body and drops down, while making ritual purification. It does not imply to the water left over in the container, provided that he/she washed his/her hand three times before putting it into the container. Dropping of a few drops of used water into the container, unintentionally, does not affect the originality of water, because, minuscule is overlooked in general.

[Al-Insaf, vol.1, p.36, Kashaf-ul-Qina'a, vol.1, p.29-30]

Abu Hurairah (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, " None of you should take bath in stagnant water, when he is post sexually defiled." They said, "O' Abu Hurairah! What should he do?" He replied, "He should take out water (by means of a vessel)."

[Sahih Muslim:283, Sunan Ibni Majah:H.605]

the water in which a legally responsible Muslim inserts his hand prior to washing it three times, with intention and saying *Bismillah* بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ after awakening from night sleep, that invalidates *Wudhu* (ablution), as this (washing hands three times before inserting in water) is an obligation.²⁸

When a person, who requires ritual purification, puts his hand into small quantity of water with intention of purification, without washing it three times, it is also considered used water, that can't be used for ritual purification. That is why Allah's Apostle (May Allah shower His blessings and peace on him) forbade to take bath in stagnant water, because water will turn 'used' by inserting any body part into it. See detail in next foot note.

²⁸ Abu Hurairah (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "Whoever wakes up from his sleep should wash his hands thrice before putting them in the water for ablution, because nobody knows where his hands were during sleep."

[Musnad Imam Ahamad:H.7590, 7802, Sahih Bukhari:H.194, 4577, Sahih Muslim:278]

The text concludes as follows:

1. It implies only to the person who gets up from the night sleep.
2. The sleep should be deep enough to invalidate *Wudhu*.
3. If the person is not sexually defiled, then it will apply only to his hands, rather other body parts.
4. Children, insane people and disbelievers are exempted from this command.
5. Washing thrice is an obligation.
6. It implies when he has intention of ritual purification.
7. Obligation of washing hand thrice implies when water is small in quantity.
8. It implies only to water not to other liquids.

[Al-Insaf, vol.1, p.40-45, Kashaf-ul-Qina'a, vol.1, p.30-33]

The text, being concise, mentions only the obligatory position. However, washing hands before putting into water or touching any food, is recommended all the time for every person, Muslim or Non-Muslim, children or elders, whether they do not sleep at all, whether they have no intention of ritual purification, whether the water in the vessel or food is large in quantity.

Salman Al-Farisi (May Allah be pleased with him) reported that I read in *Taurah* that there is blessing in washing hands after taking meal. I told Allah's Apostle (May Allah shower His blessings and peace on him) what I read in *Taurah*. He said, "There is blessing in washing hands before and after meal." [Musnad Imam Ahamad:H.24133]

Mansoor bin Younus Al-Buhuti Al-Hanbali said:

"Washing hands before meal is Sunnah (recommended) and after it as well."

Third: The filthy water, that is forbidden to use, except in a case of necessity, neither deletes pollution nor removes filth. It is the water, when filth drops into it and it is small in quantity (though its properties do not change), or it is in large quantity and one of its properties changes.²⁹

[Ar-Raudh-ul-Murbi:P.419]

²⁹ **THE FILTHY WATER:** When a filth mixes with water, there may be two possibilities:

(a) WHEN WATER IS SMALL IN QUANTITY:

If pure water is small in quantity and some impure substance or filth drops into it, it turns impure and filthy, whether none of its properties changes.

The water less than two *QULLAHS* (Specific Water Containers) is considered small in quantity.

Abdullah bin Umar (May Allah be pleased with them) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) was asked about water in desert country and what is frequented by animals and wild beasts. He replied: When there is enough water to fill two Qullahs (pitchers), it bears no impurity.

[Musnad Imam Ahamad:H.4605, 4753, 4803, 4961, 5855, Sunan Abu Dawood:H.63, 64, 65, Jami at-Tirmidhi:H.67, Sunan Ibni Majah:H.517, 518, Sahih Ibni Hibban:H.1249, Sahih Ibni Khuzaimah:H.92]

It is clear that water less than two *QULLAHS*, gets impure on mixing with some impurity.

Abu Hurairahh (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "If a dog drinks from the utensil of anyone of you it is essential to wash it seven times."

[Musnad Imam Ahamad:H.7440 Sahih Bukhari:H.172, Sahih Muslim: H.279, Sahih Ibni Hibban:H.1296, Sahih Ibni Khuzaimah:H.98]

This Hadith indicates that dog's saliva makes small quantity of water impure, whereas its saliva does not change colour, odour or taste of that water generally.

The following Hadith also fortifies this ruling:

Kabshah, daughter of Ka'b bin Malik (May Allah be pleased with him) and wife of Ibni Abu Qatadah, reported that Abu Qatadah (May Allah be pleased with him) visited (me) and I poured out water for him for ablution. A cat came and drank some of it and he tilted the vessel for it until it drank some of it. Kabshah said: He saw me looking at him (with wonder); he asked me: Are you surprised, my niece? I said: Yes. He then reported the Messenger of Allah (May Allah shower His blessings and peace on him) as saying: It is not unclean; it is one of those (males or females) who go round among you.

[Musnad Imam Ahamad:H.22950, 23013, Sunan Abu Dawood:H.75, Jami at-Tirmidhi:H.92, Sahih Ibni Hibban:H.1299, Sahih Ibni Khuzaimah:H.104]

Kabshah bint Ka'ab was surprised thinking that the little water would get impure when a cat drinks from it, assuming the cat unclean. The companion of the Messenger of Allah (May Allah shower His blessings and peace on him) Abu Qatadah (May Allah be pleased with him), confirmed her perception in a way and rejected her assumption on the other hand, by declaring that cat and its saliva is not unclean. His words prove that if the cat's saliva would be impure, the little water in the utensil would become impure.

Here are more examples for avoiding small amount of filth when mixed in water:

Salama bin Al-Akwa'a (May Allah be pleased with him) reported that we went out with the Prophet (May Allah shower His blessings and peace on him) to Khaibar. A man among the people said, "O' Amir! Will you please recite to us some of your poetic verses?" So Amir got down and started chanting among them, saying, "By Allah! Had it not been for Allah, we would not have been guided. Amir also said other poetic verses which I do not remember. Allah's Apostle said, "Who is this (camel) driver?" The people said, "He is Amir bin Al-Akwa'a." He said, "May Allah bestow His Mercy on him." A man from the People said, "O' Allah's Apostle! Would that you let us enjoy his company longer." When the people (Muslims) lined up, the battle started, and Amir was struck with his own sword (by chance) by himself and died. In the evening, the people made a large number of fires (for cooking meals). Allah's Apostle (May Allah shower His blessings and peace on him) said, "What is this fire? What are you making the fire for?" They said, "For cooking the meat of donkeys." He said, "Throw away what is in the pots and break the pots!" A man said, "O' Allah's Prophet! May we throw away what is in them and wash them?" He said, "Never mind, you may do so."

[Musnad Imam Ahamad:H.16640, Sahih Bukhari:H.2477, Sahih Muslim: H.1802, Sahih Ibni Hibban:H.5276]

Abu Tha'alabah al-Khushni (May Allah be pleased with him) reported that I said, "O' Allah's Apostle (May Allah shower His blessings and peace on him) we live in the country of the People of the Book, indeed they eat pork and drink wine, so what we do with their utensils?" He said, "If you do not find the utensils except theirs, then wash them with water and cook in them and drink." [Musnad Imam Ahmad:H.17889]

These Hadiths reveal the general trend of Allah's Apostle (May Allah shower His blessings and peace on him), his companions (May Allah be pleased with them) and their descendants, regarding slight amount of filth, even if it does not alter the properties of water apparently.

(b) WHEN WATER IS LARGE IN QUANTITY:

The water that's volume is equal or greater than two *QULLAHS* is considered large in quantity. When water is large in quantity and something impure or filth drops into it, there are two possibilities:

- (i) The colour, odour or taste of this water may be changed. In this case the water is impure/unclean and unlawful to use for purification. All Muslim scholars agree on this issue.

Abu Umamah al-Bahily (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "Nothing makes water impure, except that changes its odour, taste or colour."

[Sunan Ibni Majah:H.521]

It is notable that impurity of water is *Najasah Hukmiyah* (Ritual Filth), because it can be purified, while *Najasah Ayniyah* (Physical Filth) can't be purified.

[Al-Insaf, vol.1, p.64]

See also foot note no.30.

- (ii) If human feces or urine mixes up with large quantity of water, and none of the characteristics of water get changed. In this case the water is considered filthy. The author (Maryee bin Yousuf r.a) and majority of the later scholars do not make any exception for human feces and urine, while great majority of former Hanbali scholars, including Muhammad bin Husain Al-Khirqi, Qadhi Abu Ya'ala, Ibni Abdoos, Abu Muhammad Ibni Qudamah Al-Maqdasi, Abu Abdullah Muhammad bin Abdullah Az-Zarkashi etc view that if human feces or urine drops into large quantity of water, it turns impure, even if none of its characteristics change at all, except when the water body is so large, that it can't be drained out without extreme difficulty, like large pools. Three pupils of Imam Ahmad bin Hanbal r.a, Salih bin Ahmad, Al-Maruzi and Abu Talib r.a, reported this view from him.

[Al-Insaf, vol.1, p.60-63, Kashaf-ul-Qina'a, vol.1, p.37-38, Al-Mughni, vol.1, p.37 , Sharh Az-Zarkashi, vol.1, p. 14-17]

The following Hadith supports the view of former scholars.

Abu Hurairah (May Allah be pleased with him) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "Do not urinate in stagnant water, that does not flow, then do not take bath in it after urinating."

[Musnad Imam Ahmad:H.8171, Sahih Bukhari:H.239, Sahih Muslim:H.282]

So it is better and safer to avoid using water in which human feces or urine is added, even if the characteristics of water do not change, except when the water body is very large.

If the change disappears by itself or by adding pure water to it, or by draining it out leaving behind large quantity of pure water, then it turns pure.³⁰ The large quantity of water equals to two *Qullahs* (Large Water Containers) of *Hajar* (a town in Saudi Arabia) approximately, and the volume lesser than it (i.e two *Qullahs*) is regarded small quantity of water.³¹ Two *Qullahs* equal to

THE RUNNING WATER:

It is notable that running water is analogous to stagnant water, in all aforementioned rulings. [Al-Insaf, vol.1, p.59]

³⁰ **PURIFICATION OF LARGE WATER BODY:** The author describes here the methods of purification of a large water-body, that gets changed, by mixing up some filth or impurity. There are three possibilities:

- a) There is an agreement in the madhab, that when non-human filth drops into large quantity of water and any of its property is changed, but by lapsing time, the colour, odour and smell of the filth disappears by itself, then water turns pure, because it got its originality. [Al-Insaf, vol.1, p.65, Kashaf-ul-Qina'a, vol.1, p.39]
- b) The second method is to add as much pure water to the large filthy water, that removes the colour, odour and taste of filth altogether, except when the filth is human urine or feces. [Al-Insaf, vol.1, p.64]
- c) When the mixed filth is other than human urine or feces, the third method of purification of filthy water, is to drain out as much water, that the colour, odour and taste of filth disappears and, the water left behind is still in large quantity (more than two *QULLAHS*).

If human urine or feces is mixed with water, then as much water is required to add, that the sum total becomes nearly impossible to drain out altogether.

[Al-Insaf, vol.1, p.65, Kashaf-ul-Qina'a, vol.1, p.39]

It is notable that if filthy water is less than two *QULLAHS* (200 litres), and a small quantity of pure water is added to that filthy water to make it equal to two *QULLAHS*, still this collective large quantity of water remains impure.[Al-Insaf, vol.1, p.67]

³¹ The volume of water is considered large if it is equal or more than two *QULLAHS*, and small if it is lesser than two *QULLAHS*. *QULLAH* is an Arabic construction used for a specific water container, that was generally used for storing water in the time of Prophet Muhammad (May Allah shower His blessings and peace on him) throughout Arabian sub-Continent. The term *QULLAH* appears in the following Hadith:

Abdullah bin Umar (May Allah be pleased with them) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) was asked about water in desert country and what is frequented by animals and wild beasts. He replied: When there is enough water to fill two *Qullahs* (pitchers), it bears no impurity.

[Musnad Imam Ahamad:H.4605, 4753, 4803, 4961, 5855, Sunan Abu Dawood:H.63, 64, 65, Jami at-Tirmidhi:H.67, Sunan Ibni Majah:H.517, 518, Sahih Ibni Hibban:H.1249, Sahih Ibni Khuzaimah:H.92]

five hundred *Ratl* of Iraq, while it equals to eighty *Ratl* and two and half *Sub'as* of Al-Quds (Jerusalem).³² This volume equals to a cube having each side of length one *Dhira'a* (Cubit) and its quarter.³³ If the pure water is in large quantity and does not change by dropping filth into it, it remains pure, whether the filth persists in it.³⁴ If it is doubtful, whether the water is in large quantity or not, then it is considered filthy.³⁵ If it is doubtful, whether,

The reason to specify the containers (pitchers) of Arab town Hajar, seems that the water containers of Hajar, were most famous, and perhaps the largest in capacity.

[Al-Mughni:vol.1, p.23]

³² The author describes the volume of two *QULLAHS*, in terms of the volumetric units of Arab world, that were in practice of his time. *Ratl* and *Sub'a* are units of volume and weight. These units differed in measure, in different regions of Arab world. Imam Ahmad bin Hanbal r.a lived in Iraq, so he described this measure in Iraqi units. Two *QULLHAS*, equal to 500 *Ratl* Iraqi. While in units of Ash-Sham (Jerusalem) this measure equals to eighty *Ratl* and two and half *Sub'as*.

³³ The author gives here an alternative way of measurement of the said volume. *Dhira'a* is synonym to cubit, that is the distance of elbow from the tip of middle finger. One *Dhira'a* equals to 48 cms approximately, that is the average measure of *Dhira'a* (cubit) of an ancient Arab. So one *Dhira'a* and its quarter equals to 60 cms = 6 dms (app). Hence the volume of two *Qullah's* equals to $6 \times 6 \times 6 \text{ dms} = 216 \text{ dm}^3$ or litres. This measurement can be double checked by another method. Imam Mansoor bin Yunus Al-Buhooti r.a said that one Iraqi *Ratl* equals to 90 *Mithqaals*. [Kashaf-ul-Qina'a, vol.1, p.44]

Contemporary scholars differ on the exact equivalent of *Mithqaal* in decimal system of international units. Shaykh Salih bin Fauzan Al-Fauzan r.a said that *Nisab* of Zakat for gold is 92 grams that is equal to 20 *Mithqaals*. [Al-Muntaqa min Fatawa Salih bin Fauzan, vol.2, p.295]

Comparing these two values, 500 *Ratls* (2 *Qullahs*) equals to 207 litres. Great majority of scholars agree that two *QULLAHS* are for approximate value, that may be slightly smaller or greater from the specific measurement. So when water is approximately 200 litres in volume, it can be considered a large quantity of water. We used approximate values in these calculations, for all the measurements. Definitely the concluded value is approximate as well.

³⁴ If filth, except human feces and urine, drops into a large quantity of water there are two possibilities:

- a) The filth may be in very small quantity, that disappears in the large water and none of its properties changes. In this case the entire water body is pure and clean.
- b) The filth may be in large quantity, but too small to change the entire water body, still does not disappear in short time and persists in the water. However, some properties of water layers around this visible filth would be changed inevitably. In this case the layers of water that has been changed, are filthy, while the rest of the water body is pure and clean. [Al-Insaf, vol.1, p.63, Kashaf-ul-Qina'a, vol.1, p.35]

³⁵ If a person observes that some filth has been added to water and its properties do not change, but he can't decide at the spot, whether the water is lesser or more than two

purification with that water is permissible or not, then do not rely upon guess work, but, make *Tayammum*, without throwing it away.³⁶ It is obligatory for a person who knows about the filthy water, he should inform other person who intends to use that water.³⁷

QULLAHS (200 litres) and he needs water at that time, in this case he should consider the water filthy for the sake of precaution. [Al-Insaf, vol.1, p.71-72, Kashaf-ul-Qina'a, vol.1, p.43]

³⁶ In the case mentioned in the previous footnote, he should not rely upon guesswork, but perform *Wudhu* without throwing away the water.

³⁷ When a person knows about the water that it is filthy, he should inform the other people about its impurity, who intend to use that water. [Al-Insaf, vol.1, p.76]

Abdullah bin Abbas (May Allah be pleased with them) reported that the Allah's Apostle (May Allah shower His blessings and peace on him) said, "Deen (religion) is the name of good advice."

[Musnad Imam Ahmad:H.3281]

