

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Sharḥ Maʿāni al-Āthār
ʿan Rasūlillāhi ﷺ fi 'l-Aḥkām

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Explanation of the Meanings of the Traditions
from the Messenger of Allah ﷺ on Laws

IMAM ABŪ JAʿFAR AḤMAD IBN MUḤAMMAD
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DEDICATION



*To Imam Abū Yūsuf and
Imam Muḥammad al-Shaybānī*

CONTENTS

PUBLISHER'S FOREWORD	13
EDITOR'S PREFACE	15
IMAM ṬAḤĀWĪ'S INTRODUCTION	22
THE BOOK OF PURIFICATION	23
1. Water into which impurity falls	23
2. Water left over by a cat	40
3. Water left over by a dog	46
4. Water left over by human beings	52
5. Pronouncing the Name of Allah over <i>wudu'</i>	61
6. <i>Wudu'</i> for the prayer: [should each element be washed] once or three times	67
7. The obligation of wiping the head in <i>wudu'</i>	71
8. The ruling on the ears in <i>wudu'</i> for the prayer	75
9. What is obligatory for the feet when performing <i>wudu'</i> for the prayer	82
10. Is it obligatory [to perform] <i>wudu'</i> for every prayer or not?	101
11. What should a man do when pre-ejaculatory fluid issues from his penis?	111
12. The ruling on semen: is it pure or impure?	117
13. Someone who has sexual intercourse without ejaculating	129
14. Eating that which has been changed by fire (i.e. by cooking it); does it make <i>wudu'</i> obligatory or not?	147
15. Is <i>wudu'</i> made obligatory by touching the private parts or not?	169
16. How long may a person wipe over his <i>khuff</i> when he is resident and when he is travelling?	188
17. Whether someone who is in a state of <i>janābah</i> , someone who is menstruating, or someone who is not in <i>wudu'</i> , may recite the Qur'an	202
18. The ruling on the urine of a boy and girl before they reach the age where they can eat solid food	216
19. Should a man who only finds the <i>nabīdh</i> of dates perform <i>wudu'</i> with it or perform <i>tayammum</i> instead?	223
20. Wiping over Sandals	227
21. How does a woman emitting blood due to a dysfunctional uterine (<i>istiḥāḍah</i>) purify herself for the prayer?	230
22. The ruling on the urine of those animals whose meat is permissible to eat	248
23. The description of how <i>tayammum</i> should be done	253
24. Taking a <i>ghusl</i> on the day of Jumu'ah	262
25. Using stones to clean oneself [after going to the toilet] (<i>istijmār</i>)	275

26. Cleaning oneself with bones after going to the toilet	282
27. A person in a state of <i>janābah</i> who wants to sleep, eat and drink, or have sexual intercourse	286
THE BOOK OF PRAYER	
1. How the <i>adhān</i> should be called	299
2. How the <i>iqāmah</i> should be called	304
3. The <i>muʾadhdhin</i> saying ‘ <i>aṣ-ṣalātu khayrun mina’n-nawm</i> —Prayer is better than sleep’ in the <i>Ṣubḥ</i> prayer	313
4. Should the <i>adhān</i> of Fajr be before or after the time of Fajr starts?	315
5. Two men, one calling the <i>adhān</i> and the other calling the <i>iqāmah</i>	324
6. What someone is recommended to say when he hears the <i>adhān</i>	327
7. The times of the prayer	336
8. How one joins two prayers together	362
9. Which of the prayers is the middle prayer?	376
10. The time at which Fajr should be prayed	394
11. The recommended time in which to pray the <i>Zuḥr</i> prayer	412
12. Should ‘ <i>Aṣr</i> be delayed or prayed at the beginning of its time?	423
13. How high should a person raise his hands when entering into the prayer?	433
14. What is said in the prayer after the <i>Takbīrat al-Iftitāḥ</i> ?	438
15. Reciting ‘ <i>Bismillāhi’r-raḥmāni’r-raḥīm</i> —In the Name of Allah, All-Merciful, Most Merciful’ in the prayer	443
16. Quranic recitation during <i>Zuḥr</i> and ‘ <i>Aṣr</i>	455
17. Quranic recitation in the <i>Maghrib</i> prayer	469
18. Quranic recitation behind the Imam	479
19. Should one say the <i>takbīr</i> when going down [into prostration or <i>rukūʿ</i>] during the prayer?	493
20. Should one raise one’s hands when saying the <i>takbīr</i> for going into <i>rukūʿ</i> , coming out of <i>rukūʿ</i> and going into prostration?	498
21. <i>Taṭbīq</i> (placing the fingers of one’s hands together and putting them between the knees) in <i>rukūʿ</i>	513
22. The minimum length of time one must spend in <i>rukūʿ</i> and prostration for the prayer to be valid	522
23. What should be said in <i>rukūʿ</i> and prostration	525
24. When the Imam says ‘ <i>Samīʿa’llāhu li man ḥamidah</i> —Allah hears the one who praises Him,’ should he then say, ‘ <i>Rabbanā wa laka’l-ḥamd</i> —Our Lord, praise belongs to You’?	536
25. The <i>qunūt</i> in the <i>Fajr</i> prayer and in other prayers	543
26. Should a person place his hands or his knees on the ground first when he goes into prostration?	567
27. Whereabouts should the hands be placed when a person is in prostration?	574

CONTENTS

28. How should a person sit in the prayer?	577
29. What form should the <i>tashahhud</i> take in the prayer?	585
30. How should the <i>salām</i> in the prayer be?	598
31. Is the <i>salām</i> one of the obligatory elements or one of the <i>Sunnah</i> elements of the prayer?	611
32. <i>Witr</i> —a <i>rakʿah</i> at the end of the night	620
33. Quranic recitation in the two [<i>Sunnah</i>] <i>rakʿahs</i> of Fajr	662
34. The two <i>rakʿahs</i> after ʿAṣr	672
35. Where an Imam should position two other men when they are praying with him	686
36. How should the fear prayer be performed?	691
37. If a man is in a combat situation and the prayer time arrives whilst he is on horseback, does he perform the prayer or not?	713
38. What form does <i>al-istisqāʾ</i> (asking for rain) take, and is there a prayer that is part of it?	715
39. How should the eclipse (<i>al-kusūf</i>) prayer be prayed?	726
40. What form does the recitation in the eclipse prayer take?	741
41. What form do daytime and nighttime supererogatory prayers take?	745
42. What form do the supererogatory prayers after Jumuʿah take?	750
43. Is it permissible for someone who enters into his prayer from a sitting position to do <i>rukūʿ</i> standing up?	753
44. Supererogatory prayers in the mosque	757
45. Supererogatory prayers after <i>Witr</i>	759
46. How should recitation be performed during night prayers?	769
47. Combining more than one <i>sūrah</i> in a <i>rakʿah</i>	772
48. In the month of Ramaḍān, is it better to pray the night prayer at home or with the Imam?	780
49. Are there prostrations in the <i>Mufaṣṣal</i> or not?	785
50. What should a man do if he prays the prayer at home and then comes to the mosque and finds the people in the process of praying the Congregational prayer?	805
51. Should a man pray two <i>rakʿahs</i> if he enters the mosque on the day of Jumuʿah and finds the Imam in the process of delivering the <i>khuṭbah</i> ?	810
52. If a man who has not yet prayed [the two <i>Sunnah rakʿahs</i> of Fajr] enters the mosque after the Imam has already started praying [the obligatory] Fajr prayer, should he pray [those <i>rakʿahs</i> before joining the Imam]?	824
53. Performing the prayer in a single garment	836
54. Praying in camel pens	850
55. Should the Imam pray the ʿĪd prayer on the day after the ʿĪd if he misses doing it on the ʿĪd?	856
56. Praying inside the Kaʿbah	860

57. Someone who prays behind the prayer row on his own	869
58. What should someone do if the Sun rises after he has completed only one <i>rak'ah</i> of <i>Ṣubḥ</i> ?	878
59. A healthy person praying behind a sick person	886
60. Can someone pray an obligatory prayer behind someone who is praying a supererogatory prayer?	896
61. Reciting particular <i>sūrahs</i> in particular prayers	903
62. The travel prayer	909
62. Is it permissible or not to pray <i>Witr</i> on the back of one's riding beast when travelling?	936
63. When someone has doubt during the prayer regarding whether he has prayed three or four <i>rak'ahs</i>	942
64. Should the prostration for forgetfulness in the prayer be done before or after the <i>salām</i> ?	957
65. Speaking in the prayer when the Imām is forgetful during it	968
66. Making gestures in the prayer	987
68. Does passing in front of someone doing the prayer break his prayer or not?	996
68. How should someone make up the prayer if he forgets it or sleeps through its time?	1009
69. Does the tanning process make [the skin] of carrion (unslaughtered) animals pure or not?	1016
70. Is the upper leg part of the <i>ʿawrah</i> or not?	1026
71. When it comes to supererogatory prayers, is it better to make the recitation long or to pray lots of <i>rak'ahs</i> ?	1032
THE BOOK OF FUNERALS	1035
1. How should one walk in a funeral procession?	1035
2. Whereabouts should one walk in relation to the dead body being carried on the bier?	1039
3. Should people stand up when a funeral procession goes past them?	1050
4. Where should the man performing the funeral prayer stand with respect to the dead body?	1061
5. Should the funeral prayer be prayed in the mosque or not?	1064
6. How many <i>takbīrs</i> should there be in the funeral prayer?	1067
7. Performing the [funeral] prayer over martyrs (<i>shahīds</i>)?	1081
8. Should the funeral prayer be prayed over children/infants when they die?	1091
9. Walking on the ground between graves wearing sandals	1096
10. Burying the dead at night	1102
11. Sitting on top of graves	1106

PUBLISHER'S FOREWORD

IN THE NAME OF ALLAH, the Most Merciful and Compassionate. I bear witness that there is no god but Allah, alone without partners, and that Muḥammad is his servant and Messenger. I invoke the blessings of Allah and His peace upon His final Messenger, Muḥammad, his family and Companions, along with all those who follow them in goodness till the Day of Rising.

After Turath Publishing's successful publication of the *Kitāb al-Āthār* of Imam Abū Ḥanīfah and the *Muwattaʿa* of Imam Muḥammad, it was only apt that Imam Abū Jaʿfar aṭ-Ṭaḥāwī's monumental work, *Sharḥ Maʿānī al-Āthār*, should follow and be presented to the English readership. Combining mastery of the *ḥadīth* sciences and the piercing insight of a jurist, *Sharḥ Maʿānī al-Āthār* is perhaps the greatest demonstration of Imam Dhahabī's praise of Imam Ṭaḥāwī: 'Whoever looks at the works of this imam will realise his position and his extensive knowledge.'

Primarily a thorough substantiation of the Ḥanafī legal school, of which Imam Ṭaḥāwī features as one of its most prominent scholars, *Sharḥ Maʿānī al-Āthār* is not just a work whose benefit is limited to Ḥanafī scholars and students; but it is in fact a profound *ḥadīth* compilation in its own right, with *aḥādīth* exclusive to Imam Ṭaḥāwī through his own chains of transmission that cannot be found elsewhere. Furthermore, the *ḥadīth* evidence of other schools of law and imams amongst the Predecessors (*salaf*) is presented therein.

When I mentioned this project to *Shaykh al-Islām* Shaykh Muhammad Taqī Usmani he suggested that we should have the work fully referenced with the grading of each *ḥadīth*. So I approached the great *muḥaddith* who is also known as *baḥr al-ʿulūm*, or the Ocean of Knowledge, at Dār al-ʿUlūm Deoband, Shaykh Niʿmatullāh al-Aʿzamī, to see if he could take up this tremendous task. He made *istikhārah* and accepted to take the task on. I pray that Allah bless him in this world and the next. *Āmīn*. He is truly a man of piety and one who relies solely on Allah.

I would also like to thank Imam Abdassamad Clarke for starting the initial translation process and thereafter Shaykh Habib Bewley for completing the translation in a very diligent and thorough manner. May Allah reward them both with the best of both the worlds! *Āmīn*.

Moreover, I owe a great debt of appreciation to the many *ulama* that have helped in trying to prepare this manuscript for printing; they include Shaykh Shams Ad-Duha (Ebrahim College) and Shaykh Ayub Jena (Madīnah). They both worked on the Chapter of Purification; however, they were not fully satisfied and wanted me to ask another scholar to fully ensure that the work was ready to proceed to the next stage. For many years, I could not find the right person to take this task on. It was then that our dear beloved sister *ustādha* Khansa Khan from Dār al-ʿUlūm az-Zaytūniyyah (The Olive Foundation, Bradford, UK) contacted us asking how the work was progressing. She had recently graduated and

Sharḥ Maʿāni al-Āthār

her *ustādh* Mufti Amjad Mohammed, the Principal of Dār al-ʿUlūm az-Zaytūniyyah, had suggested that she work on this book. *Ustādha* Khansa put us in touch with her *ustādh* Mufti Amjad Mohammed, and the rest is history.

I can truly say that Mufti Amjad has been instrumental in seeing this work to print. If it had not been for the dedication of Mufti Amjad and his students this work would have taken a lot longer to get to print. I pray that Allah bless Mufti Amjad and his students with the best of this world and the next. May Allah bless Mufti Amjad's institution; and I pray that it may continue to grow and flourish! *Āmīn*.

I pray to Allah Almighty to reward the author Imam Ṭaḥāwī for this and the many other great works that he compiled that continue to contribute to our understanding of the *dīn*. May Allah enter Imam Ṭaḥāwī and the great *ulama* whose work we have worked on, together with our family, into Jannah! *Āmīn*.

YAHYA BATHA
London 2016

EDITOR'S PREFACE

ALL PRAISE IS TO ALLAH; The Lord of the Universe, The Most High. Peace, mercy and blessings be upon His final Messenger Muḥammad ﷺ his family and his Companions ﷺ.

It is with great pleasure and a somewhat triumphant personal journey that I place this text in front of you. It was more than ten years ago when the idea to translate *Sharḥ Ma'ānī al-Āthār* presented itself; however, it was brought to my attention that Turath Publishing were endeavouring to take this noble task on, so supplicating to Allah the Almighty for its success, I took up many of the tasks that have preoccupied me since. Fast forward to the summer of 2015 and whilst teaching the text, I recollected the story to my students, and explained the unique nature of Imām Ṭaḥāwī's ﷺ work which was by academic standards well before its time. It was then that I stated that I had not yet seen the publication of the English translation and so I asked one of my students, Ustādha Khansa Khan to contact Turath and see what their plans were in terms of publishing such a vital text for the English audience. A few phone calls later, Yahya Batha had somehow got me to agree to edit the book; I'm still trying to work out how! Our friendship has grown over the year, as has this translation and we are hopeful to present more texts to you in the future; hopefully not with a ten-year delay, if Allah Wills. I am immensely grateful to Allah the Almighty for allowing me after so many years to be involved in this project. It seems, I and this noble task were separated over ten years ago and we have met again; what is in your fate will come to you, as and when is at Allah the Almighty's choosing. I am reminded of the following ḥadīth which has versions of it mentioned in many of the ḥadīth texts and is valued at *ḥasan*, in which it is stated that a Muslim does not have complete faith until he believes,

مَا أَصَابَهُ لَمْ يَكُنْ لِيُخْطِئْهُ وَأَنْ مَا أَخْطَأَهُ لَمْ يَكُنْ لِيُصِيبَهُ

...that which happens to him was never going to miss him and that which misses him was never going to happen to him.

With the anecdote complete we turn our attention to the text itself, but first an introduction to the author.

He is Abū Ja'far Aḥmad ibn Muḥammad ibn Salāmah ibn 'Abd al-Malik ibn Salama ibn Salīm ibn Sulaymān ibn Khabbāb al-Azdī al-Ḥajrī al-Miṣrī, better known as Imām Ṭaḥāwī.

Ṭaḥāwī is an attribution to Ṭaḥā, a city in the south of Egypt, to which several scholars have also been attributed, as was Imām Ṭaḥāwī ﷺ. He was a jurist from the Aḥnāf. There is a view that he was born in the year 229/843 and one of the year 239/853 however 229/843 is more likely since Imam Suyūṭī ﷺ has preferred this alongside others. His demise by this calculation was then 92 years later in 321/933.

He began his studies with his maternal uncle Ismāʿīl ibn Yaḥyā al-Muzanī, a leading student of Imām Shāfiʿī رحمته. However, after seeing his uncle turning to the works of the Ḥanafī scholars to resolve certain matters due to its nuanced approach, he was naturally drawn towards the Ḥanafī School of *fiqh*, as the School's methodology appealed to his critical perception. Samʿānī mentions that he was a resource for *ḥadīth* and vessel for religious sciences. Imam Suyūṭī رحمته says, 'the presidency of Ḥanafī scholars in Egypt was concluded with him.' He became distinguished in *fiqh* and *ḥadīth* authoring many unique and beneficial books. In *Ṭabaqāt al-Fuqahāʾ*, Abū Ishāq رحمته mentions that he was initially a follower of the Shāfiʿī School of thought and he would study with Muzanī and so as a teacher he said to him one day, 'By Allah, nothing will come of you.' Abū Jaʿfar رحمته was angered by this and left him to learn from Ibn Abī ʿImrān instead. Later when he had authored his summary he is reported to have said, 'Allah have mercy on Abū Ibrāhīm, [meaning Muzanī], if he was alive today he would have to expiate his oath.' It is reported that Imam Ṭaḥāwī رحمته was the son of Muzanī's sister. Once Muḥammad ibn Aḥmad ash-Shurūṭī questioned Ṭaḥāwī رحمته, 'Why have you gone against the *madhhab* of your uncle?' He said 'Because he would spend his time analysing the books of Imām Abū Ḥanīfah رحمته (in secret).'

His works include:

1. *Aqīdat at-Ṭaḥāwiyyah*
2. *Ikhtilāf al-ʿUlamāʾ*
3. *Bayān as-Sunna wa'l-Jamāʿat fi'l-Aqīdah*
4. *Ḥukm Arādhi Makkah al-Mukarramah*
5. *Sharḥ Jāmiʿ as-Saghīr wa'l-Kabīr li'sh-Shaybāni fi'l-Furūʿ*
6. *ʿUqūd al-Marjān fi Munāqib Abī Hanīfah an-Nuʿmān*
7. *Al-Farāʾid*
8. *Qismatul faiʾ wa'l-Ghanāʾim*
9. *Kitāb at-Tārīkh*
10. *Kitāb at-Taswiya bayna Ḥaddathanā wa Akhbaranā*
11. *As-Shurūṭ as-Saghīr*
12. *Al-Muḥādhirāt wa's-Sājilāt*
13. *Al-Mukhtasar fi'l-Furūʿ*
14. *Naqd al-Mudallisīn ʿala'l-Kirbāsī*
15. *Ikhtilāf ar-Riwāyāt ʿala madhhab al-Kūfiyyīn*
16. *Bayān al-Mushkil al-Āthār*
17. *Sharḥ Maʿānī al-Āthār*

We now turn our attention to the last treatise. From amongst the greatest treasuries of Islamic literature, *Sharḥ Maʿānī al-Āthār* by Imam Ṭaḥāwī رحمته is a stunning masterpiece. Its composition is unmatched in its uniqueness, style and argumentation; assisting its followers by explaining in a coherent, cogent and comprehensive manner. In the poetic words of the great authority, ʿAllāmah Badr ad-Dīn al-ʿAynī رحمته,

If in search of *ḥadīth* then you will find it as though an ocean whose waves collide; and if in search of jurisprudence (*fiqh*), you will see people flocking to it, such that who-

Preface

soever delves in it will not cease. Whosoever takes a handful of its waters will continue to covet it and whosoever obtains from it will procure its bounties. Whosoever conquers it surmounts self-sufficiency and whosoever clings to it is the fortunate of his era. The one who incessantly bonds with it will yearningly wish, if only my most youthful days would return; only a corrupt or obstinate envier, a pugnacious individual or one who is deprived of this science would abandon this literature.

Surely if an unbiased reader assesses it, he will find it preferable to many other recognised accepted books. Observing its discussions and composition will manifest its superiority which only an ignorant or an extremist will doubt.

Hence there are countless credits paid to this monument of a book from renowned scholars.

Imām Dhahabī رحمته has said in *Siyar A'lam an-Nubalā'* (30/15) in the biography of Imām Ṭahāwī رحمته:

Whosoever observes the compilations of this Imām will realise his great status and extent in knowledge. This text is indeed distinguished from others based on its innumerable benefits that are unfound elsewhere. One such benefit is that he includes unique chains of narrations. Many *aḥādīth* that are narrated elsewhere can be found herein with important additions such as bringing numerous different chains of transmission that increase the narration in strength. Narrations reported elsewhere with a weak chain are supported herein with a strong chain; or narrations that have been brought with a particular chain of narrators elsewhere, have been brought with a different chain of narrators herein. Thus bringing to light any inconsistencies or important points to note for the scholar of *ḥadīth*.

The text has several benefits itself as it discusses at length those topics which are often found brief. It clarifies points which are usually ambiguous and it defines matters that are indefinite elsewhere.

Majority of the traditions therein are linked to the Companions of the Messenger ﷺ, his Followers, the *Imāms* after their era and the most regarded of them in *fiqh* which is not found except of course in the works of 'Abd ar-Razzāq, Ibn Abī Shaybah and Muḥallī.

Likewise, Imām 'Aynī رحمته has said in the *Book of Zakāh*, (*Chapter of charity given to the Tribe of Hāshim*):

Notice the vast narrations of Ṭahāwī رحمته, and his excellent ability, in deriving one ruling of a rare occurrence, [yet he presented it] from twelve Companions of the Messenger ﷺ along with deducing a legal verdict and deeply analysing therein.

The chronology of the chapters is according to the discussions of *fiqh* and so it is structured similar to the books of *fiqh*. He proceeds with narrations and then counter argues with such great exchange it is seemingly impossible to reject. Discussing appropriate topics but incorporating with them narrations, that are seemingly irrelevant to the chapter discussion. This occurs many a time in his book, which becomes apparent after following up and giving due consideration to [his argument].

Along with his substantiation of the Aḥnāf School of thought and proposition of their evidences; he further includes the opposing evidences in the chapter, outweighing one against the other in support of Imām Abū Ḥanīfah's *madhhab*, in most cases except a few.

Al-Kawtharī has said:

From the gratifying works of Ṭaḥāwī ؒ, the book *Sharḥ Maʿānī al-Āthār* about the jurisprudence of opposing matters brings with its chains of narrators, the traditions of which the opposition adduce. After deciphering the good from the bad in his discussion, he presents a chain of narrators, text and such reasoning that convinces any equitable researcher from blind following. There is no compilation paralleled to it in studying *fiqh*, acquiring its methods, and developing a faculty for deep understanding.’

It is misunderstood amongst some of the people that the Aḥnāf are solely people of opinion to such an extent that some took up an extreme position and claimed that they reject the *aḥādīth* which contradict them. Imām Ṭaḥāwī ؒ therefore explains his reason of writing this book; ‘to support this *madhhab* with *ḥadīth*.’ Therefore, this book shone forth as a core authentic vital source in providing narrations. Due to this the scholars take great benefit from this book, and in its narrations, its reading, its commentary, its conciseness and analysis of its narrators.

Sharḥ Maʿānī al-Āthār was first delivered to Imam Ṭaḥāwī’s ؒ son ‘Alī ibn Aḥmad aṭ-Ṭaḥāwī and Ṭabrānī the lexicologist.

‘Allāmah Kafwa is another who commends his works, alongside Abū Ishāq ash-Shay-rāzī ؒ,

[Imām Ṭaḥāwī ؒ] initially narrated *Musnad ash-Shāfiʿī* from Muzanī. He then became a scholar of the Ḥanafī *madhhab* taking *fiqh* from [the chain (*sanad*) of] Aḥmad ibn Abī ‘Imrān, from Muḥammad ibn as-Samā‘ah, from Imām Abū Yūsuf ؒ, from Imām Abū Ḥanīfah ؒ. He then left for Syria and met Abū Ḥāzim, the magistrate of Syria, taking [*fiqh* from his *sanad*], Abū Ḥāzim from ‘Īsā ibn Abān from Imām Muḥammad ؒ who took from Imām Abū Ḥanīfah ؒ. Not only was he a scholar of jurisprudence, he had taken *ḥadīth* from many Egyptian narrators, the likes of Sulaymān ibn Shu‘ayb al-Kaysānī, Yūnus ibn ‘Abd al-A‘lā.

Ibn ‘Abd al-Barr said,

‘Ṭaḥāwī ؒ was of the school of thought of Kūfā and knowledgeable in all of them.’ Atqānī goes on to say, ‘the rejection of Abū Ja‘far ؒ is baseless as he was a trustee of his nation due to his lavish abundance in knowledge, in his independent thinking, his piety, his excellence in the knowledge of the *madhāhib*. If ever in doubt with regards to him then look to *Sharḥ Maʿānī al-Āthār*, do you see a comparable to it in any of the *madhāhib*, let alone ours?’

With such personalities extolling Imām Ṭaḥāwī ؒ and this literary masterpiece in such glory, it is none but binding to appreciate its excellence. Undoubtedly the unprecedented factor was its highly intellectual academic structure. He brings the opposition’s statement, presents their evidences fairly, and thereupon brings the proposing statement by means of reason. After using such thorough analysis, he mounts it with countless evidences and their explanation which leaves the reader astounded; and yet all of this discourse takes place unbiased. It is only at the foot of the discussion where Imām Ṭaḥāwī ؒ confirms it is a personal win of the Aḥnāf leaving the reader silent of objection. It prevents any

Preface

unbefitting claims of biasedness upon Imām Ṭaḥāwī ؒ and deems the reader helpless to surrender to the outcome, since he intelligently avoids attributing the viewpoints as his own. These are undoubtedly the signs of a man, great lengths ahead of his time, as this is the modern structure of intellectual arguments today; yet to think this was his regular work over a thousand years ago is quite astounding. There is then no difficulty in realising why this is such a timeless and universal masterpiece as has been quoted incessantly. From his depth of knowledge being so thorough of both the opposition and proposition, it is evident that Imām Ṭaḥāwī ؒ showed signs of being a *mujtahid* in the *madhhab* and such did scholars term him. Majority of the conclusions in *Sharḥ Maʿānī al-Āthār* are according to the *madhhab*'s position, yet only a few of his positions discussed are contrary to the Aḥnāf, clearly not by chance. This purposeful difference is the evidence to suggest that Imām Ṭaḥāwī ؒ was a legist formulating independent decisions in legal or theological matters (*mujtahid*) of the Ḥanafī School.

The book is structured by stating the *aḥādīth* with their translations as found in the text *Sharḥ Maʿānī al-Āthār*; in addition, using Imām Badr al-Dīn al-Aynī's ؒ *Nukhab al-Afkār fī Tanqīḥ Mabānī al-Akḥbār fī Sharḥ Maʿānī al-Āthār* where a disagreement existed on any narrator or text of narration.

Shaykh Niʿmatullāh al-ʿAzamī, may we continue to benefit from him, and his team took responsibility for the work on the *takhrij* and *ḥukm* of the *aḥādīth*, found in the footnotes.

A man is an island and I am no different, and it is the comforting sea of support from my wife, children, parents and family which has kept me afloat in this project and others. I would like to acknowledge my students, who are now teachers and scholars in their own right, who assisted me directly with the most tedious and most important of tasks Ustādha Khansa Khan and another key member who wishes to remain anonymous. It is very humbling to see one's students at such a young age, successfully deal with such a challenging task and that in a meticulous and accurate approach. I am grateful to Shaykh Abdur Rahim Limbada for loaning me his copy of *Nukhab*; I will not forget the 'Volume 1 crisis'. Furthermore, I extend my acknowledgement towards Habib Bewley for his extensive effort in translating a complicated text which requires expertise in both the fields of ḥadīth and *fiqh*. He has managed to captivate the thought process of Imām Ṭaḥāwī ؒ, whilst simultaneously being true to the original Arabic and delivering a text comfortable to the English reader. Lastly I would like to acknowledge and appreciate the efforts of all those at Turath Publishing who are serving to meet the needs of the Western community by delivering classical traditional texts in an academically rigorous way; that includes Yahya of course, who I have had numerous conversations with over the year regarding this and other projects.

May Allah send blessings and salutations upon His final Messenger Prophet Muḥammad ﷺ who made every possible effort to convey the Message in its Perfect Form. May He increase in rank and descend His Divine Mercy upon the Companions ؓ, the Followers and those after them, the great Fuqahā' and all those who have sought knowledge and then imparted it to others. May He elevate the status of Imām Ṭaḥāwī ؒ and bless him with the best of abodes. I ask Allah to first and foremost, forgive me, my parents, my family, my teachers and all those who assisted in this project. I ask Allah to accept this effort and

Sharḥ Maʿāni al-Āthār

increase its value and reward each one of us handsomely. I ask Allah to grant it acceptance amongst His slaves and bless it. May it be a means for me to gain salvation in the Next World and be a witness for me in the Hereafter.

May Allah forgive all our errors and shortcomings, accept our flawed efforts and make this a means of earning His Eternal Pleasure.

Āmīn.

AMJAD M MOHAMMED
3rd Shaʿbān 1437 | 11th May 2016

Sharḥ Maʿāni al-Āthār
ʿan Rasūlillāh ﷺ fi 'l-Aḥkām

Explanation of the Meanings of the Traditions
from the Messenger of Allah ﷺ on Laws

IMAM ABŪ JAʿFAR AḤMAD IBN MUḤAMMAD
IBN SALĀMAH AL-AZDĪ AṬ-ṬAḤĀWĪ

IMAM ṬAḤĀWĪ'S INTRODUCTION

ABŪ JA'FAR AḤMAD IBN MUḤAMMAD ibn Salāmah al-Azdī aṭ-Ṭaḥāwī, may Allah's mercy be upon him, said, "I was asked by one of my fellow scholars to write him a book in which I discuss *aḥādīth* transmitted from the Messenger ﷺ related to law. Such *aḥādīth* which appear contradictory in the eyes of heretics and some weak-minded Muslims due to their ignorance as to which ruling was mentioned first and which was abrogated, and which of them must be acted-upon based on the evidence from the Articulate Book and agreed-upon *Sunnah*. He asked me to arrange the material into different sections, and to set down, in each section, the relevant information concerning the *aḥādīth* present therein. Such as, pointing out which ones were abrogating and which ones were abrogated. In addition to this, to mention the scholars' interpretation of the *aḥādīth* and the arguments they advance against each other. Furthermore, to support the position which is soundest to me according to the standards applied to authenticate such *aḥādīth* in light of the evidence from the Book, or the *Sunnah*, or unanimous consensus of the scholars (*ijmā'*) or soundly established (*mutawātir*) verdicts of the Companions or their Successors (*tābi'ūn*).

I pondered over the matter and studied the subject in great depth. I then extracted from it topics (*abwāb*) in exactly the way that he asked and rendered them into several chapters (*kutub*). In each of those chapters, I mentioned a particular area [of *fiqh*], in the manner mentioned above. [To this end] I will start by discussing the *aḥādīth* transmitted from the Prophet ﷺ regarding purification.

كِتَابُ الطَّهَارَةِ

THE BOOK OF PURIFICATION

١ - بَابُ الْمَاءِ يَقَعُ فِيهِ النَّجَاسَةُ

1. WATER INTO WHICH IMPURITY FALLS

١ - حَدَّثَنَا مُحَمَّدُ بْنُ خُزَيْمَةَ بْنِ رَاشِدِ الْبَصْرِيِّ، قَالَ: ثنا الْحَجَّاجُ بْنُ الْمُنْهَالِ، قَالَ: ثنا حَمَّادُ بْنُ سَلَمَةَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ رضي الله عنه، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم كَانَ يَتَوَضَّأُ مِنْ بئرِ بَضَاعَةَ، فَقِيلَ: يَا رَسُولَ اللَّهِ، إِنَّهُ يُلْقَى فِيهِ الْجِيفُ وَالْمَحَايِضُ؟ فَقَالَ: «إِنَّ الْمَاءَ لَا يَنْجُسُ».

1. It has been transmitted by way of Ḥammād ibn Salamah from Muḥammad ibn Ishāq from ‘Ubaydullāh ibn ‘Abd ar-Raḥmān from Abū Sa‘īd al-Khudrī رضي الله عنه that the Messenger of Allah صلى الله عليه وسلم used to perform *wudu’* [with water] from the well of Buḍā‘ah. Someone said to him, “Messenger of Allah, rotting corpses and cloths soaked with the blood of menses are thrown into it.” He replied, “Water does not become impure.”¹

٢ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ أَبِي دَاوُدَ سُلَيْمَانَ بْنِ دَاوُدَ الْأَسَدِيِّ، قَالَ: ثنا أَحْمَدُ بْنُ خَالِدِ الْوَهْبِيِّ، قَالَ: ثنا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ سَلِيطِ بْنِ أَيُّوبَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ رَافِعٍ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ رضي الله عنه، قَالَ: قِيلَ: يَا رَسُولَ اللَّهِ، إِنَّهُ يُسْتَقَى لَكَ مِنْ بئرِ بَضَاعَةَ وَهِيَ بئرٌ يَطْرُحُ فِيهَا عَذْرَةُ النَّاسِ وَمَحَايِضُ النِّسَاءِ وَلَحْمُ الْكِلَابِ؟ فَقَالَ: «إِنَّ الْمَاءَ طَهُورٌ لَا يَنْجُسُهُ شَيْءٌ».

2. It has been transmitted by way of Aḥmad ibn Khālid al-Wahbī from Muḥammad ibn Ishāq from Salīṭ ibn Ayyūb from ‘Ubaydullāh ibn ‘Abd ar-Raḥmān ibn Rāfi from Abū Sa‘īd al-Khudrī رضي الله عنه that someone said to the Messenger of Allah صلى الله عليه وسلم, “People

¹ Its *isnād* is *ḥasan*. Ḥāfiẓ said in *at-Talkhīṣ* (1:12, 13), “It is transmitted by Aḥmad (3:31, no. 86), Shāfi‘ī, the compilers of the *Sunan*—namely Abū Dāwūd ([Book of] Purification/The well of Buḍā‘ah, no. 66 & 67), Tirmidhī ([Book of] Purification/ Nothing makes water impure, number 66) and Nasā‘ī ([Book of] Purification/ Mentioning of the well of Buḍā‘ah, no. 327 & 328)—and by Dāraqutnī (Chapter on altered water, no. 54–56), Ḥākim and Bayhaqī (Purification/ Purifying with the water of wells, no. 6).” Tirmidhī classified it as a *ḥadīth ḥasan*, Abū Usāmah saw it as being *jayyid* (good) and Aḥmad, Yaḥyā ibn Ma‘īn and Ibn Ḥazm all considered it to be *ṣaḥīḥ*. Ibn al-Qaṭṭān, however, considered it to be impaired by the fact that the person who related it from Abū Sa‘īd was unknown, and those who related it from him were inconsistent when they transmitted his name and the name of his father.

draw water for you to drink from the well of Buḍāʿah, but it is a well into which people throw excrement, cloths soaked with the blood of menses, and the flesh of dogs.” He replied, “Water purifies, nothing impurifies it.”

٣ - حَدَّثَنَا إِبْرَاهِيمُ قَالَ: ثَنَا عَيْسَى بْنُ إِبْرَاهِيمَ الْبَرْكِيُّ قَالَ: ثَنَا عَبْدُ الْعَزِيزِ بْنُ مُسْلِمِ الْقَسْمَلِيُّ قَالَ: ثَنَا مُطَرِّفٌ عَنْ خَالِدِ بْنِ أَبِي نَوْفٍ، عَنْ ابْنِ أَبِي سَعِيدِ الْخُدْرِيِّ عَنْ أَبِيهِ رضي الله عنه قَالَ: انْتَهَيْتُ إِلَى رَسُولِ اللَّهِ صلى الله عليه وسلم وَهُوَ يَتَوَضَّأُ مِنْ بئرِ بَصَاعَةَ، فَقُلْتُ: يَا رَسُولَ اللَّهِ، أَتَوَضَّأُ مِنْهَا وَهِيَ يُلْقَى فِيهَا مَا يُلْقَى مِنَ التَّنِّ؟ فَقَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم: «الْمَاءُ لَا يَنْجَسُهُ شَيْءٌ».

3. It has been transmitted by way of ‘Abd al-‘Azīz ibn Muslim al-Qasmalī from Muṭarrif from Khālid ibn Abī Nawf from the son of Abū Sa‘īd al-Khudrī from his father who said, “I went to the Messenger of Allah صلى الله عليه وسلم and found him performing *wudu*’ [with water] from the well of Buḍāʿah, so I asked him, ‘Messenger of Allah, do you perform *wudu*’ [with water] from it even though all of those putrefied things are thrown into it?’ The Messenger of Allah صلى الله عليه وسلم replied, ‘There is nothing that makes water impure.’”¹

٤ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ أَبِي دَاوُدَ، قَالَ: ثَنَا أَصْبَعُ بْنُ الْفَرَجِ، قَالَ: ثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ مُحَمَّدِ بْنِ أَبِي يَحْيَى الْأَسْلَمِيِّ، عَنْ أُمِّهِ، قَالَتْ: دَخَلْنَا عَلَى سَهْلِ بْنِ سَعْدٍ فِي أَرْبَعِ نِسْوَةٍ، فَقَالَ: لَوْ سَقَيْتُكُمْ مِنْ بئرِ بَصَاعَةَ لَكْرِهْتُمْ ذَلِكَ، وَقَدْ سَقَيْتُ رَسُولَ اللَّهِ صلى الله عليه وسلم بِيَدَيَّ مِنْهَا.

4. It has transmitted from Muḥammad ibn Abī Yaḥyā al-Aslamī that his mother said, “Four of us women went in to see Sahl ibn Sa‘d رضي الله عنه and he said to us, ‘If I were to give you water from the well of Buḍāʿah to drink, you would recoil from that. However, I have drawn water from it with my own hands for the Messenger of Allah صلى الله عليه وسلم to drink.’”²

٥ - حَدَّثَنَا فَهْدُ بْنُ سُلَيْمَانَ بْنِ يَحْيَى، قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سَعِيدِ بْنِ الْأَصْبَهَانِيِّ قَالَ: أَنَا شَرِيكُ بْنُ عَبْدِ اللَّهِ النَّخَعِيِّ، عَنْ طَرِيفِ الْبَصْرِيِّ، عَنْ أَبِي نَضْرَةَ، عَنْ جَابِرٍ - أَوْ أَبِي سَعِيدٍ رضي الله عنه - قَالَ: كُنَّا مَعَ رَسُولِ اللَّهِ صلى الله عليه وسلم فِي

1 Its *isnād* is *munqaṭīʿ*. It is transmitted thus by Aḥmad, for he related it from ‘Abd al-‘Azīz from Muṭarrif from Khālid ibn Abī Nawf from the son of Abū Sa‘īd from Abū Sa‘īd رضي الله عنه without mentioning Salīṭ (who should be in the chain of transmission) between Khālid and the son of Abū Sa‘īd. Abū Ya‘lā (no. 1304) and Nasāʿī (no. 327) transmitted it from the chain of ‘Abd al-‘Azīz from Muṭarrif from Khālid from Salīṭ from the son of Abū Sa‘īd from Abū Sa‘īd رضي الله عنه. Abū Ḥātim said, “Khālid ibn Abī Nawf related it from Salīṭ ibn Ayyūb.” It is also said that Muḥammad ibn Ishāq was between the two of them [in the chain of transmission]. (*Tahdhīb at-Tahdhīb*)

2 Its *isnād* is *ḥasan*. Dāraquṭnī transmitted it (Chapter on altered water, no. 58) with a similar *isnād* to that of Ṭaḥāwī: from Muḥammad ibn Abī Yaḥyā from his mother from Sahl رضي الله عنه. Ṭabarānī also transmitted this *ḥadīth* in his *al-Kabīr* (no. 6026), but, in his *isnād*, ‘from his father’ is mentioned in place of ‘from his mother.’

سَفَرٍ، فَأَنْتَهَيْنَا إِلَى غَدِيرٍ وَفِيهِ جِيفَةٌ، فَكَفَفْنَا وَكَفَّ النَّاسُ، حَتَّى أَتَانَا رَسُولُ اللَّهِ ﷺ، فَقَالَ: مَا لَكُمْ لَا تَسْتَقُونَ؟
فَقُلْنَا: يَا رَسُولَ اللَّهِ، هَذِهِ الْجِيفَةُ. فَقَالَ: «اسْتَقُوا، فَإِنَّ الْمَاءَ لَا يَنْجَسُهُ شَيْءٌ» فَاسْتَقَيْنَا وَارْتَوَيْنَا.

5. It has transmitted by way of Sharik ibn ‘Abdillāh an-Nakha‘ī from Ṭarīf al-Baṣrī from Abū Naḍrah that either Jābir ﷺ or Abū Sa‘īd ﷺ who said, “We were travelling with the Messenger of Allah ﷺ when we came upon a pond in which there was a corpse. We, and the people [travelling with us], refrained from [drinking the water of the pond] until the Messenger of Allah ﷺ came to us. He said, ‘Why do you not draw water?’ We replied, ‘On account of this corpse, Messenger of Allah ﷺ.’ He said, ‘Draw water [from it], for there is nothing that makes water impure,’ so we drew water [from it] and drank our fill.”¹

Some of the people [of knowledge]² based their position on these traditions and said that water is not made impure by anything falling into it unless that thing changes its colour, taste or smell. If [any of these things do change], the water is rendered impure.

Other scholars have disagreed with them³ and said, “What you have presented regarding the well of Buḍā‘ah does not support your case for there is some disagreement regarding its nature. Some people said that it was a watercourse⁴ bringing water to the gardens. The water never settled or remained in it. If this is the case, then its water would be governed by the same ruling governing river-water. Any water source that may be described thus only becomes impure when either the impurity that falls into it changes its taste, colour or smell, or when the impurity is known to still be in the water taken from that source. If impurity is known to be in [the water] then it is impure. If impurity is not known to be in [water] then it is pure.”

The opinion mentioned above about the well of Buḍā‘ah [being a watercourse] was transmitted to us from Wāqidi:

٦ - حَدَّثَنِي أَبُو جَعْفَرٍ أَحْمَدُ بْنُ أَبِي عِمْرَانَ، عَنْ أَبِي عَبْدِ اللَّهِ مُحَمَّدِ بْنِ شُجَاعِ الثَّلَجِيِّ، عَنِ الْوَأَقِدِيِّ أَنَّهَا
كَانَتْ كَذَلِكَ.

6. It has been transmitted by way of Abū ‘Abdillāh Muḥammad ibn Shujā‘ ath-Thaljī from Wāqidi that that was the case.

1 Its *isnād* is *da‘if* (weak). Ibn Mājah transmitted it under the chapter on ponds (520) from Sharik from Ṭarīf from Abū Naḍrah from Jābir ﷺ alone. Bayhaqī said in *as-Sunan al-Kubrā* (1/258), “It is [also said] that it is narrated by Sharik with this *isnād* from Jābir ﷺ or Abū Sa‘īd ﷺ; and it being from Abū Sa‘īd ﷺ seems to be sounder.”

2 Those who took this position included Imam Mālik ﷺ.

3 These men differentiated between running water and stagnant water. They said, “If impurity falls into running water, then it is only rendered impure when the impurity overpowers its taste, smell or colour, or when a portion of that impurity is known to still be in the water that has been taken from that running source. If impurity falls into stagnant water [which does not fall within the ambit of abundant water] then it is always rendered impure, regardless of whether or not its taste, colour or smell change.”

4 ‘Allāmah ‘Aynī quotes ‘Ā’ishah ﷺ as saying: “The well of Buḍā‘ah was a watercourse that had furrows leading to their gardens. Five or seven gardens were irrigated from it.”

Another proof they use is that [the people of knowledge] unanimously agreed that when impurity falls into the well and it changes the taste, smell or colour of its water, it becomes impure. However, none of this is mentioned in the *ḥadīth* of the well of Buḍāʿah, for it only mentions that the Prophet ﷺ was asked about the well and informed that people throw [the bodies of] dogs and cloths soaked with the blood of menses into it and that he replied, “Nothing makes water impure.”

Now we know for a fact that if only a portion of that were to have fallen into any well, it would have been impossible for its taste or smell to not have changed. This is something which is reasonable and logical. Given that this is the case and given that the Prophet ﷺ gave them permission to use the water [of the well] and given that the scholars unanimously agreed that the Prophet ﷺ would not have given them permission to use the water if its taste, smell or colour had changed, we consider it impossible and Allah knows best, that the Prophet ﷺ responded to their inquiry in this way when any impurities were actually present in the water.

On the contrary and Allah knows best, they must have asked the Prophet ﷺ about this matter after the impurities had already been removed and the purpose of their inquiry was to discover whether the water which came into the well after the impurities had been removed was pure or not. This was a problematic issue for them because the walls of the well had not been washed and its clay had not been removed, so the Prophet ﷺ [put their minds to rest] and said to them, “Water does not become impure.” By this, he meant that the water which had come into the well after the impurities had been removed from it [did not become impure]; not that water is not made impure by being mixed with impurity.¹

The statement of the Prophet ﷺ that “Water does not become impure,” is of the same nature as his statement that, “A believer does not become impure.”

٨ / ٧ - حَدَّثَنَا أَبُو أَبِي دَاوُدَ قَالَ: ثنا الْمُقَدَّمِيُّ قَالَ: ثنا أَبُو أَبِي عَدِيٍّ، عَنْ حُمَيْدٍ، ح: وَحَدَّثَنَا ابْنُ خَزِيمَةَ قَالَ: ثنا الْحَجَّاجُ بْنُ مِنْهَالٍ، قَالَ: ثنا حَمَّادٌ، عَنْ حُمَيْدٍ، عَنْ بَكْرِ، عَنْ أَبِي رَافِعٍ، عَنْ أَبِي هُرَيْرَةَ رضي الله عنه، قَالَ: لَقِيتُ النَّبِيَّ ﷺ وَأَنَا جُنُبٌ، فَمَدَّ يَدَهُ إِلَيَّ فَتَبَضَّصْتُ يَدِي عَنْهُ، وَقُلْتُ: إِنِّي جُنُبٌ، فَقَالَ: «سُبْحَانَ اللَّهِ، إِنَّ الْمُسْلِمَ لَا يَنْجُسُ». وَقَالَ عَلَيْهِ السَّلَامُ فِي غَيْرِ هَذَا الْحَدِيثِ: «إِنَّ الْأَرْضَ لَا تَنْجُسُ».

7/8. It has been transmitted by way of Ḥumayd from Bakr from Abū Rāfiʿ رضي الله عنه that Abū Hurayrah رضي الله عنه said, “I met with the Prophet ﷺ while I was in a state of major ritual impurity (*janābah*). He reached out his hand towards me so I pulled my

¹ Cloths soaked with the blood of menses and the flesh of dogs had been thrown into the well at a previous time, but, in order to express the distastefulness of that and to paint a vivid picture in the mind of the listener, the questioner used the present tense instead of the past.

Dihlawī said in his book *Ḥujjat Allah al-Bālighah*, “Just as we see happening today in our own wells, impurities used to fall into [the well of Buḍāʿah] without people actually meaning to throw them in and then these impurities would later be removed. When Islam came, they asked about it [to discover] whether it was pure in the eyes of the *Sharīʿah* over and above [the purity that they already knew] it had, and so the Messenger of Allah ﷺ said, ‘The water is purifying: nothing makes it impure,’ meaning, ‘It does not acquire any other form of impurity, besides what you know.’”

hand back and said to him, 'I am in a state of *janābah*.' He said, 'Glory be to Allah! A Muslim does not become impure.'¹

In another *ḥadīth* the Prophet ﷺ said, "Earth does not become impure."

٩ - حَدَّثَنَا بِذَلِكَ أَبُو بَكْرَةَ بَكَّارُ بْنُ قُتَيْبَةَ الْبَكْرَاوِيُّ، قَالَ: ثنا أَبُو دَاوُدَ، قَالَ: ثنا أَبُو عَقِيلٍ الدَّوْرَقِيُّ، قَالَ: ثنا الْحَسَنُ أَنْ وَفَدَتْ قَيْفٌ لَمَّا قَدِمُوا عَلَى رَسُولِ اللَّهِ ﷺ ضَرَبَ لَهُمْ قُبَّةً فِي الْمَسْجِدِ، فَقَالُوا: يَا رَسُولَ اللَّهِ، قَوْمٌ أَنْجَاسٌ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّهُ لَيْسَ عَلَى الْأَرْضِ مِنْ أَنْجَاسِ النَّاسِ شَيْءٌ؛ إِنَّمَا أَنْجَاسُ النَّاسِ عَلَى أَنْفُسِهِمْ».

9. It has been transmitted from Ḥasan al-Baṣrī ؓ that when a deputation came from Thaqīf to see the Messenger of Allah ﷺ he set up a round pavilion tent in the mosque in order to receive them, but they said to him, "Messenger of Allah, they are an impure people!" The Messenger of Allah ﷺ replied, "No part of people's impurity transfers to the ground; their impurity only remains in themselves."²

His statement, 'A Muslim does not become impure,' does not mean that a Muslim's body does not become impure when impurity occurs to it, but rather that he does not become impure in another sense. Similarly, his statement, 'Earth does not become impure' does not mean that it is not impure when impurity falls upon it, for how could he mean that when he had commanded that a bucket of water be thrown over the spot in which a desert Arab urinated:

١٠ - حَدَّثَنَا بِذَلِكَ أَبُو بَكْرَةَ قَالَ: ثنا عُمَرُ بْنُ يُونُسَ الْيَمَامِيُّ قَالَ: ثنا عِكْرِمَةُ بْنُ عَمَّارٍ قَالَ: ثنا إِسْحَاقُ بْنُ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ قَالَ: حَدَّثَنِي أَنَسُ بْنُ مَالِكٍ ؓ قَالَ: بَيْنَمَا نَحْنُ مَعَ رَسُولِ اللَّهِ ﷺ جُلُوسًا، إِذْ جَاءَ أَعْرَابِيٌّ فَقَامَ يَبُولُ فِي الْمَسْجِدِ، فَقَالَ أَصْحَابُ رَسُولِ اللَّهِ ﷺ: مَهْ مَهْ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «دَعُوهُ». فَتَرَكُوهُ حَتَّى بَالَ، ثُمَّ إِنَّ رَسُولَ اللَّهِ ﷺ دَعَاهُ فَقَالَ لَهُ: «إِنَّ هَذِهِ الْمَسَاجِدَ لَا تَصْلُحُ لِشَيْءٍ مِنْ هَذَا الْبَوْلِ وَالْعَذْرَةِ، إِنَّمَا هِيَ لِذِكْرِ اللَّهِ وَالصَّلَاةِ وَقِرَاءَةِ الْقُرْآنِ» - قَالَ عِكْرِمَةُ: أَوْ كَمَا قَالَ رَسُولُ اللَّهِ ﷺ - فَأَمَرَ رَجُلًا فَجَاءَهُ بِدَلْوٍ مِنْ مَاءٍ فَسَنَّهُ عَلَيْهِ.

10. It has been transmitted from Anas ؓ who said, "While we were seated with the Messenger of Allah ﷺ, a desert Arab came, stood up in the mosque and urinated.

1 Its *isnād* is *ṣaḥīḥ* and it is transmitted by a large group of *ḥadīth* scholars: It is transmitted by Bukhārī (*Wudu'*The sweat of the person in a state of *janābah* and the fact that a Muslim is not impure, no. 283 & 285), Muslim (Chapter on the fact that a Muslim is not impure, no. 371), Abū Dāwūd (Chapter on shaking hands with a person in a state of *janābah*, no. 231), Tirmidhī (Chapter on shaking hands with the one in a state of *janābah*, no. 121) where he classified the *ḥadīth* as *ḥasan ṣaḥīḥ*, Nasā'ī (Chapter on touching someone in a state of *janābah*, no. 270), and Ibn Mājah (Chapter on shaking the hand of a person in a state of *janābah*, no. 534). They all related this *ḥadīth*, with their own *isnād*, by way of Ḥumayd at-Ṭawīl from Bakrah from Abū Rāfi' ؓ from Abū Hurayrah ؓ. However, in the version of Muslim, Bakrah is not mentioned between Ḥumayd and Abū Rāfi' ؓ.

2 Its *isnād* is *mursal* (since Ḥasan al-Baṣrī ؓ quoted directly from the Prophet ﷺ). It is transmitted by 'Abd ar-Razzāq (An idolator enters the Mosque, no. 1622) and Ibn Abī Shaybah in his *Muṣannaf* (Non-Muslims who enter the Mosque, no. 8774).

The Companions of the Messenger of Allah ﷺ called out to him, ‘Stop! Stop!’ but the Messenger of Allah ﷺ said, ‘Let him be,’ so they left him alone. When he had finished urinating, the Messenger of Allah ﷺ called him and said, ‘Mosques are not places for urinating or excreting, but are places for the remembrance of Allah, prayer and the recitation of the Qur’an.’” ‘Ikrimah added, “Or similar to the words the Messenger of Allah ﷺ used to express that. Then he commanded a man to bring a bucketful of water and pour it over [the area in which the desert Arab had urinated].”¹

١١ - حَدَّثَنَا عَلِيُّ بْنُ شَيْبَةَ، قَالَ: ثنا يَحْيَى، قَالَ: ثنا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، أَنَّهُ سَمِعَ أَنَسَ بْنَ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ يَذْكُرُ عَنْ رَسُولِ اللَّهِ ﷺ نَحْوَهُ غَيْرَ أَنَّهُ لَمْ يَذْكُرْ قَوْلَهُ: «إِنَّ هَذِهِ الْمَسَاجِدَ . . .» إِلَى آخِرِ الْحَدِيثِ.

11. The like of it has been transmitted by way of ‘Abd al-‘Azīz ibn Muḥammad from Yaḥyā ibn Sa‘īd رَضِيَ اللَّهُ عَنْهُ from Anas ibn Mālik رَضِيَ اللَّهُ عَنْهُ, but in this narration he omitted the words ‘Mosques are not places for urinating. . .’ to the end of the *ḥadīth*.²

Ṭāwūs narrated that the Prophet ﷺ commanded that its place be dug up.

١٢ - حَدَّثَنَا بِذَلِكَ أَبُو بَكْرَةَ بَكَّارُ بْنُ قَتَيْبَةَ الْبُكْرَاوِيُّ، قَالَ: ثنا إِبْرَاهِيمُ بْنُ بَشَّارٍ، قَالَ: ثنا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ طَاوُسٍ بِذَلِكَ.

12. The like of it has been transmitted from Ṭāwūs.³

The like of it has also been transmitted through ‘Abdullāh ibn Mas‘ūd رَضِيَ اللَّهُ عَنْهُ from the Prophet ﷺ:

١٣ - حَدَّثَنَا فَهْدُ بْنُ سُلَيْمَانَ، قَالَ: ثنا يَحْيَى بْنُ عَبْدِ الْحَمِيدِ الْحِمَانِيُّ، قَالَ: ثنا أَبُو بَكْرٍ بْنُ عِيَّاشٍ، عَنْ سَمْعَانَ بْنِ مَالِكٍ الْأَسَدِيِّ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ ﷺ، قَالَ: بَالَ أَعْرَابِيٌّ فِي الْمَسْجِدِ، فَأَمَرَ بِهِ النَّبِيُّ ﷺ فَصَبَّ عَلَيْهِ دَلْوٌ مِنْ مَاءٍ، ثُمَّ أَمَرَ بِهِ فَحَفَرَ مَكَانَهُ.

13. It has been transmitted by way of Sam‘ān ibn Mālik al-Asadī from Abū Wā’il رَضِيَ اللَّهُ عَنْهُ from ‘Abdullāh [ibn Mas‘ūd رَضِيَ اللَّهُ عَنْهُ] who said, “A desert Arab urinated in the mosque,

1 Its *isnād* is *ḥasan*. Muslim transmitted it (Chapter on the obligation of urinating, no. 285) from ‘Umar ibn Yūnus from ‘Ikrimah from Ishāq from Anas رَضِيَ اللَّهُ عَنْهُ (which is precisely the way the author transmitted it).

2 Its *isnād* is *ṣaḥīḥ*. It is transmitted by Bukhārī (Chapter on the pouring over urine, no. 221) by way of Ibn al-Mubārak and Sulaymān ibn Bilāl; by Muslim (Chapter on the obligation of *ghusl*, no. 284) by way of ‘Abd al-‘Azīz ibn Muḥammad and Yaḥyā al-Qaṭṭān; and by Nasā’ī (Chapter on leaving of at-tawqīt in water, no. 54 & 55) by way of Ibn al-Mubārak and ‘Abidah ibn Ḥumayd. All five of these men related the *ḥadīth* from Yaḥyā ibn Sa‘īd al-Anṣārī رَضِيَ اللَّهُ عَنْهُ from him (i.e Anas ibn Mālik رَضِيَ اللَّهُ عَنْهُ). Therefore the *ḥadīth* is *ṣaḥīḥ*.

3 ‘Abd ar-Razzāq transmitted it in his *Muṣannaḥ* (Chapter on urinating in the Mosque, no. 1661) from Sufyān from ‘Amr ibn Dīnār from Ṭāwūs. Ḥāfiẓ said in *at-Talkhīṣ* (1/37), “If the *mursal* path of transmission [of this *ḥadīth*] with its sound *isnād* is taken in conjunction with the other *aḥādīth* of this chapter, it becomes strong (*qawī*).” From among the *shawāhid* for this *mursal ḥadīth* is another *mursal ḥadīth* transmitted by Abū Dāwūd and Dāraquṭnī on the authority of ‘Abdullāh ibn Ma‘qil ibn Muqarrin al-Muzanī who was one of the *Ṭābi‘ūn*.

and so the Prophet ﷺ commanded them to pour a bucketful of water over [the urine] and then dig up the spot.”¹

Abū Ja‘far ؓ says, “The meaning of the statement, ‘Earth does not become impure,’ is that it does not remain impure when the impurity is removed from it, not that it is not impure when the impurity is actually upon it.”

In the same way, the statement of the Prophet ﷺ about the well of Buḍā‘ah that ‘Nothing makes water impure,’ does not refer to when impurity is actually present in the water, but only refers to when the impurity has already been removed. This is what he meant when he made that statement and Allah knows best.

There are other *aḥādīth* in which he clarifies this:

١٤ / ١٥ - حَدَّثَنَا صَالِحُ بْنُ عَبْدِ الرَّحْمَنِ بْنِ عَمْرٍو بْنِ الْحَارِثِ الْأَنْصَارِيِّ، وَعَلِيُّ بْنُ شَيْبَةَ بْنِ الصَّلْتِ الْبَغْدَادِيُّ قَالَا: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يَزِيدَ الْمُقْرِيُّ، قَالَ: سَمِعْتُ ابْنَ عَوْنٍ يُحَدِّثُ عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ ؓ، أَنَّهُ قَالَ: نَهَى - أَوْ: نَهَى - أَنْ يَبُولَ الرَّجُلُ فِي الْمَاءِ الدَّائِمِ - أَوْ الرَّائِدِ - ثُمَّ يَتَوَضَّأُ مِنْهُ، أَوْ: يَغْتَسِلُ مِنْهُ.

14/15. It has been transmitted by way of ‘Abdullāh ibn Yazīd al-Muqri’ from [‘Abdullāh] ibn ‘Awn from Ibn Sirīn that Abū Hurayrah ؓ said, “He forbade,” or [he said], “It is forbidden that men urinate in standing or stagnant water and then perform *wudu’* or *ghusl* with that [water].”²

١٦ - وَحَدَّثَنَا عَلِيُّ بْنُ مَعْبُدِ بْنِ نُوحِ الْبَغْدَادِيِّ، قَالَ: ثنا عَبْدُ اللَّهِ بْنُ بَكْرِ السَّهْمِيُّ قَالَ: ثنا هِشَامُ بْنُ حَسَّانٍ عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَبِي هُرَيْرَةَ ؓ، عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «لَا يَبُولَنَّ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ الَّذِي لَا يَجْرِي، ثُمَّ يَغْتَسِلُ فِيهِ».

16. It has been transmitted to us also [with an *isnād*] by way of Hishām ibn Ḥassān from Ibn Sirīn from Abū Hurayrah ؓ that the Messenger of Allah ﷺ said, “Let none of you urinate in non-running stagnant water and then perform *ghusl* in it.”³

١٧ - حَدَّثَنَا يُونُسُ بْنُ عَبْدِ الْأَعْلَى أَبُو مُوسَى الصَّدْفِيُّ، قَالَ: أَخْبَرَنِي أَنَسُ بْنُ عِيَاضِ اللَّيْثِيُّ، عَنِ الْحَارِثِ بْنِ

1 Its *isnād* is *ḍa‘īf*. Ḥāfiẓ said in *at-Takhlīṣ* (1/37), “It has two *mawṣūl isnād*: one is transmitted by Dārimī and Dāraqutnī from Ibn Maṣ‘ūd ؓ and contains Sam‘ān ibn Mālik in the chain of transmission who is not strong, as Abū Zura‘ah mentioned and he called it a *ḥadīth munkar* (not accepted). Aḥmad said the same about it and Abū Ḥātim said that there was no origin to the *ḥadīth*. The second *isnād* is transmitted by Aḥmad and Ṭabarānī from Wāthilah ibn al-Asqa‘ ؓ and contains ‘Ubaydullāh ibn Ḥumayd al-Hudhalī who Bukhārī and Abū Ḥātim regard as being *munkar* when it comes to [narrating] *ḥadīth*.”

2 Its *isnād* is *ṣaḥīḥ*. Ṭabarānī transmitted it in *al-Awsaṭ* (3069) from ‘Abdullāh ibn Yazīd al-Muqri’ from Ibn ‘Awn from Ibn Sirīn from Abū Hurayrah ؓ.

3 Its *isnād* is *ṣaḥīḥ*. Muslim transmitted it (Chapter on the prohibition of urinating in stagnant water, no. 282) by way of Jarīr and Abū Dāwūd transmitted it (Urinating in stagnant water, no. 69) by way of Zā‘idah. Both these men related it from Hishām from Ibn Sirīn from Abū Hurayrah ؓ.

أَبِي ذُبَابٍ - وَهُوَ رَجُلٌ مِنَ الْأَزْدِ - عَنْ عَطَاءِ بْنِ مِينَاءَ، عَنْ أَبِي هُرَيْرَةَ رضي الله عنه، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم قَالَ: «لَا يَبُولَنَّ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ ثُمَّ يَتَوَضَّأُ مِنْهُ أَوْ يَشْرَبُ».

17. It has been transmitted to us also [with an *isnād*] by way of Anas ibn ʿIyāḍ al-Laythī from Ḥārith ibn Abī Dhubbāb from a man of Azd from ʿAṭāʾ ibn Mīnāʾ from Abū Hurayrah رضي الله عنه that the Messenger of Allah صلى الله عليه وسلم said, “Let none of you urinate in stagnant water and then perform *wudu*’ or drink from it.”¹

١٨ - حَدَّثَنَا يُونُسُ، قَالَ: أَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ، قَالَ: أَخْبَرَنِي عَمْرُو بْنُ الْحَارِثِ، أَنَّ بَكَيْرَ بْنَ عَبْدِ اللَّهِ بْنِ الْأَشَجِّ حَدَّثَهُ أَنَّ أَبَا السَّائِبِ مَوْلَى هِشَامِ بْنِ زُهْرَةَ حَدَّثَهُ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رضي الله عنه يَقُولُ: قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم: «لَا يَغْتَسِلُ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ وَهُوَ جُنْبٌ». فَقَالَ: كَيْفَ يَفْعَلُ يَا أَبَا هُرَيْرَةَ؟ فَقَالَ: يَتَنَاوَلُهُ تَنَاوُلًا.

18. It has been transmitted by way of Yūnus from ʿAbdullāh ibn Wahb [with his *isnād*] from Abū Hurayrah رضي الله عنه that the Messenger of Allah صلى الله عليه وسلم said, “Let none of you perform *ghusl* in stagnant water while he is in a state of *janābah*.” Abū Hurayrah رضي الله عنه was asked, “How should he [perform *ghusl* with it then], Abū Hurayrah?” He replied, “He should take the water from it, [not perform the *ghusl* in it].”²

١٩ - حَدَّثَنَا ابْنُ أَبِي دَاوُدَ، قَالَ: ثنا سَعِيدُ بْنُ الْحَكَمِ بْنِ أَبِي مَرْيَمَ، قَالَ: أَخْبَرَنَا عَبْدُ الرَّحْمَنِ بْنُ أَبِي الزِّنَادِ، قَالَ: ثنا أَبِي، عَنْ مُوسَى بْنِ أَبِي عَثْمَانَ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ رضي الله عنه عَنْ رَسُولِ اللَّهِ صلى الله عليه وسلم قَالَ: «لَا يَبُولَنَّ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ الَّذِي لَا يَجْرِي، ثُمَّ يَغْتَسِلُ مِنْهُ».

19. It has been transmitted to us also [with an *isnād*] by way of ʿAbd ar-Raḥmān ibn Abiʿz-Zinād from his father Abuʿz-Zinād from Mūsā ibn Abī ʿUthmān from his father Abū ʿUthmān from Abū Hurayrah رضي الله عنه that the Messenger of Allah صلى الله عليه وسلم said, “Let none of you urinate in non-running stagnant water and then perform *ghusl* from it.”³

٢٠ / ٢١ - وَكَمَا حَدَّثَنَا حُسَيْنُ بْنُ نَصْرِ بْنِ الْمُعَارِكِ الْبَغْدَادِيُّ قَالَ: ثنا مُحَمَّدُ بْنُ يُوسُفَ الْفَرِّيَابِيُّ قَالَ: ثنا سُفْيَانُ، ح: وَحَدَّثَنَا فَهْدٌ قَالَ: ثنا أَبُو نُعَيْمٍ قَالَ: ثنا سُفْيَانُ عَنْ أَبِي الزِّنَادِ . . . فَذَكَرَ بِإِسْنَادِهِ مِثْلَهُ.

20/21. The like of it has been transmitted to us by way of Sufyān from Abuʿz-Zinād [with his *isnād*].⁴

1 Its *isnād* is *ḥasan* on account of Ḥārith ibn [being in the chain of transmission]. Bayhaqī transmitted it (Chapter [demonstrating] that he would take new water for each limb, 1:239, no. 137) from Anas ibn ʿIyāḍ from Ḥārith ibn ʿAbd ar-Raḥmān from ʿAṭāʾ ibn Mīnāʾ from him (i.e. Abū Hurayrah رضي الله عنه).

2 Its *isnād* is *ṣaḥīḥ*. Dāraquṭnī transmitted it (Purification/ chapter 15, no. 131) by way of Yūnus, and Ibn Ḥibbān transmitted it (2:274, no. 1248) by way of Ibn Wahb.

3 Its *isnād* is *ḥasan* on account of Mūsā ibn Abī ʿUthmān and Abū ʿUthmān [being in the chain of transmission]. Nasāʾī transmitted it (Purification/ chapter 140, no. 222) by way of Abuʿz-Zinād from Mūsā ibn Abī ʿUthmān.

4 Its *isnād* is *ḥasan* on account of Mūsā ibn Abī ʿUthmān and Abū ʿUthmān [being in the chain of transmission].

٢٢ - حَدَّثَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ الْمُؤَدَّبُ قَالَ: ثنا أسدُ بنُ موسى قَالَ: ثنا عَبْدُ اللَّهِ بنُ لَهَيْعَةَ قَالَ: ثنا عَبْدُ الرَّحْمَنِ الْأَعْرَجُ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ رضي الله عنه عَنْ رَسُولِ اللَّهِ صلى الله عليه وسلم قَالَ: «لَا يُولَنَ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ الَّذِي لَا يَجْرِي، ثُمَّ يَغْتَسِلُ مِنْهُ».

22. It has been transmitted by way of Ibn Lahī'ah from 'Abd ar-Rahmān al-A'raj from Abū Hurayrah رضي الله عنه that the Messenger of Allah صلى الله عليه وسلم said, "Let none of you urinate in non-running stagnant water and then perform *ghusl* from it."¹

٢٣ - حَدَّثَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ الْجِزْيِيُّ، قَالَ: ثنا أَبُو زُرْعَةَ وَهَبُ اللَّهِ بنُ رَاشِدٍ قَالَ: أنا حَيَوَةُ بنُ شُرَيْحٍ، قَالَ: سَمِعْتُ ابْنَ عَجَلَانَ يُحَدِّثُ عَنْ أَبِي الزُّنَادِ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رضي الله عنه، عَنْ رَسُولِ اللَّهِ صلى الله عليه وسلم قَالَ: «لَا يُولَنَ أَحَدُكُمْ فِي الْمَاءِ الرَّائِدِ وَلَا يَغْتَسِلُ فِيهِ».

23. It has been transmitted by way of Abū Zur'ah from Ibn Shurayḥ from Ibn 'Ajlān from Abu'z-Zinād from A'raj from Abū Hurayrah رضي الله عنه that the Messenger of Allah صلى الله عليه وسلم said, "Let none of you urinate in stagnant water or perform *ghusl* in it."²

٢٤ - حَدَّثَنَا إِبرَاهِيمُ بنُ مُنْقِدِ الْعُصْفَرِيُّ، قَالَ: حَدَّثَنِي إِدْرِيسُ بنُ يَحْيَى، قَالَ: ثنا عَبْدُ اللَّهِ بنُ عِيَّاشٍ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رضي الله عنه، عَنِ النَّبِيِّ صلى الله عليه وسلم مِثْلَهُ، غَيْرَ أَنَّهُ قَالَ: «وَلَا يَغْتَسِلُ فِيهِ جُنْبٌ».

24. The like of it has been transmitted to us by way of 'Abdullāh ibn 'Ayyāsh from A'raj from Abū Hurayrah رضي الله عنه, but in this narration he said, "And someone in a state of *janābah* may not perform *ghusl* in it."³

٢٥ - حَدَّثَنَا مُحَمَّدُ بنُ الْحَجَّاجِ بنِ سُلَيْمَانَ الْحَضْرَمِيُّ، قَالَ: ثنا عَلِيُّ بنُ مَعْبُدٍ قَالَ: ثنا أَبُو يُوسُفَ، عَنِ ابْنِ أَبِي لَيْلَى، عَنِ أَبِي الزُّبَيْرِ، عَنِ جَابِرِ رضي الله عنه، عَنِ النَّبِيِّ صلى الله عليه وسلم أَنَّهُ نَهَى أَنْ يُبَالَ فِي الْمَاءِ الرَّائِدِ ثُمَّ يَتَوَضَّأُ فِيهِ.

25. It has been transmitted by way of Ibn Abī Laylā from Abu'z-Zubayr from Jābir رضي الله عنه from the Prophet صلى الله عليه وسلم that he forbade [people] from urinating in stagnant water and then performing *wudu'* in it.⁴

Abū Ja'far رضي الله عنه says, "When the Prophet صلى الله عليه وسلم singled out non-running stagnant water for men-

1 Its *isnād* is *hasan* on account of Ibn Lahī'ah [being in the chain of transmission]. Bukhārī transmitted it (*Wudu'* chapter 68, no. 239) by way of Abū'z Zinād from A'raj.

2 Its *isnād* is *hasan* on account of Abū Zur'ah Wahbullāh ibn Rāshid [being in the chain of transmission]. Abū Sā'id ibn Abī Maryam found fault with him, but Abū Ḥātim said that he was trustworthy. Nasā'ī transmitted it (Purification, no. 398) with his *isnād* by way of Ibn 'Ajlān.

3 Its *isnād* is *hasan* on account of 'Abdullāh ibn 'Ayyāsh [being in the chain of transmission]. The *ḥadīth* itself is *ṣaḥīḥ*.

4 Its *isnād* is *hasan* on account of Muḥammad ibn Abī Laylā [being in the chain of transmission]. Muslim transmitted it (Purification/chapter 28, no. 655) by way of Layth from Abu'z-Zubayr from Jābir رضي الله عنه, as did Nasā'ī (Purification/chapter 31, no. 35) and Ibn Mājah (Purification/ chapter 25, no. 343).

tion [in these *aḥādīth*] and not running water, we come to know that he only made that distinction because impurity becomes intermingled with stagnant water, not running water.”

There are also many *aḥādīth* of the Messenger of Allah ﷺ mentioning the washing of a vessel [containing water] that has been lapped by a dog which we will, if Allah wills, mention later on in this book. These *aḥādīth* are a clear proof that both the vessel and the water that it contains are impure, even though it (i.e. the dog’s impure saliva) leaves the colour, taste and smell of that water unchanged.

All of [these traditions about the dog lapping the vessel]—and the meanings therein—are considered to be correct, so, in order to reconcile them with the previous traditions concerning the well of Buḍā‘ah in such a way that no contradiction remains, we must interpret the traditions concerning the well of Buḍā‘ah in the way in which we described [i.e. as referring to running water].

So this is the ruling which governs non-running water into which impurity falls (i.e. that it is impure) by way of regarding the meanings of the *aḥādīth* to be correct.

However, some¹ set limits upon that and said that, “If there is more than two *qullah* of [stagnant water], then it does not carry impurity” (i.e. it does not share the ruling of the impurity which falls into it.) This position is based on the following *aḥādīth*:

٢٦ - حَدَّثَنَا بَحْرُ بْنُ نَصْرِ بْنِ سَابِقِ الْخَوْلَانِيِّ قَالَ: ثنا يحيى بن حسان قال: ثنا أبو أسامة حماد بن أسامة، عن الوليد بن كثير المخزومي، عن محمد بن جعفر بن الزبير، عن عبيد الله بن عبد الله، عن عبد الله بن عمر رضي الله عنه أن رسول الله صلى الله عليه وسلم سئل عن الماء وما ينوبه من السباع، فقال: «إذا بلغ الماء قلتين، فليس يحمل الخبث».

26. It has been transmitted by way of Abū Usāmah Ḥammād ibn Usāmah from Walid ibn Kathīr al-Makhzūmī from Muḥammad ibn Ja‘far ibn az-Zubayr from ‘Ubaydullah ibn ‘Abdillah from Ibn ‘Umar رضي الله عنه that someone asked the Messenger of Allah ﷺ about a water-source frequented by predatory animals. He replied, “If the [volume of] water is equivalent to two *qullah* [or more] then it does not carry impurity.”²

٢٧ - وَكَمَا حَدَّثَنَا الْحُسَيْنُ بْنُ نَصْرِ، سَمِعْتُ يَزِيدَ بْنَ هَارُونَ قَالَ: أَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ جَعْفَرِ بْنِ الزُّبَيْرِ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِيهِ رضي الله عنه، عَنِ النَّبِيِّ صلى الله عليه وسلم أَنَّهُ سُئِلَ عَنِ الْحِيَاضِ الَّتِي بِالْبَادِيَةِ تُصِيبُ مِنْهَا السَّبَاعُ، فَقَالَ: «إِذَا بَلَغَ الْمَاءُ قُلَّتَيْنِ لَمْ يَحْمِلْ خَبثًا».

27. It has been transmitted by way of Yazīd ibn Hārūn from Ibn Ishāq from Ibn

1 Those who took this position included Imam Shāfi‘ī and Imam Aḥmad.

2 Its *isnād* is *ṣaḥīḥ*: It is transmitted by Abū Dāwūd (Purification/chapter 33, no. 63) and Nasā‘ī (Purification/Waters/chapter 2, no. 329) with their respective *asānīd* from Abū Usāmah. Abū Dāwūd said, “Uthmān ibn Abī Shaybah and Ḥasan ibn ‘Alī said from Abū Usāmah who said from Muḥammad ibn ‘Abbād ibn Ja‘far from ‘Ubaydullah [. . .],” while Muḥammad ibn al-‘Alā’ said, “From Muḥammad ibn Ja‘far [. . .],” which is the correct version [of the narrator’s name].

Ja'far from 'Ubaydullāh ibn 'Umar from his father ﷺ that the Prophet ﷺ was asked about the reservoirs from which predatory animals drink in the desert. He replied, "If the volume of water is equivalent to two *qullah* [or more] then it does not carry impurity."¹

٢٨ - حَدَّثَنَا مُحَمَّدُ بْنُ الْحَجَّاجِ، ثنا عَلِيُّ بْنُ مَعْبُدٍ، ثنا عَبَّادُ بْنُ عَبَّادٍ الْمُهَلَّبِيُّ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ جَعْفَرٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِيهِ ﷺ، عَنْ رَسُولِ اللَّهِ ﷺ مِثْلَهُ.

28. The like of it has been transmitted by way of 'Abbād al-Muhallabī from Ibn Ishāq [with his *isnād*] as above from Ibn 'Umar ﷺ from the Messenger of Allah ﷺ.²

٢٩ - وَكَمَا حَدَّثَنَا يَزِيدُ بْنُ سِنَانَ بْنِ يَزِيدِ الْبَصْرِيُّ قَالَ: ثنا مُوسَى بْنُ إِسْمَاعِيلَ قَالَ: أَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ جَعْفَرٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِيهِ ﷺ، عَنِ النَّبِيِّ ﷺ مِثْلَهُ.

29. The like of it has also been transmitted by way of Ḥammād ibn Salamah from Ibn Ishāq [with his *isnād*] from Ibn 'Umar ﷺ from the Messenger of Allah ﷺ.³

٣٠ - حَدَّثَنَا يَزِيدُ، قَالَ: ثنا مُوسَى بْنُ إِسْمَاعِيلَ، قَالَ: ثنا حَمَّادُ بْنُ سَلَمَةَ، أَنَّ عَاصِمَ بْنَ الْمُنْذِرِ أَخْبَرَهُمْ قَالَ: كُنَّا فِي بُسْتَانٍ لَنَا - أَوْ بُسْتَانٍ لِعُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ - فَحَضَرَتْ صَلَاةَ الظُّهْرِ، فَقَامَ إِلَى بَيْتِ الْبُسْتَانِ فَتَوَضَّأَ مِنْهُ، وَفِيهِ جِلْدٌ بَعِيرٍ مَيِّتٍ، فَقُلْتُ: أَتَتَوَضَّأُ مِنْهُ وَهَذَا فِيهِ؟ فَقَالَ عُبَيْدُ اللَّهِ: أَخْبَرَنِي أَبِي أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِذَا كَانَ الْمَاءُ قُلَّتَيْنِ لَمْ يَنْجُسْ».

30. It has been transmitted by way of Mūsā ibn Ismā'īl from Ḥammād ibn Salamah from 'Āṣim ibn al-Mundhir who said, "We were in a garden which belonged to us"—or he said, "A garden which belonged to 'Ubaydullāh ibn 'Abdillāh ibn 'Umar—when the time of the prayer arrived. It was [time for] the *Zuhr* prayer, so he ['Ubaydullāh] went to the garden well and performed *wudu*' from it even though there was the skin of a dead camel in the well. So I asked, 'Do you perform *wudu*' from [this well] while this is in it?' 'Ubaydullāh replied, 'My father told me that the Messenger of Allah ﷺ said, "If [the amount of] water is two *qullah* [or more] then it does not become impure."⁴

1 Its *isnād* is *ṣaḥīḥ*: Ibn Mājah transmitted it (Purification/chapter 75, no. 517) with his *isnād* by way of Yazid ibn Hārūn.

2 Its *isnād* is *ṣaḥīḥ*.

3 Its *isnād* is *ṣaḥīḥ*. It is transmitted by Abū Dāwūd (Purification/chapter 33, no. 64), Tirmidhī (Purification/chapter 50, no. 67) and Ibn Mājah (Purification/ chapter 75, no. 517) with their respective *asānīd* from Muḥammad ibn Ishāq.

4 Its *isnād* is *ṣaḥīḥ*. Abū Dāwūd transmitted it (Purification/chapter 33, no. 65) by way of Mūsā ibn Ismā'īl, and said, "Ḥammād ibn Zayd transmitted it from 'Āṣim as a *mawqūf* statement [of Ibn 'Umar ﷺ]."

٣١ - وَكَمَا حَدَّثَنَا رَبِيعُ الْمُؤَدَّبُ قَالَ: ثنا يَحْيَى بْنُ حَسَّانٍ قَالَ: ثنا حَمَّادُ بْنُ سَلَمَةَ. . . فَذَكَرَ بِإِسْنَادِهِ مِثْلَهُ، غَيْرَ أَنَّهُ لَمْ يَرْفَعْهُ إِلَى النَّبِيِّ ﷺ، وَأَوْفَقَهُ عَلَى ابْنِ عُمَرَ ﷺ.

31. The like of it has been transmitted by way of Yaḥyā ibn Ḥassān from Ḥammād ibn Salamah, but he did not narrate it as a *marfūʿ* tradition of the Prophet ﷺ, rather he narrated it as a *mawqūf* tradition of Ibn ʿUmar ﷺ.¹

These people said, “If the volume of water reaches this amount, then it is not affected by impurities falling into it except when its smell, taste or colour change.” They based their position on the *ḥadīth* of Ibn ʿUmar ﷺ mentioned in the traditions above.

One of the proofs of those who took the position which we consider to be the correct one is that none of these traditions clarify for us the volume of two *qullah*. It is possible that the *qullah* which are referred to are the *qullah* of the Hajar [a village near Madinah], as you mentioned, and it is possible that they are the *qullah* of man i.e. his height; in which case it would mean that if the amount of water is equivalent to twice the stature of a man [or more], then it would not carry impurity because of the large volume of water and because by such a volume it would be considered [as far as its ruling] in the same sense as rivers.

If you were to say that you take the *ḥadīth* at its face value and that the *qullah* that are mentioned in it are the well-known *qullah* of the Ḥijāz, then it could be said to you that, “If we were to take the *ḥadīth* at its face value, as you say, then we should also adopt the position that two *qullah* of water is not made impure by impurity falling into it even when its taste, smell or colour change, for the Prophet ﷺ did not mention that in this *ḥadīth*.”

If you were to say that, even though the Prophet ﷺ did not mention that in this *ḥadīth*, he did mention it in others such as the following *ḥadīth*:

٣٢ - مَا حَدَّثَنَا مُحَمَّدُ بْنُ الْحَجَّاجِ قَالَ: ثنا عَلِيُّ بْنُ مَعْبُدٍ قَالَ: ثنا عِيسَى بْنُ يُونُسَ، عَنِ الْأَخْوَصِ بْنِ حَكِيمٍ، عَنْ رَاشِدِ بْنِ سَعْدٍ، قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْمَاءُ لَا يُنَجِّسُهُ شَيْءٌ، إِلَّا مَا غَلَبَ عَلَى لَوْنِهِ أَوْ طَعْمِهِ أَوْ رِيحِهِ».

32. It has been transmitted by way of Aḥwaṣ ibn Ḥakīm from Rāshid ibn Saʿd that the Messenger of Allah ﷺ said, “Nothing makes water impure except for that which overcomes its colour, taste or smell.”²

1 Its *isnād* is transmitted by Ḥammād ibn Zayd as a *mawqūf* statement of Ibn ʿUmar ﷺ. Differences arose regarding the transmission from Ḥammād ibn Salamah: some of the narrators transmitted it as being *mawqūf* and some transmitted it as being *marfūʿ*. There is also some disagreement as to the actual text of the *ḥadīth* transmitted from Ḥammād ibn Salamah: In the version narrated by Ibrāhīm ibn al-Ḥajjāj, Hudbah ibn Khālid and Kāmil ibn Ṭalḥah we find, ‘[. . .] two *qullah* or three [. . .],’ whereas in the version of ʿAffān, Yaʿqūb ibn Ishāq, Bishr ibn as-Sariyy, ʿAlāʾ ibn ʿAbd al-Jabbār, Mūsā ibn Ismāʿīl and ʿUbaydullāh ibn Muḥammad al-ʿAyshī, the words, ‘or three [. . .]’ are left out. Differences also arose from Yazīd ibn Hārūn: Ibn aṣ-Ṣabbāḥ transmitted the words [or three [. . .]] from him, whereas Abū Maṣʿūd did not.

2 Its *isnād* is *ḍaʿīf* and *munqaṭīʿ*. It is transmitted by Ibn Mājah (Purification/chapter 76, no. 521) with an *isnād* from Rishdīn ibn Saʿd from Muʿāwiyah ibn Ṣāliḥ from Rāshid ibn Saʿd from Abū Umāmah; both versions—the *musnad* [of Ibn Mājah] and the *munqaṭīʿ* [of Ṭaḥawī]—are *ḍaʿīf*. This is because Aḥwaṣ ibn Ḥakīm is in the chain of transmission of the *munqaṭīʿ* version and Rishdīn ibn Saʿd is in the chain of transmission of the *musnad*. Dāraquṭnī also transmitted the *ḥadīth* (Purification/chapter 2, no. 43) by way of Aḥwaṣ ibn Ḥakīm as a *munqaṭīʿ ḥadīth* as

Then let it be said to you that, “This *ḥadīth* is *munqaṭi*^c, and you do not accept *munqaṭi*^c *ḥadīth* as establishing or proving anything. Also, if it is permissible for you to interpret the word *qullah* as referring to a specific type of *qullah*, then it ought to be permissible for others to interpret the word water as referring to a specific type of water in order to ensure that this *ḥadīth* conforms with and does not contradict the first group of traditions which we transmitted. So since the traditions which mentioned urinating in stagnant water and the impurity of the water in a vessel from which a cat has licked are general, and a specific amount [of water] is not mentioned in them and if that [generalisation] is applied to all non-running water, then that proves that the ruling in the *ḥadīth* concerning the two *qullah*¹ only applies to running water. Therefore, the amount of water should not be taken into account in any of those or these traditions which we have transmitted in order to ensure that there is no contradiction between the various *aḥādīth* mentioned in this chapter.

This explanation by means of which we were able rectify [and reconcile] the meanings of the aforementioned *aḥādīth* is the verdict of Abū Ḥanīfah, Abū Yūsuf and Muḥammad, may Allah have mercy on them.

This verdict is reinforced by narrations from those [scholars] who have preceded them; from those that have been narrated are:

٣٣ - مَا حَدَّثَنَا صَالِحُ بْنُ عَبْدِ الرَّحْمَنِ قَالَ: ثنا سَعِيدُ بْنُ مَنْصُورٍ قَالَ: ثنا هُشَيْمٌ قَالَ: ثنا مَنْصُورٌ، عَنْ عَطَاءٍ: أَنَّ حَبَشِيًّا وَقَعَ فِي رَمْزَمَ فَمَاتَ، فَأَمَرَ ابْنُ الزُّبَيْرِ فَنُزِحَ مَاؤُهَا، فَجَعَلَ الْمَاءَ لَا يَنْقَطِعُ، فَنَظَرَ فَإِذَا عَيْنٌ تَجْرِي مِنْ قِبَلِ الْحَجَرِ الْأَسْوَدِ، فَقَالَ ابْنُ الزُّبَيْرِ: حَسْبُكُمْ.

33. It has been transmitted from ‘Aṭā’ that an Abyssinian fell into [the well of] Zamzam and died. Ibn az-Zubayr رضي الله عنه ordered that the water [of the well] be emptied out completely, but the water did not stop [flowing in]. So they looked into it and

Ṭaḥāwī had transmitted it, and then repeated the same *ḥadīth* with an *isnād* containing Rishdīn ibn Sa’d (no. 44) as Ibn Mājah transmitted it, saying, “The only path of transmission going right back to the Prophet ﷺ (*marfū*) is that from Rishdīn ibn Sa’d from Mu’āwiyah, and he is not *qawī*.”

¹ The statement of the Prophet ﷺ in the *ḥadīth* about the two *qullah* was not intended as a general ruling, for it was in reply to a specific question concerning those water-sources in the wastelands that are frequented by wild animals. The wording of the *ḥadīth*, ‘Water in the wastelands,’ indicates the sort of water that flows constantly, such as the water that emerges from springs and fountains. This sort of water gathers around its source [to form a pool] that is usually of about the size mentioned (two *qullah*), but is not stagnant as it flows outward [to be absorbed by the ground surrounding it]. The amount ‘two *qullah*’ is not meant to refer to an exact amount, but is rather an approximation: this is supported by the statement of the Prophet ﷺ in the narration of Ḥammād ibn Salamah, ‘[two *qullah*] or three.’ Thus we now know that the water about which the questioner asked was both running and amounted to two or three *qullah*. We also know that, when there is a lot of water and it is running, it does not carry impurities. We can see by this that the axis upon which the ruling revolves is the fact of the impurity being carried [or not], not the fact of the volume of water reaching two *qullah*. The *ḥadīth* of the two *qullah* therefore refers back to the statement [of the Prophet ﷺ] in the *ḥadīth* of the well of Buḍā’ah that ‘Water is pure; nothing renders it impure.’ Abū Ḥanīfah رضي الله عنه also interpreted the *ḥadīth* of the two *qullah* as referring to a large amount of running water, for Sam‘ānī related that Abū Yūsuf رضي الله عنه said, “I asked Abū Ḥanīfah about the statement of the Prophet ﷺ ‘When the [quantity] of water amounts to two *qullah* [. . .]’ and he replied that the water referred to [in this *ḥadīth*] was running water.”

found that there was a spring flowing into it from the direction of the Black Stone. Ibn az-Zubayr ؓ said, “You have done enough.”

٣٤ - وَمَا قَدْ حَدَّثَنَا حُسَيْنُ بْنُ نَصْرِ، ثنا الْفَرَيَابِيُّ، ثنا سُفْيَانُ، أَخْبَرَنِي جَابِرٌ، عَنْ أَبِي الطُّفَيْلِ ؓ قَالَ: وَقَعَ غُلَامٌ فِي زَمْزَمَ فَنَزَفَتْ.

34. It has been transmitted from Jābir ؓ that Abu’ṭ-Ṭufayl ؓ said, “A boy fell into Zamzam, so its water was emptied out.”

٣٥ - وَمَا قَدْ حَدَّثَنَا مُحَمَّدُ بْنُ حُزَيْمَةَ قَالَ: ثنا حَجَّاجُ بْنُ الْمُنْهَالِ قَالَ: ثنا حَمَّادُ بْنُ سَلَمَةَ، عَنْ عَطَاءِ بْنِ السَّائِبِ عَنْ مَيْسَرَةَ: أَنَّ عَلِيًّا ؓ قَالَ فِي بئرٍ وَقَعَتْ فِيهَا فَأَرَةٌ فَمَاتَتْ، قَالَ: يُنْزَحُ مَا وَهَاهَا.

35. It has been transmitted from Maysarah that ‘Alī ؓ said about a well into which a mouse had fallen and died, “Its water is to be emptied out.”

٣٦ - وَمَا قَدْ حَدَّثَنَا مُحَمَّدُ بْنُ حُمَيْدِ بْنِ هِشَامِ الرُّعَيْنِيُّ، قَالَ: ثنا عَلِيُّ بْنُ مَعْبُدٍ، قَالَ: ثنا مُوسَى بْنُ أَعْيَنَ، عَنْ عَطَاءِ عَنْ مَيْسَرَةَ وَزَادَانَ، عَنْ عَلِيٍّ ؓ قَالَ: إِذَا سَقَطَتِ الْفَأْرَةُ - أَوِ الدَّابَّةُ - فِي الْبئرِ، فَانْزَحْهَا حَتَّى يَغْلِبَكَ الْمَاءُ.

36. It has been transmitted from Maysarah and Zādhān that ‘Alī ؓ said, “If a mouse or [other] animal falls into a well, continue to empty out its water until the water overcomes you.”

٣٧ - حَدَّثَنَا مُحَمَّدُ بْنُ حُزَيْمَةَ، قَالَ: ثنا حَجَّاجٌ، قَالَ: ثنا حَمَّادٌ، عَنْ أَبِي الْمُهَزَّمِ، قَالَ: سَأَلْنَا أَبَا هُرَيْرَةَ ؓ عَنْ الرَّجُلِ يَمُرُّ بِالْغَدِيرِ: يَبُولُ فِيهِ؟ قَالَ: لَا، فَإِنَّهُ يَمُرُّ بِهِ أَخُوهُ الْمُسْلِمُ فَيَشْرَبُ مِنْهُ وَيَتَوَضَّأُ، وَإِنْ كَانَ جَارِيًا فَلْيَبُلْ فِيهِ إِنْ شَاءَ.

37. It has been transmitted from Abu’l-Muhazzim who said, “We asked Abū Hurayrah ؓ about whether it is permissible for a man to urinate in a pool of water as he passes it by, so he replied, ‘No, [he may not urinate in it], for his Muslim brother might pass by [that pool of water] and drink from it or perform *wudu*’ [with water] from it. If [the water] is running, however, then he may urinate in it if he wishes.”

٣٨ - وَمَا قَدْ حَدَّثَنَا مُحَمَّدٌ قَالَ: ثنا حَجَّاجٌ قَالَ: ثنا حَمَّادٌ، عَنْ أَيُّوبَ، عَنْ مُحَمَّدٍ، عَنْ أَبِي هُرَيْرَةَ ؓ مِثْلَهُ.

38. The like of it has been transmitted from Muḥammad [Ibn Sīrīn] from Abū Hurayrah ؓ.

٣٩ - وَمَا قَدْ حَدَّثَنَا أَبُو بَكْرَةَ قَالَ: ثنا أَبُو عَامِرٍ الْعَقَدِيُّ قَالَ: ثنا سُفْيَانُ، عَنْ زَكَرِيَّا، عَنْ الشَّعْبِيِّ فِي الطَّيْرِ وَالسَّنُورِ وَنَحْوِهِمَا يَقَعُ فِي الْبئرِ، قَالَ: يُنْزَحُ مِنْهَا أَرْبَعُونَ دَلْوًا.

39. That which has been transmitted by way of Abū ‘Āmir al-‘Aqadī [with his *isnād*] from Sha‘bī who said about a well into which a [dead] bird, cat or the like falls, “Forty bucketsful [of water] must be removed from [the well].”

٤٠ - حَدَّثَنَا حُسَيْنُ بْنُ نَصْرِ، قَالَ: ثنا الْفَرِيَابِيُّ، ثنا سُفْيَانُ، عَنْ زَكَرِيَّا، عَنِ الشَّعْبِيِّ، قَالَ: يُنْزَحُ مِنْهَا أَرْبَعُونَ دَلْوًا.

40. It has been transmitted by way of Firyābī [with his *isnād*] from Sha‘bī who said, “Forty bucketsful [of water] must be removed from [the well].”

٤١ - وَمَا قَدْ حَدَّثَنَا صَالِحُ بْنُ عَبْدِ الرَّحْمَنِ قَالَ: ثنا سَعِيدُ بْنُ مَنْصُورٍ قَالَ: ثنا هُشَيْمٌ، عَنْ عَبْدِ اللَّهِ بْنِ سَبْرَةَ الْهَمْدَانِيِّ، عَنِ الشَّعْبِيِّ قَالَ: يَدُلُّو مِنْهَا سَبْعِينَ دَلْوًا.

41. It has been transmitted by way of Hushaym from ‘Abdullāh ibn Sabrah al-Hamdānī that Sha‘bī said, “He should remove seventy bucketsful [of water] from it.”

٤٢ - وَمَا قَدْ حَدَّثَنَا فَهْدُ بْنُ سُلَيْمَانَ قَالَ: ثنا مُحَمَّدُ بْنُ سَعِيدِ بْنِ الْأَصْبَهَانِيِّ قَالَ: ثنا حَفْصُ بْنُ غِيَاثِ النَّخَعِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ سَبْرَةَ الْهَمْدَانِيِّ، عَنِ الشَّعْبِيِّ قَالَ: سَأَلْنَاهُ عَنِ الدَّجَاةِ تَقَعُ فِي الْبَيْتِ فَتَمُوتُ فِيهَا، قَالَ: يُنْزَحُ مِنْهَا سَبْعُونَ دَلْوًا.

42. It has been transmitted by way of Ḥafṣ ibn Ghiyāth that ‘Abdullāh ibn Sabrah al-Hamdānī said, “We asked [Sha‘bī] about [what we should do when] a chicken falls into a well and dies in it. He replied, ‘Seventy bucketsful [of water] must be removed from [the well].’”

٤٣ - وَمَا قَدْ حَدَّثَنَا صَالِحُ قَالَ: ثنا سَعِيدُ بْنُ مَنْصُورٍ قَالَ: ثنا هُشَيْمٌ قَالَ: أَنَا الْمُغِيرَةُ، عَنْ إِبْرَاهِيمَ فِي الْبَيْتِ يَقَعُ فِيهِ الْجُرَذُ أَوِ السَّنُورُ فَيَمُوتُ، قَالَ: يَدُلُّو مِنْهَا أَرْبَعِينَ دَلْوًا. قَالَ الْمُغِيرَةُ: حَتَّى يَتَغَيَّرَ الْمَاءُ.

43. It has been transmitted by way of Hushaym from Mughīrah that Ibrāhīm an-Nakha‘ī said about a well into which a rat or cat falls and dies, “He must draw forty bucketsful [of water] out of it.” Mughīrah added, “Until the water changes.”

٤٤ - وَمَا قَدْ حَدَّثَنَا مُحَمَّدُ بْنُ خَزِيمَةَ قَالَ: ثنا الْحَجَّاجُ قَالَ: ثنا أَبُو عَوَانَةَ، عَنِ الْمُغِيرَةَ، عَنْ إِبْرَاهِيمَ فِي فَارَةٍ وَقَعَتْ فِي بَيْتٍ، قَالَ: يُنْزَحُ مِنْهَا قَدْرُ أَرْبَعِينَ دَلْوًا.

44. It has been transmitted by way of Abū ‘Awānah from Mughīrah that Ibrāhīm said about a mouse which falls into a well [and dies], “A measure [of water] equivalent to forty bucketsful must be removed from it.”

٤٥ - وَمَا قَدْ حَدَّثَنَا حُسَيْنُ بْنُ نَصْرِ، قَالَ: ثنا الْفَرِيَابِيُّ، قَالَ: ثنا سُنَيْانُ، عَنِ الْمُغِيرَةِ، عَنِ إِبْرَاهِيمَ فِي الْبُرِّ تَقَعُ فِيهِ الْفَأْرَةُ قَالَ: يُنْزَحُ مِنْهَا دَلَاءٌ.

45. It has been transmitted by way of Sufyān from Mughīrah that Ibrāhīm said about a well into which a mouse falls, “Bucketsful [of water] must be removed from it.”

٤٦ - وَمَا قَدْ حَدَّثَنَا ابْنُ خَزِيمَةَ قَالَ: ثنا حَبَّاجٌ قَالَ: ثنا حَمَّادُ بْنُ سَلَمَةَ، عَنْ حَمَّادِ بْنِ أَبِي سُلَيْمَانَ أَنَّهُ قَالَ فِي دَجَاجَةٍ وَقَعَتْ فِي بئرٍ فَمَاتَتْ، قَالَ: يُنْزَحُ مِنْهَا قَدْرُ أَرْبَعِينَ دَلْوًا أَوْ خَمْسِينَ، ثُمَّ يُتَوَضَّأُ مِنْهَا.

46. It has been transmitted from Ḥammād ibn Salamah that Ḥammād ibn Abī Sulaymān said about a well into which a chicken falls and dies, “A measure [of water] equivalent to forty or fifty bucketsful should be removed from [the well], and then *wudu*’ may be performed [with water] from it.”

These are some of the Companions of the Messenger of Allah ﷺ and their Followers from whom we have narrated, and [we can see that] they considered the water of wells to be made impure by impurities falling into them and that they did not take into account the quantity of water involved; they only took into account the fact that the water [within the wells] was stagnant and they considered there to be a difference between this sort of water and other types of water that flow.

Our companions took their ruling about impurity falling into wells from these traditions as well as those *aḥādīth* of the Messenger of Allah ﷺ which preceded them, and it was not permissible for any of them to go against the verdicts [of these Companions and Followers] because nothing has been transmitted which contradicts them.

If someone were to say, “You consider the water of the well to be made impure by impurity falling into it, then that well should never again be considered pure, because the walls of the well drink up that impure water and it settles within them. Therefore, the well ought to be closed up.” Then let it be said to him that, “It was not the custom for this to be done; ‘Abdullāh ibn az-Zubayr ؓ did that which we mentioned with the well of Zamzam, he did that in the presence of Companions of the Prophet ﷺ and none of them disapproved of his ruling and nor did any of those who came after him and none of them saw it fit to have to close up the well. Also, the Messenger of Allah ﷺ merely ordered that the vessel from which a dog had licked be washed, not broken, and that vessel had absorbed impure water into its body.”

Therefore, just as we have not been commanded to break that vessel, so have we also not been commanded to close up that well.

If someone were to say, “We see that the vessel must be washed, so why should not the same thing be done with the well,” then let it be said to him that, “It is not possible to wash a well because any water which is thrown into it to wash it becomes part of it. It is not like a vessel from which the water which is used to clean it can be completely poured out.”

Since it is impossible to wash the well, and the well was at some point in time pure, and since every one of those who considered the well to be made impure by impurity falling

into it also considered it to be made pure by water being emptied from it without its clay being replaced, and despite the clay remaining in there, the water that subsequently flows in is not considered impure even though it flows over the clay; it is therefore, more reasonable to say that what the walls do not become impure. If all of that had been based on analogical reasoning, then the well could only be purified by its walls being washed and its clay being dug up and removed. However, because of the fact that they unanimously agree that it is not obligatory to remove the clay or dig up the well, we know that it is also not obligatory to wash the walls of the well. All of the above are the views of Abū Ḥanīfah, Abū Yūsuf and Muḥammad—may Allah Almighty shower His mercies upon them.

٢ - بَابُ سُورِ الْهَرِّ

2. WATER LEFT OVER BY A CAT

٤٧ - حَدَّثَنَا يُونُسُ بْنُ عَبْدِ الْأَعْلَى، قَالَ: أَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ، أَنَّ مَالِكًا حَدَّثَهُ عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ، عَنْ حُمَيْدَةَ بِنْتِ عُبَيْدِ بْنِ رِفَاعَةَ، عَنْ كَبْشَةَ بِنْتِ كَعْبِ بْنِ مَالِكٍ، وَكَانَتْ تَحْتَ ابْنِ أَبِي قَتَادَةَ: أَنَّ أَبَا قَتَادَةَ   دَخَلَ عَلَيْهَا فَسَكَبَتْ لَهُ وَضُوءًا، فَجَاءَتْ هِرَّةٌ فَشَرِبَتْ مِنْهُ، فَأَصْغَى لَهَا أَبُو قَتَادَةَ الْإِنَاءَ حَتَّى شَرِبَتْ. قَالَتْ كَبْشَةُ: فَرَأَيْتِ أَنْظُرُ إِلَيْهِ، فَقَالَ: أَتَعْجِبِينَ يَا ابْنَةَ أَخِي؟ قَالَتْ: قُلْتُ: نَعَمْ. قَالَ: فَإِنَّ رَسُولَ اللَّهِ   قَالَ: «إِنَّهَا لَيْسَتْ بِنَجَسٍ، إِنَّهَا مِنَ الطَّوَافِينِ عَلَيْكُمْ أَوْ الطَّوَافَاتِ».

47. It has been transmitted by way of [Imam] Mālik from Ishāq ibn ‘Abdillāh from Ḥumaydah bint ‘Ubayd ibn Rifā‘ah from Kabshah bint Ka‘b ibn Mālik  , the wife of the son of Abū Qatādah  , that Abū Qatādah   came in [to her house] so she poured out some water [into a vessel] so that he could perform *wudu*. A cat came to the water to drink so Abū Qatādah   tilted the vessel [towards the cat] to [enable it to] do so. Kabshah said, “He saw me looking at him and said, ‘Are you surprised, niece?’ I said, ‘Yes.’ He said, ‘The Messenger of Allah   said, “They are not impure; they are those animals which roam about amongst you.””¹

٤٨ - حَدَّثَنَا مُحَمَّدُ بْنُ الْحَجَّاجِ، قَالَ: ثنا أَسَدُ بْنُ مُوسَى، قَالَ: ثنا قَيْسُ بْنُ الرَّبِيعِ، عَنْ كَعْبِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ جَدِّهِ أَبِي قَتَادَةَ   قَالَ: رَأَيْتُهُ يَتَوَضَّأُ، فَجَاءَ الْهَرُّ فَأَصْغَى لَهُ حَتَّى شَرِبَ مِنَ الْإِنَاءِ، فَقُلْتُ: يَا أَبَتَاهُ، لِمَ تَفْعَلُ هَذَا؟ فَقَالَ: كَانَ النَّبِيُّ   يَفْعَلُهُ. أَوْ قَالَ: هِيَ مِنَ الطَّوَافِينِ عَلَيْكُمْ.

48. It has been transmitted by way of Qays ibn ar-Rabi‘ that Ka‘b ibn ‘Abd ar-Rahmān said about his grandfather Abū Qatādah  , “I saw him in the process of performing *wudu* when a cat came up to him, so he tilted the vessel towards [the cat] until it [was able] to drink. I said to him, ‘[Grand]father, why are you doing that?’ He replied, ‘The Prophet   used to do it’—or he said, ‘They are those [creatures] who roam about amongst you.’”²

1 Its *isnād* is *ṣaḥīḥ*. It is transmitted by Abū Dāwūd (Purification/ Water left over by a cat, 75), Nasā’i (Purification/ Water left over by a cat, 68), Ibn Mājah (Purification/ Performing *wudu* with water left over by a cat and the dispensation for [doing] that, 367), and Tirmidhī (Purification/ Water left over by a cat, 92) with their respective *asānīd* from Mālik. Tirmidhī said: “[It is] *ṣaḥīḥ* and Mālik considered this *ḥadīth* from Ishāq to be good. There was no one who related this *ḥadīth* more perfectly than Mālik and this is the soundest narration in this entire chapter”.

2 Its *isnād* is *ḥasan* on account of Qays ibn Rabi‘ [being in the chain of transmission].