

IRSYAD AL-FATWA SERIES 176: TYPES AND METHOD OF SOIL FOR SERTU (PURIFICATION FROM NAJIS MUGHALLAZAH)

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Question:

What is the method and types of soil that can be used for sertu?

Answer:

Alhamdulillah, praise and thanks to Allah for the countless blessings He has blessed us all with. Blessings and salutations to the Prophet Muhammad PBUH, his wives, his family, companions and all those that follow his teachings to the day of judgement.

Narrations Regarding the Process of Sertu (Purification from Najis Mughallazah) of Containers that Have Been Licked by a Dog.

Sertu is a process of purification of najis mughallazah, such as najis from dogs (licked).

- Among the hadith from the Prophet PBUH that explains about this are the narrations by Abu Hurairah RA, the Prophet PBUH said:

إِذَا شَرِبَ الْكَلْبُ فِي إِنَاءٍ أَحَدِكُمْ فَلْيَغْسِلْهُ سَبْعًا

"If a dog drinks from the utensil of anyone of you it is essential to wash it seven times."

Sahih al-Bukhari (172)

طَهُورُ إِنَاءٍ أَحَدِكُمْ إِذَا وَلَعَ فِيهِ الْكَلْبُ، أَنْ يَغْسِلَهُ سَبْعَ مَرَّاتٍ أَوْ لَاهُنَّ بِالتُّرَابِ

"The cleansing of the utensil belonging to one of you, after it has been licked by a dog, is to wash it seven times, and using soil for cleaning at the first time."

Sahih Muslim (279)

يُغْسَلُ الْإِنَاءُ إِذَا وَلَعَ فِيهِ الْكَلْبُ سَبْعَ مَرَّاتٍ: أَوْ لَاهُنَّ أَوْ أُخْرَاهُنَّ بِالتُّرَابِ

"Wash the vessel the dog has drunk from seven times: the first or the last of them with dirt."

Sunan al-Tirmizi (91)

إِذَا وَلَعَ الْكَلْبُ فِي إِنَاءٍ أَحَدِكُمْ فَلْيَغْسِلْهُ سَبْعَ مَرَّاتٍ ، أَحْسَبُهُ قَالَ: إِحْدَاهُنَّ بِالتُّرَابِ

"If a dog licks the vessel of any one of you, let him wash it seven times, one of the washing with dust."

Sunan al-Bazzar (8887)

- From Ali RA, the Prophet PBUH said:

إِذَا وَلَغَ الْكَلْبُ فِي إِنَاءٍ أَحَدِكُمْ فَلْيَغْسِلْهُ سَبْعَ مَرَّاتٍ إِحْدَاهُنَّ بِالْبُطْحَاءِ

"If a dog licks the vessel of any one of you, let him wash it seven times, one of the washing with soil."

Sunan al-Daraqutni (192)

In the hadeeth, there is a narrator named al-Jarud and his nickname is Ibn Abu Yazid. He is one of the narrators that are considered matruk (narrations from them are rejected) (Refer: **Sunan al-Daruquthni**, 107/1)

In Sunan al-Daraqutni, the narration contains the term "إِحْدَاهُنَّ" and the sanad (chain of narrators) for this hadith is dhaif (weak) for the sanad includes al-Jarud bin Yazid. Thus, this hadith is classified as matruk (a hadith is considered matruk when one of its narrators is accused of telling lies or making heresies, whether or not in this specific hadith he told a lie.). (See **Nail al-Awthar**, 55/1)

Al-Hafiz states in **al-Fath**, narrations using the term "أُولَاهُنَّ" are stronger in terms of الأَكْثَرِيَّة (number) and الأَحْفَظِيَّة (preserved). Furthermore, the meaning of the hadith shows that if the last washing is with soil, then one more wash is needed to complete the purification and cleansing.

Some said that the narration by al-Tirmidhi in which the first and the last washings both are with soil is either really are the words transmitted or maybe come from the doubt coming from the narrators themselves. Hence, the desposition of this issue is to use the narration of "أُولَاهُنَّ" since it is stronger and more accepted. However, if the narration using term "أُخْرَاهُنَّ" is proven with connected valid chain of narrators, this shows that there is **takhyir** (choice) in this hadeeth.

The Definition of Turab "التراب" (Soil)

According to Arabic dictionaries such as Mu`jam al-Ghaniy, Mu`jam al-Ra'id, Mu`jam al-Lughah al-`Arabiyyah al-Mu`asir dan Mu`jam al-Wasit, turab (soil) is defined as soft soil on the surface of earth.

However, Kamus Dewan defines soil as the outermost layer of the earth.

In Arabic, the terms used for soil are al-Turab "التراب" or al-Thin "الطين". Among the Quranic and prophetic evidences that uses these terms are:

- Allah SWT states:

وَمِنْ آيَاتِهِ أَنْ خَلَقَكُمْ مِّنْ تُرَابٍ ثُمَّ إِذَا أَنْتُمْ بَشَرٌ تَنْتَشِرُونَ

"And of His signs is that He created you from dust; then, suddenly you were human beings dispersing [throughout the earth]."

Surah al-Rum (20)

- From Abu Hurairah RA, the Prophet PBUH said:

النَّاسُ كُلُّهُمْ بَنُو آدَمَ وَآدَمُ خُلِقَ مِنْ تُرَابٍ

"And people are all the children of Adam, and Adam was [created] from dust."

Sunan al-Tirmizi (3955)

We are also commanded to perform tayammum (to replace wudhu'ablution) when there is no water available, this is stated in the Quran:

- Allah SWT states:

فَلَمْ تَجِدُوا مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا فَامْسَحُوا بِوُجُوْهِكُمْ وَأَيْدِيكُمْ

“And find no water, then seek clean earth and wipe over your faces and your hands [with it]”

Surah al-Nisa' (43)

In the commentaries of Ibn Kathir, al-Sha'id (الصعيد) is everything that can be found on earth. Thus, it (al-Sha'id) includes soil, sand, tree, rock and vegetation. This is the opinion of mazhab Malik. It is also said that al-Sha'id is a type of soil like sand, al-Zarnikh (arsenic) and al-Naurah (lime mortar). This is the opinion of Mazhab Abi Hanifah. Meanwhile, it is said that al-sha'id is a mere soil. This is the opinion of the imam al-Syafie and Ahmad bin Hanbal also their followers. They bring upon this verse as the evidence:

فَتُصْبِحُ صَعِيدًا زَلَقًا

“and it will become a smooth, dusty ground”

Al-Kahf (40)

Which refers to a smooth pure soil. It is also recorded in the hadeeth narrated in Sahih Muslim. Hudzaifah al-Yaman said that the Prophet PBUH said:

فُضِّلْنَا عَلَى النَّاسِ بِثَلَاثٍ جُعِلَتْ صُفُوفُنَا كَصُفُوفِ الْمَلَائِكَةِ وَجُعِلَتْ لَنَا الْأَرْضُ كُلُّهَا مَسْجِدًا وَجُعِلَتْ تُرْبَتُهَا لَنَا طَهُورًا إِذَا لَمْ نَجِدِ الْمَاءَ

“We have been made to excel (other) people in three (things): Our rows have been made like the rows of the angels and the whole earth has been made a mosque for us, and its dust has been made a purifier for us in case water is not available. And he mentioned another characteristic too”

Sahih Muslim (522)

In another narration:

وَجُعِلَتْ تُرْبَتُهَا لَنَا طَهُورًا إِذَا لَمْ نَجِدِ الْمَاءَ

“and its dust has been made a purifier for us in case water is not available”

Sahih Muslim (522)

Therefore, they specialised the purification with the soil as a glory. If the true meaning is other than the soil, the saying must be “together with the soil”. (Refer: **Tafsir Ibn Kathir, 280/2**)

In Sahih Bukhari:

جَاءَ رَجُلٌ إِلَى عُمَرَ بْنِ الْخَطَّابِ فَقَالَ إِنِّي أَجَبْتُ فَلَمْ أَصِبِ الْمَاءَ. فَقَالَ عَمَارُ بْنُ يَاسِرٍ لِعُمَرَ بْنِ الْخَطَّابِ أَمَا تَذْكُرُ أَنَا كُنَّا فِي سَفَرٍ أَنَا وَأَنْتَ فَأَمَّا أَنْتَ فَلَمْ تُصَلِّ، وَأَمَّا أَنَا فَتَمَعَّكْتُ فَصَلَّيْتُ، فَذَكَرْتُ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " إِنَّمَا كَانَ يَكْفِيكَ هَكَذَا ". فَضَرَبَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِكَفَّيْهِ الْأَرْضَ، وَنَفَخَ فِيهِمَا ثُمَّ مَسَحَ بِهِمَا وَجْهَهُ وَكَفَّيْهِ

A man came to `Umar bin Al-Khattab and said, "I became Junub but no water was available." `Ammar bin Yasir said to `Umar, "Do you remember that you and I (became Junub while both of us) were together on a journey and you didn't pray but I rolled myself on the ground and prayed? I informed the Prophet (ﷺ) about it and he said, 'It would have been sufficient for you to do like this.' The Prophet then stroked lightly the earth with his hands and then blew off the dust and passed his hands over his face and hands."

Sahih al-Bukhari (338)

تَمَعَّكْتُ فَأَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ " يَكْفِيكَ الْوَجْهُ وَالْكَفَّانِ "

"I rolled myself in the dust and came to the Prophet (ﷺ) who said, 'Passing dusted hands over the face and the backs of the hands is sufficient for you.' "

Sahih al-Bukhari (341)

Based on these two mentioned hadeeth, we can understand that soil meant in this hadeeth is the outer layer of earth. This is because, the Prophet PBUH did not ask his companions to dig the land to get the soil for purifying themselves. Besides, looking on the doing of Ammar bin Yasir, it is clear that he rolled at the surface of the earth, and the Prophet PBUH never said that the dust used by him is impure.

The Ruling of Washing Seven Times

Al-Malikiyyah scholars hold the opinion that washing seven times is *ta’abbudiyy*, for their opinion is that the water licked by a dog is pure. [1] However, the majority of Islamic scholars of al-Hanafiyyah, al-Syafi’eyyah and al-Hanabilah hold the opinion that the *ta’abbud* is just for the seven times and not for the practise of purification, for it is ***mu’allal*** (with reason). Thus, water that is licked by a dog is najis.

In this problem, the scholars have differing opinions as to whether it is necessary to wash seven times or not. The opinions are divided into two:

First: It is obligatory to wash seven times, and this is the opinion in mazhab Malik, mazhab Syafie and mazhab Ahmad. They refer to the hadith from Abu Hurairah RA, as stated at the beginning of this discussion.

Second: It is not obligatory to wash seven times, and this is according to the opinion of mazhab Abu Hanifah. This is due to the fact that dog’s saliva is the same as other najis, and it enough to wash with a single washing to purify the najis. However, the washing for seven times is ***mustahab*** and not obligatory. They refer to a fatwa that was once issued by Abu Hurairah RA, he stated that it is enough to wash three times to purify the najis of dog’s saliva, in narrations by Imam al-Thalawi and al-Daraquthni. This shows that the seven times washing is abrogated.

There are several explanations for the second opinion:

- The fatwa by Abu Hurairah contradicts what he narrated. Practising what he narrated by the Prophet PBUH is a priority than practising his fatwa.
- Abu Hurairah has also issued a fatwa that commands the washing to be seven times and the sanad is stronger.
- Washing seven times is in line with a marfu’ narration, which reached to the Prophet PBUH.

The Ruling of *Tatrib* (using soil) When Purifying Dog's Najis

The following we detail the opinions of Islamic scholars regarding this issue:

First: al-Syafi’eyyah scholars hold the opinion that it is obligatory to wash using soil mixed with water to purify najis from dogs and swine and what is born from them. They use istidlal to state this opinion, referring to the hadith from Abu Hurairah RA, the Prophet PBUH said:

طَهُورُ إِنَاءٍ أَحَدِكُمْ إِذَا وَلَعَ فِيهِ الْكَلْبُ، أَنْ يَغْسِلَهُ سَبْعَ مَرَّاتٍ أَوْ لَاهُنَّ بِالتُّرَابِ

“The cleansing of the utensil belonging to one of you, after it has been licked by a dog, is to wash it seven times, and using soil for cleaning at the first time.”

Sahih Muslim (279)

Second: Meanwhile, mazhab Imam Ahmad states that it is permissible to use other than soil in the process of sertu, such as using soap or others. Refer ***Al-Mughni, Ibn Qudamah*** (1/74).

Third: As for scholars of al-Hanafiyyah and al-Malikiyyah, they hold the opinion that it is not obligatory to purify using soil for this matter (dog and swine). See ***Mausu’ah al-Fiqhiyyah al-Kuwaitiyyah*** (114/3).

Conclusion

According to the above discussion, in our opinion there are differing opinions by Islamic scholars regarding the usage of soil in the purification process of *mughallazah* najis, only scholars from mazhab Syafie and Hanafi obligates the usage of soil. Those that obligates the usage of soil agreed that all types of soft soil, whether it is from the surface of the earth or underneath the earth’s surface are permissible to be used. Thus, it is permissible to use soil that are defined as soil or clay by geologists. Furthermore, our religion’s basis is to make it easy and denies takalluf (تكلف), which means burdening oneself in worship.

Lastly, may Allah SWT bless us and give us understanding in practising our religion. Amin.

Wallahua’lam.

Irsyad Fatwa

General

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