

IRSYAD AL-FATWA SERIES 221: THE RULING OF SERTU USING TAHARAH SOAP

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Question:

Salam, I want to ask, is it valid to samak using taharah soap? As we know, nowadays, there are a lot of people living in apartments where it is hard for someone to find clean and pure soil for the process of samak. So, is it valid to samak using this type of soap?

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.

Mukadimah

Before we answer this issue further, we would like to explain the language usage issue first. This is due to the fact that there is a difference in the meaning for the terms *samak* and *sertu*.

According to Malay Literary Reference Center (PRPM), Dewan Bahasa dan Pustaka, samak is defined as: Substances used for cooking and coloring of animal skin: skin - cooked and colored skin. tanning 1 cook the skin so that it become soft and colored. Refer to the **Second Edition of Kamus Pelajar**.

However, the meaning for sertu is: to purify any part of the body affected by najis mughallazah (dog and pig) with water mixed with soil once and pure water six times, tanning. Refer: **4th Edition of Kamus Dewan**.

Though there is no need to debate on the usage of terms, however by knowing the accurate terms will help us further in understanding an issue.

Definition of Taharah Soap

The naming of taharah soap is different from the naming of other soaps in the market. This is due to the fact of the difference in the ingredients of this soap, compared to other soaps.

Generally, taharah soap is also known as clay soap. Looking at the ingredients of this soap, it is made from a mixture of clay, and other natural minerals such as sodium, calcium and potassium.

The Ruling Regarding Sertu

Sertu is a process of removal of najis from dogs (licked). This is in accordance to several hadiths from the Prophet PBUH regarding this issue. In a narration by Abu Hurairah RA, the Prophet PBUH said:

طَهُورُ إِنَاءٍ أَحَدِكُمْ إِذَا وَلَغَ 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)

The same is stated in another hadith of the Prophet PBUH:

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)

Based on these two narrations, we conclude the following:

- It can be understood from the hadith that a dog’s lick is filth and is considered as najis. Thus, it needs to be purified.
- The commandment to clean any utensil that has been licked by a dog, results to the obligatory ruling of it.

Imam al-Khatib al-Syarbini *Rahimahullah* said: “The *wajh al-dalalah* for the purification is the same as *hadas*, or *filth*, or *honor*. And there is no *hadas* to the utensil (drinking container), the same to its honor. Thus, the determinant (for purification) here, is the purification from (filth)”

Hence, it is sabit for the najis of the dog’s mouth, while it (dog’s mouth) is the cleanest part of its body. Thus, other than that (the mouth), other parts of the dog are considered as heavier najis. The same goes for swine, for it is worse than dogs. Refer: *al-Iqna’, Al-Khatib al-Syarbini* (1/105).

The Ruling of Washing Seven Times

Al-Malikiyyah scholars hold the opinion that washing seven times is *ta’abbudiyy* (a symbol of obedience), 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 legal 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 also 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 is enough to wash with a single washing to remove its najis. However, the washing for seven times is *mustahab* (highly encouraged) and not obligatory. They refer to a fatwa that was once issued by Abu Hurairah RA that said that it is enough to wash three times to remove the najis of dog’s saliva, in narrations by Imam al-Thalawi and al-Daraquthni. This shows that the seven times washing is abrogated.

The second opinion can be explained with several explanations. Some of them are:

- 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 said to wash seven times and the *sanad* is stronger.
- Washing seven times is in line with a marfu’ narration, which reached the Prophet PBUH.

The Ruling of *Tatrib* (using soil) When Purifying Dog 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* by stating this opinion, referring to the hadith from Abu Hurairah RA, the Prophet PBUH said:

طَهُورُ إِنَاءٍ أَحَدِكُمْ إِذَا وَلَغَ 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).

The Ruling of Replacing Soap for Turab (Soil)

This issue comes back to the differing of Islamic scholars’ opinion regarding the ruling of using soil in the process of sertu; while some obligates it and others don’t. Hence, the opinions are divided into two and we detail them as follows:

- Some fuqaha’ hold the opinion that it is impermissible to replace soil with anything else in the process of sertu.
- However, other scholars hold the opinion of: If the soap results with the same meaning as using soil (to purify), then it is valid.

For scholars that state that the usage of soap is invalid, they present the following arguments:

- Syarak states turab (soil). Thus, the obligation is to follow the prophetic evidence.
- Bidara and the like are available in the time of the Prophet PBUH. However, the Prophet PBUH did not signals towards it (to be used for purification). Conversely, the Prophet PBUH state soil.
- The wisdom behind it may be due to the existence of a matter in soil that could kill bacteria that is from dog’s saliva.
- Soil can purify, as a replacement to water. Since soil can be used as a replacement of water in the issue of tayammum to replace wuduk when water is unavailable. While other than soil, things like bidara and soap, is not considered as something that can purify.

Fatwa from Authorized Bodies Regarding the Usage of Soap for Taharah

First: Muzakarah of the Fatwa Committee of National Council

The 76th Muzakarah of the Fatwa Committee of National Council for Malaysian Islamic Religious Affairs held on 21-23 November 2006 discussed the Ruling of Samak for Najis Mughallazah Using Clay Soap. Muzakarah has decided that soap containing clay element **is permissible to be used for najis mughallazah** on condition that the soil is sacred and the percentage of soil content in the soap is greater than the other ingredients and the method of samak is done according to syarak.

Second: Egypt’s Dar Al-Ifta’

Dar al-Ifta’ in answering questions about the ruling of purifying containers that has been licked by a dog, said at the end of the answer: “It is mustahab to use soil for the first wash. This is based on the word of the Prophet PBUH:

أُولَاهُنَّ بِالتُّرَابِ

“The first (washing) is with soil.”

Sahih Muslim

And it is permissible to replace soil with something that can take its place in this age with modern purifying objects. This is because the final conclusion of taharah (pure) in absolute terms. Refer to **www.dar-alifta.org.eg, fatwa no. 3799**.

Third: Permanent Committee for Scholarly Reasearch and Ifta’

The final fatwa for this issue states: “And the clothes is thrown into pure water and is washed until traces of najis is gone, thus, it purifies the whole from najis from dog and others. On the condition that the washing for dog is repeated seven times, and the first washing is from soil or anything that could replace its place, such as soap or others.” ***Fatawa al-Lajnah al-Da’imah*** (4/196).

Conclusion

To close, we are inclined towards the ruling that states taharah soap or clay soap usage is **permissible**. Furthermore, the process for sertu and purification using it is enough and valid if the soap reached the same meaning with the use of soil.

This opinion is presented considering our society’s situation, especially for those living in cities with various races, there is a difficulty to get the soil needed for sertu. However, the use of soil is preferred if it is available.

May Allah SWT give us a clear understanding in practising His religion. Ameen.

[1] It means, if a dog lick something and it touch other things such as clothes, pants, and others, it is still pure. This is due to the fact that the syarak commands us to wash the container that is licked as a form of worship, and it is only done in this situation

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