

*Selected issues from
the Book of Purification*

translated from

Al-Muḥalla bil' Athār

المحلى بالآثار

By Ibn Ḥazm

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(Issue) 127: The lapping of the dog in a container/utensil ¹

If a dog licks² in a container (or utensil) – (namely), any such container and any dog, whether that be a hunting dog or other than it; large or small, it is an obligation to discard the contents of that container (or utensil), regardless of what was in it. Thereafter, it must be washed with water seven times, the first of which with earth. That water (which is used) to purify the container/utensil with, is judged as *tāhir* (pure), *ḥalāl*, and the container is *tāhir* (pure), *ḥalāl*.

If a dog eats from the container/utensil, but doesn't make *wulugh* (lapping, licking), or his food, tail or the whole dog - falls in, then it isn't necessary to discard the contents and neither is it necessary to undertake the (ritual) washing, it is deemed *ḥalāl* and *tāhir* as it was. Similarly, if the dog licks an area upon the ground,³ within the hands of a person or in what is not called an *inā'* (container/utensil) then it is not necessary to wash anything from it and the contents needn't be discarded.

The *wulugh* (lapping, licking) is drinking only. If the saliva or sweat of the dog touches the body, clothing or the container / utensil, or the hunting dog, then it is obliged to remove that with water or other than that. All that must be done as we have mentioned except in relation to the clothing, that is removed with water.

حدثنا عبد الله بن يوسف ثنا أحمد بن فتح ثنا عبد الوهاب بن عيسى ثنا أحمد ابن محمد ثنا أحمد بن علي ثنا مسلم بن الحجاج ثنا علي بن حجر السعدي ثنا علي بن مسهر أنا الأعمش عن أبي رزين وأبي صالح عن أبي هريرة قال: قال رسول الله صلى الله عليه وسلم إذا ولغ الكلب في إناء أحلكم فليرقه ثم ليغسله سبع مرات

¹ Vol. 1, pp. 120/126

² The word used in the reported narrations is (ولغ) which means to lick or lap, e.g. how an animal like a dog drinks, as it scoops with its tongue.

³ In other words, such as in a puddle or a subsidence in the ground where pools of water may form.

Abdullah ibn Yusuf narrated to us Aḥmad ibn Faḥ narrated to us ‘Abd-al Wahāb ibn Esa narrated to us Aḥmad ibn Muḥammad narrated to us Aḥmad ibn Ali narrated to us Muslim ibn al-Ḥajjāj narrated to us Ali ibn Ḥujr as-Sa’di narrated to me Ali ibn Mushir narrated to us al-‘Amash reported to us from Abu Razeen and Abu Ṣāliḥ from Abu Hurayrah he said the Messenger of Allah peace be upon him said:

When a dog licks (walagha) a utensil belonging to any one of you, (the contents) should be thrown away and then (the container, utensil) should be washed seven times.

Also by way of (the same channel) to Muslim:

ثَنَا زُهَيْرُ بْنُ حَرْبٍ ثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ عَنْ هِشَامِ بْنِ حَسَّانٍ عَنْ مُحَمَّدِ بْنِ سَيْرِينَ عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ طَهِّرُوا إِنَاءَ أَحَدِكُمْ إِذَا وَلَغَ فِيهِ الْكَلْبُ أَنْ يَغْسِلَهُ مَرَّاتٍ أَوْلَاهُنَّ بِالتُّرَابِ

Zuhayr ibn Ḥarb narrated to us Ismā’il ibn Ibrāhim narrated to us from Hishām ibn Ḥassān from Muḥammad ibn Sireen from Abu Hurayrah he said the Messenger of Allah peace be upon him said:

The purification of the utensil belonging to any one of you, after it is licked by a dog, lies in washing it seven times, using earth for the first time.

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ رَبِيعٍ ثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ بْنِ السَّلِيمِ ثَنَا ابْنُ الْأَعْرَابِيِّ ثَنَا أَبُو دَاوُدَ ثَنَا أَحْمَدُ بْنُ حَنْبَلٍ ثَنَا يَحْيَى بْنُ سَعِيدٍ الْقَطَّانُ ثَنَا شُعْبَةُ ثَنَا أَبُو النَّيَّاحِ عَنْ مُطَرِّفِ بْنِ عَبْدِ اللَّهِ بْنِ الشَّخِيرِ عَنْ ابْنِ مَعْقِلٍ قَالَ أَمَرَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقَتْلِ الْكِلَابِ ثُمَّ قَالَ: مَا لَهُمْ وَلَهَا؟ فَرَحَّصَ فِي كَلْبِ الصَّيِّدِ وَفِي كَلْبِ الْغَنَمِ وَقَالَ - عَلَيْهِ السَّلَامُ إِذَا وَلَغَ الْكَلْبُ فِي الْإِنَاءِ فَاغْسِلُوهُ سَبْعَ مَرَّاتٍ وَالتَّامِنَةُ عَقْرُوهُ بِالتُّرَابِ

Abdullah ibn Rabih’ narrated to us Muḥammad ibn Ishāq ibn al-Saleem ibnul’ ‘Arabi narrated to us Abu Dāwud narrated to us Aḥmad ibn Muḥammad ibn Ḥanbal narrated to us Yahya ibn Sa’eed narrated to us from Shu’ba, Abul’Tiyyāh narrated to us from Muṭarrif from Ibn Mughafal, he said that the Messenger of Allah peace be upon him ordered the killing of the dogs, and then said: *Why are they (people) after them (dogs)?* And he then granted permission for hunting and for (the security) of the herd, and peace be upon him said: *When the dog*

*licks the utensil wash it seven times, and rub it with earth the eighth time.*⁴

Ali (Ibn Ḥazm) said: The Messenger of Allah peace be upon him ordered to spill (or discard) the contents of the container / utensil when the dog licks in it and he didn't specify anything further in that regard and his commandment to avoid what the dog has drunk from, although he prohibited wasting wealth. This report has come through various channels of reporting, in some of them, 'the seventh with earth,' and in some of them, 'one with earth.'

All this is not (essentially) different in meaning, because the first is without doubt that to be washed. In the wording, 'the first' whoever has made it with earth in the first of them, has made it in one of them, without doubt the two can be utilised together in meaning.

Whoever made it in other than the first of them diverged with the command of the Messenger of Allah peace be upon him, that this should be done in the first of them, and this is not permissible, and there is no doubt that it is permissible for him to remove it with earth in the first of them. And that this washing is a precedent for others if they gather, and thus correct obedience to all his reported words, peace be upon him. The invocations in this report is that there is not an allowance (to utilise) other than earth, because it is the specified limit as set by the Messenger of Allah peace be upon him.

The water that is used in washing the container/utensil is *ṭāhir* (pure) because no (further) text has come stating otherwise, and there is no *Sharī'ah* except what he peace be upon him has reported to us. Whatever exceeds that is not what has been ordained by the Allah the exalted. The water is *ḥalāl*, by *Sharī'ah* it is *ṭāhir*. It is not judged as being unlawful unless it is ordered by him, peace be upon him.

Any container in which the dog eats from or falls into, even some part of it, there isn't a need to wash that or to discard the contents, as it is originally *ḥalāl ṭāhir* (lawful, pure) prior to that with certitude, if it was originally *ḥalāl*. Its state therefore cannot be transformed from what has been made permissible by Allah the exalted, or its nature changed to one of prohibition and impurity except by way of text.

⁴ The tradition is cited with Ibn Ḥazm's *isnād* to Abu Dāwud. It is also recorded in *Ṣaḥīḥ Muslim* and the *Sunan* of Nasā'i amongst others.

With regard to the necessity of removing the dog's saliva and sweat in anything that it has come into contact with, it is because Allah has forbidden every one of the fanged beasts of prey and the dog is one of those fanged beasts of prey.⁵ It is *ḥarām* and some of the *ḥarām* is indeed *ḥarām* without doubt. Its saliva and sweat is a part of that and is *ḥarām*. That *ḥarām* must be removed and if it cannot be removed from the clothing except with water, as the saying of Allah the exalted is: ‘*And your garments, do purify (them).*’⁶ Indeed, we have said that the cleansing is only by water and by earth where water isn’t available.

From those who said as we say in relation to the washing of seven-times where the dog licks, as from Abu Hurayrah:

حَدَّثَنَا يُونُسُ بْنُ عَبْدِ اللَّهِ ثنا أَبُو بَكْرِ بْنُ أَحْمَدَ بْنِ خَالِدٍ ثنا أَبِي ثنا عَلِيُّ بْنُ عَبْدِ الْعَزِيزِ
 ثنا أَبُو عُبَيْدٍ الْقَاسِمِ بْنُ سَلَامٍ ثنا إِسْمَاعِيلُ هُوَ ابْنُ عَلِيَّةَ عَنْ أَيُّوبَ السَّخْتِيَانِيِّ عَنْ مُحَمَّدِ
 بْنِ سِيرِينَ عَنْ أَبِي هُرَيْرَةَ قَالَ إِذَا وَلَعَ الْكَلْبُ فِي الْإِنَاءِ غُسِلَ سَبْعَ مَرَّاتٍ، أَوْ لَاهُنَّ أَوْ
 إِحْدَاهُنَّ بِالتُّرَابِ، وَالْهَرُّ مَرَّةً

Yunus ibn Abdullah narrated to us Abu Bakr ibn Ahmad ibn Khālid narrated to us Ali ibn Abdul-Aziz narrated to us Abu ‘Ubaid al-Qāsim ibn Sallām narrated to us Ismā’il, he is Ibn ‘Ulayah narrated to us from Ayub as-Sakhtiyāni from Muḥammad ibn Sireen from Abu Hurayrah, he said:

If the dog licks in the container/utensil, wash it seven-times, the first of which with earth and one time for the cat.

Reported from al-Ḥasan al-Baṣri – ‘If the dog licks from your container/utensil, discard it (its contents) and wash it seven-times.’ With that (similarly) is the saying of Ibn ‘Abbās, Urwa ibn Zubayr, Ṭāwus and ‘Amr ibn Dinār. Al-Awzā’i said: ‘If the dog drinks from a pot which has ten *aqsāt* of milk the milk has is to be discarded and the container washed seven-times, one of which with earth. But if it laps water from a subsidence in the ground (like a pool or puddle), even if that water is enough for one to make *wuḍu* (ablution)

⁵ As recorded by Muslim and others: And Zuhayr ibn Ḥarb narrated to us Abdar-Raḥman, that is to say, Ibn Mahdi narrated to us from Mālik from Ismā’il ibn Abi Ḥakeem from ‘Ubayda ibn Sufyān from Abu Hurayrah from the Prophet peace be upon him, he said: *The eating of all fanged beasts of prey is unlawful.*

⁶ *Qur’ān* 74: 4

in, then it is *tāhir* (pure). The saliva of the dog has to be washed away from one's clothes and that from the hunting dog upon its prey.'

Ali (Ibn Ḥazm) said: the statement of al-Awzā'i is the same as our statement and this statement, that is to say, washing the container from the licking/lapping of the dog seven-times one of which is with earth; it is also the view of Aḥmad bin Ḥanbal, Ishāq ibn Rāhwayh, Abu 'Ubaid, Abu Thawr, Dāwud and the majority of the people of *ḥadīth*.

Al-Shāfi'i said similarly, except that he said: if the water is in the container is greater than five-hundred pounds,⁷ it shouldn't be thrown away if the dog has drunk from it, anything except water should be discarded. He concluded that the same washing from licking/lapping in a container is applied to the pig; to be washed seven-times like that of the dog and he didn't see the same for any other fanged beasts other than the pig originally.

Ali (Ibn Ḥazm) said: this is a mistake because firstly there is the general commandment of the Messenger of Allah peace be upon him to be followed which is to discard the contents. Making a *Qiyās* (analogy) of the pig upon that of the dog is a manifest error, even if *Qiyās* were true, because the dog is one of the fanged beasts and the prohibition relates to the meat of the fanged beasts only. It was *Qiyās* of the fanged beasts and the licking/lapping of the dog, (yet) in some of that is lawful, such as to eat its catch in hunting, when that (surely) would be the first point to be gleaned from attempting to draw *Qiyās* from the pig upon the dog. It is not permissible to make *Qiyās* between the dog and the pig, because the dog can be owned for hunting and lawfulness to eat its catch. Moreover, it is not permissible to make *Qiyās* between the dog and the pig, concerning the washing of the container and its licking/lapping from it, hence all *Qiyās* is invalid.

In some of his statements, Mālik said: it is permissible to make *wuḍu* (ablution) from the water from which the dog has drunk. But he wavered in relation to washing the container – sometimes he argued it was seven-times, on other occasions not so. In another statement from him, for the contents of water to be discarded and the container to be washed seven-times, but if the container held milk, it is not to be discarded, but the container washed (again)

⁷ This would appear highly speculative and not specifically related to the issue at hand. The narrations set out the dog licking in 'your container/utensil.' Evidently, a storage container of this size wouldn't be utilised as given the context of the narrations mentioned.

seven-times and what is eaten from it. And once he said: to discard all of it (the contents) and wash the container seven-times.

Ali (Ibn Ḥazm) said: these distinctions are manifestly erroneous. It is not following the text in that and there is no *Qiyās* from which its derived and neither is it a statement from one of the companions or *Tābi'een*; none of that contained therein, may Allah be pleased with them all. It has been narrated from him that he said: I find it greatly shocking that *rizq* (provision) gifted by Allah should be discarded as a result of a dog licking in it.

Ali (Ibn Ḥazm) said: it is said to those who would marshal the (aforementioned) statements, greater in severity is to violate the command of Allah as ordered upon the tongue of his Prophet, peace be upon him, and to discard it. What is greater than what you have grown accustomed to, is to make a living from Allah's sustenance for the sake of a bird who died by the command of Allah and you discard all the contents (of a given container). If they say: The dead bird is *ḥarām*. We say (in reply): yes, we have not disagreed with you on that, but the liquid in which it died is *ḥalāl* but your prohibition that it is *ḥarām* because it has touched it, is invalid, except if that has been commanded by the Messenger of Allah peace be upon him; remaining obedient to the order, not exceeding the limits and not unduly adding to what he hasn't said.

Abu Ḥanifah said: to discard all what has been licked by the dog, anything that is greater or lesser, and whoever makes *wuḍu* in the water, his *wuḍu* and prayers are invalidated; and the container / utensil is to be washed only once.

Ali (Ibn Ḥazm) said: this statement (of Abu Ḥanifah) is not known to be from anyone amongst the companions or *Tābi'een*, except perhaps what we reported from Ibrāhim, that he mentioned regarding the licking of the dog, 'to wash it' and he said 'once,' 'wash it until its purified.' He didn't specify a number and it is not in conformity with the *Sunnah* of the Messenger of Allah peace be upon him and this is enough of an error.

Some of his (Abu Ḥanifah) followers objected to the report of Abu Hurayrah, by arguing that it has been reported that he (Abu Hurayrah) did not apply or follow it.

Ali (Ibn Ḥazm) said: this is invalid from various aspects. One of which is that the report is fallen, as it is narrated from Abd'al-Sallām ibn Ḥarb and

he is *daef* (weak).⁸ There is nothing more reprehensible to reject what has been narrated from Abu Hurayrah, Ibn ‘Ulaya from Ayub from Ibn Sireen, they are the shining stars, for what has been narrated by Abd’al-Sallām ibn Ḥarb.

Secondly, the narration of Abd’al-Sallām, even if accepted, says that Abu Hurayrah was washing the container three-times. So, they did not follow either the *Sunnah* that they object to (or) that from Abu Hurayrah.

Thirdly, even if it is established that Abu Hurayrah did that, it is not lawful to utilise that as an argument because what he is narrating from the Prophet peace be upon him is established as authoritative, contrary to what he does or anyone else does. A companion could (momentarily) forget what he has narrated or misunderstand it. The companion could understand a narration in a certain manner, but what is authoritative is his narration and it is unlawful and invalid to argue for it to be weakened.

Fourthly, even if it is established as true regarding Abu Hurayrah, Allah protect him from that – it is narrated by companions *other* than Abu Hurayrah, such as Ibn Mughafal and he did not act in contradistinction to what he narrated.

Some of them said: he ordered this washing when he ordered the killing of dogs, thus being abrogated when this killing ceased.

Ali (Ibn Ḥazm) said: this is a straightforward lie for two reasons. Firstly, because it is a claim without established evidence and it is prohibited to follow that which we do not know. Secondly, that the narration of Ibn Mughafal clearly narrates the order to kill the dogs then for it to be stopped and permitting hunting dogs etc. and *then* he said if the dog licks from the container to wash it seven times, as we have mentioned previously. The command to kill the dogs was early in the *hijrah* while washing of the containers was later, as Abu Hurayrah and Ibn Mughafal’s (embrace of) Islam is late.⁹

Some of them said: the order of washing the container is to make it a firm order.

⁸ Ibn Ḥazm appears mistaken in classifying the narrator Abd’al-Sallām ibn Ḥarb as being outright *daef* (weak). In *Ṭabaqāt al-Kubra* (Vol. 6), Ibn Sa’d writes: ‘Abd’al-Sallām ibn Ḥarb al-Mulā’i: His *kunya* was Abu Bakr. He died in Kufa in 187 (after *hijrah*) during the *Khilāfah* of Hārūn (al-Rashid). He had some weakness in *ḥadith*, he was difficult.’ Ibn Ḥajr noted though (*Taqreeb at-Tahzeeb*), that he was *thiqa ḥāfiz*, but he did have some *manākeer* (namely, some *ḥadith* that are classed as being *munkar* - disclaimed).

⁹ This point is not correct as evident from the narration of Ibn Mughafal.

Ali (Ibn Ḥazm) said: it said (in reply) to them, is the order of the Prophet peace be upon him concerning that to be (anything other) than obeyed and followed? Or is it something that is to be considered invalid and opposed? If they say, in truth, he is to be obeyed, mentioning the matter of firmness or toughness is not relevant. As for the other saying, it is simple disbelief that a Muslim does not say.

Some of them said: there has been a narration which says that the order to kill dogs was because they were terrifying the believers.

We are not discussing the killing of dogs but we are discussing the matter of washing the container following the dog licking (it). Although that report only mentions their killing only. It is also *mawḍu* (forged) because it is narrated by Ḥussein ibn ‘Ubaidallah al-‘Ijli and he is fallen altogether as a narrator.¹⁰

Some of them said, mentioned the *ḥadith* regarding forgiveness of the prostitute who gave the dog water from her boot.¹¹

Ali (Ibn Ḥazm) said: this is very strange, because it is a report from a previous nation relating to a *Sharī’ah* not applicable for us. Also, that the boot was thereafter used and drunk from and that it wasn’t washed? And that the prostitute knew of the *Sunnah* of washing relating to the licking of the dog in a container? The prostitute was not a Prophet or her actions having any authority. All this confusion should be disregarded. It is permissible that anyone can undertake the washing, even if it is not the owner, because he peace be upon him said: ‘*to wash it,*’ thereby it is general order (in the plural).

Ali (Ibn Ḥazm) said: if they reject or are shocked by us making a distinction with the container from what the dog eats, or he falls in it, or his food falls into it, or another body part, this will have no effect, since it only relates to his tongue.

We say unto them: there is nothing to be shocked about this or to in relation to following (only) what the Messenger of Allah peace be upon him said and refraining from what he peace be upon him, didn’t say or express.

¹⁰ Dāraqutni said he was *ḍaef* (weak) in *ḥadith*; al-Dhahabi said of him in *al-Tarteeb* that he was a *kazāb* (liar).

¹¹ As recorded in *Ṣaḥīḥ* Bukhāri: Sa’eed ibn Taleed narrated to us Ibn Wahb narrated to us he said Jarir ibn Ḥāzim reported to me from Muḥammad ibn Sireen from Abu Hurayrah, may Allah be pleased with him, he said the Prophet peace be upon him said: ‘*While a dog was going around a well and was about to die of thirst, a prostitute from the Children of Israel saw it and took off her shoe (filing it) and allowing it to drink. So, Allah forgave her because of that good deed.*’

It's not prescribed to do what is not ordered by him peace be upon him, in *Deen*. The rejection should be towards those who invalidated the *ṣalāh* (prayer) if there is a spot bigger than the *dirham baghli*¹² of chicken's blood in their clothing, but didn't invalidate it the entire clothing when it comes to fish blood. And those who invalidated the *ṣalāh* if there was more than a *dirham baghli* of chicken excrement and the excrement of horses, but didn't invalidate it if a quarter of the clothing was (drenched) in horse's urine, or the excrement of the raven or crow.

Rejection should also be towards those who argued that although water should be discarded after the dog licks it, but not where the same occurs, regarding milk. Or the one who said if (the liquid) is more than five-hundred pounds, then it shouldn't be discarded even if the dog submerges in it and its saliva is there, but if it is less than that by one ounce, it should be discarded altogether even if the dog took one sip of it.

These are statements should be denied altogether, not what we have said.

¹² *Sic.* a small coin.

(Issue) 128: The ruling when the cat licks from the container (utensil)¹³

If a cat does *walagha* (to lap or lick) in a container (or utensil) nothing has to be thrown away it can be utilised, eaten and drunk (from). The container should be washed once only, with water. It is not necessary to remove the saliva except from the container and from the container and clothing with water only.

حَدَّثَنَا أَحْمَدُ بْنُ مُحَمَّدٍ بْنِ عَبْدِ اللَّهِ الطَّلْمَنْكِيُّ ثنا ابْنُ مُفَرَّجٍ ثنا مُحَمَّدُ بْنُ أَيُّوبَ الصَّمُوْثِ
ثَنَا أَحْمَدُ بْنُ عَمْرٍو الْبَزَّارُ ثنا عَمْرُو بْنُ عَلِيٍّ الصَّيْرَفِيُّ ثنا أَبُو عَاصِمٍ الصَّحَّاحُ بْنُ مَخْلَدٍ
ثَنَا قُرَّةُ بْنُ خَالِدٍ عَنْ مُحَمَّدِ بْنِ سِيرِينَ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
قَالَ: إِذَا وَلَغَ الْكَلْبُ فِي الْإِنَاءِ فَأَغْسِلْهُ سَبْعَ مَرَّاتٍ وَالْهَرُّ مَرَّةً

Aḥmad ibn Muḥammad ibn Abdullah aṭ-Ṭalmanki narrated to us Ibn Muffarij narrated to us Muḥammad ibn Ayub aṣ-Ṣamut narrated to us Aḥmad ibn ‘Amr al-Bazzār narrated to us ‘Amr ibn Ali aṣ-Ṣayrafi narrated to us Abu ‘Aāṣim aḍ-Ḍaḥḥāk ibn Maklad narrated to us Qurra ibn Khālīd narrated to us from Muḥammad ibn Sireen from Abu Hurayrah from the Prophet peace be upon him:

*If a dog licks in the container, wash it seven times, and (for) the cat, once.*¹⁴

¹³ Vol. 1, pp. 126/128

¹⁴ There is an issue with the tradition that Ibn Ḥazm has cited with his *isnād* to al-Bazzār. There is quite a detailed discussion relating to the variant wordings that have been reported with mention of the cat in this instance. For example, Al-Mundhari said: ‘al-Bayhaqy said some of the narrators included in the *ḥadīth* from the Prophet peace be upon him had some *wahm* (delusions) concerning the additions; it is authentic and *marfu* (raised to the Prophet) in relation to ‘the dog licks’ and (in relation to) the licking of the cat it is *mawquf* (halted; as a statement of a companion).’ The same distinction – that of the dog narration being *marfu*’ and the for the cat as *mawquf* was also pointed out by Dāraqutni in his *Sunan* after mentioning several of the variant worded traditions. It would appear this is from Abu Hurayrah and not established as being from the Prophet peace be upon him. Notwithstanding this, the second

حَدَّثَنَا أَحْمَدُ بْنُ مُحَمَّدٍ بْنِ الْجَسُورِ ثنا وَهْبُ بْنُ مَسْرَةَ ثنا ابْنُ وَصَّاحٍ ثنا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ ثنا زَيْدُ بْنُ الْحَبَابِ ثنا مَالِكُ بْنُ أَنَسٍ أَخْبَرَنِي إِسْحَاقُ بْنُ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ الْأَنْصَارِيُّ عَنْ حَمِيدَةَ بِنْتِ عَبْدِ بْنِ رَافِعٍ عَنْ كَبْشَةَ بِنْتِ كَعْبِ بْنِ مَالِكٍ وَكَانَتْ تَحْتَ وَالدِ أَبِي قَتَادَةَ أَنَّهَا صَبَّتْ لِأَبِي قَتَادَةَ مَاءً يَتَوَضَّأُ بِهِ، فَجَاءَتْ هَرَّةٌ تَشْرَبُ فَأَصْغَى لَهَا الْإِنَاءَ فَجَعَلَتْ أَنْظُرُ، فَقَالَ: أَتَعْجَبِينَ يَا ابْنَةَ أَخِي قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّهَا لَيْسَتْ بِنَجَسٍ إِنَّمَا هِيَ مِنَ الطَّوَافِينِ عَلَيْكُمْ أَوْ الطَّوَافَاتِ

Aḥmad ibn Muḥammad al-Jasour narrated to us Wahb ibn Massara narrated to us Ibn Waḍḍaḥ narrated to us Abu Bakr ibn Abi Shayba narrated to us Zayd ibn al-Ḥubbāb narrated to us Mālik ibn Anas narrated to us, Ishāq ibn Abdullah ibn Abi Ṭalḥa al-Anṣārī reported to me from Ḥumayda bint ‘Ubaid bin Rāfiḥ’ from Kabsha bint Ka’b ibn Mālik, she was married to the son of Abu Qatādah that while visiting her and she poured out some water for him to do *wuḍu* with. A cat came so he inclined the pot for it to drink. I looked in amazement. He said: Are you surprised, daughter of my brother? He said the Messenger of Allah peace be upon him said: *Cats are not najis (impure). They intermingle with you.*¹⁵

Ali (Ibn Ḥazm) said: hence it is obligatory to wash the container but it is not obligatory to discard what is contained therein, because it is not *najis* (impure). It is obligatory to wash the saliva from the clothing, because the cat is one of the fanged beasts and it is *ḥarām* (prohibited); some of the *ḥarām* is (thus) *ḥarām*. But not every *ḥarām* is *najis* and the *najis* is not established as such except where it is designated so by Allah the exalted or his Messenger. Men are prohibited from wearing silk and gold, but they are not (judged as being) *najis*. Allah the exalted said: ‘*And your garments, do purify (them).*’¹⁶

Abu Ḥanifah said: whatever the cat licked from (in the container) should be discarded and it is not permissible to make *wuḍu* (ablution) from it; the container should be washed once. (Yet) this is at odds with the words of the

narration that Ibn Ḥazm cites thereafter, explicitly states that the cat is not *najis* and there is not reported wording of any requirement to initiate a similar ritual washing.

¹⁵ Cited with Ibn Ḥazm’s *isnād* to Ibn Abi Shayba, the tradition is also recorded in the *Sunan* collections of Ibn Mājah and Nasā’i, Tirmidhi and appearing in the *Muwatṭā’* of Mālik. The reported wording also appears in a different channel to ‘Aisha cited in the *Sunan* of Abu Dāwud.

¹⁶ *Qur’ān* 74: 4

Messenger of Allah peace be upon him in the reported channel of Abu Qatādah.

Mālik and al-Shāfi'i said: it is permissible to make *wuḍu* from the container in which the cat has licked, but the container doesn't have to be washed. (Yet) this is at odds with the words of the Messenger of Allah peace be upon him in the reported channel of Abu Hurayrah.

Those who ordered to wash the container following the licking of the cat are Abu Hurayrah, Sa'eed ibn al-Mussayib, Ḥasan al-Baṣri, Ṭāwus and 'Aṭā; except that Ṭāwus and 'Aṭā made it (akin to) the licking of the dog. Those who permitted use of what the cat has licked from are Abu Qatādah, Ibn 'Abbās, Abu Hurayrah, Umm Salamah, Ali and Ibn Umar, with the variance of reporting from that. The statement of Abu Hurayrah is established like our own statement.

Praise be to Allah, lord of all creation.