266369 - He follows the Maliki madhhab in the view that a dog’s saliva is not impure (najis). Is it permissible for him to pray wearing clothes that a dog’s saliva got on to?

the question

I would like to ask you about the saliva of dogs. Here in Italy, dogs are everywhere, and I feel at ease with the view of Imam Malik ibn Anas (may Allah have mercy on him), but if a dog’s saliva gets onto my garment, is it permissible for me to pray, when it is possible that some of the dog’s saliva and moisture is on my garment, but no impurity can be seen?

Summary of answer

The view that is most likely to be correct is that of the majority of scholars, which is that a dog’s saliva is impure (najis), and it is not permissible to pray in a garment on which there is anything of a dog’s saliva, until it has been purified in the manner explained above.
As for the view of the Malikis, that a dog’s saliva is pure, and there is no blame on the one who prays wearing that garment [on which there is some dog’s saliva, and his prayer is valid, and he does not have to do anything,
if someone follows this view [of Malik] because he is satisfied with the evidence, or he follows the view of one of the imams or scholars who hold that view, then he is not to be denounced, because the difference of opinion regarding this matter is an acceptable difference of opinion, and each group has its evidence which it believes supports its view.

Detailed answer

Praise be to Allah.

Firstly:

The majority of scholars are of the view that a dog's saliva is impure (najis), and whatever it gets on to must be purified.

Ibn Qudamah al-Hanbali (may Allah have mercy on him) said:

Impurity (najas) is of two types, the first of which is that which is impure according to scholarly consensus. This refers to dogs and pigs; whatever is generated from them or is part of them is impure, whether it is the animal itself, its left-over water, or everything that comes out of them. This was narrated from `Urwah and it is the view of ash-Shafa`i and Abu `Ubayd. It is the view of Abu Hanifah with regard to left-over water in particular.

End quote from *al-Mughni*, 1/64.

The majority quoted as evidence for that the hadith of Abu Hurayrah (may Allah be pleased with him), who said: The Messenger of Allah (blessings and peace of Allah be upon him) said: "If a dog laps [water or another liquid from] the vessel of any one of you, let him wash it seven times." Narrated by al-Bukhari, 172. Muslim (279) narrated it as: "If a dog laps [water or another liquid from] the vessel of any one of you, let him throw away its contents, then wash it seven times." According to another version narrated by him: "The purification of the vessel of one of you, if a dog laps [water or another liquid from] it, is to wash it seven times, the first time with soil."

The hadith indicates that a dog's saliva is impure on several counts:

1) It says at the beginning of the hadith: "The purification of the vessel of one of you, if a dog laps [water or another liquid from] it," and what purification means in Islamic teaching is purification from ritual impurity or from tangible impurity.

An-Nawawi (may Allah have mercy on him) said:

This is a clear indication, according to the view of ash-Shafa`i (may Allah be pleased with him) and others who say that dogs are impure, because purification is required in the case of ritual impurity or from tangible impurity, and this is not a case of ritual impurity, so it must be tangible impurity.

If it is asked: What is meant by purification (taharah) in linguistic terms?

The answer is that understanding the word in the hadith according to its meaning in Islamic terminology takes precedence over understanding it according to its linguistic meaning.

End quote from *Sharh Sahih Muslim*, 3/184. See also: *Fat-h al-Bari*, 1/276.

2) The command to throw away whatever the dog has lapped from: “If a dog laps [water or another liquid from] the vessel of any one of you, let him throw away its contents.”

Al-Hafiz Ibn Hajar (may Allah have mercy on him) said:

In this hadith, it says “let him throw [it] away.” This supports the view that washing is required because it has become impure, because what is thrown away is more general in meaning and is not limited to water or food. If it was still pure, the Prophet (blessings and peace of Allah be upon him) would not have told us to throw it away, because of the prohibition on wasting wealth. But an-Nasa’i said: I do not know of anyone who narrated a report similar to that of `Ali ibn Mas-har in adding the phrase “let him throw [it] away.” …

I say: The command to throw it away was also narrated via `Ata’ from Abu Hurayrah in a marfu` report narrated by Ibn `Adiy, but there are reservations as to whether it is actually marfu` (words of the prophet (blessings and peace of Allah be upon him)); the correct view is that it is mawquf (words of the Sahabi). Throwing away was also mentioned by Hammad ibn Zayd, narrating from Ayyub, from Ibn Sirin, from Abu Hurayrah in a mawquf report, and its isnad is sound (sahih). It was narrated by ad-Daraqutni and others.

End quote from *Fat-h al-Bari*, 1/275.

3) Some of the Sahabah clearly stated that impurity is the reason for the command to wash (the vessel) in this hadith, and it is not known that anyone disagreed with him.

Al-Hafiz ibn Hajar (may Allah have mercy on him) said:

The view that the reason for the command to wash the vessel is because of it having become

impure is stronger, because that is what the context indicates. It was soundly narrated from Ibn `Abbas that he clearly stated that washing a vessel if a dog has lapped up water or another liquid from it is enjoined because it has become impure. This was narrated by Muhammad ibn Nasr al-Marwazi with a sound (sahih) isnad, and no differing view was soundly narrated from any of the Sahabah.

End quote from *Fat-h al-Bari*, 1/277.

Secondly:

The well-known view of Imam Malik (may Allah have mercy on him) is that a dog's saliva is not impure; rather the vessel is to be washed as an act of obedience because the Prophet (blessings and peace of Allah be upon him) instructed us to do that.

Ibn `Abd al-Barr (may Allah have mercy on him) said:

The jurists also differed regarding left-over water or food of a dog.

What Malik said about this matter, which became the official view of his madhhab according to his companions, is that the left-over water or food of a dog is pure, and the vessel should be washed seven times if the dog lapped up anything from it as an act of obedience because the Prophet (blessings and peace of Allah be upon him) instructed us to do that.

End quote from *At-Tamhid*, 18/269.

See also: *Al-Muqaddimat al-Mumahhidat* by Ibn Rushd, 1/89-90.

This view – that a dog's saliva is pure – was supported by Ibn al-Mundhir and al-Bukhari (may Allah have mercy on them).

The strongest evidence that they gave is as follows:

1) The verse which states that it is permissible to eat what a hunting dog catches of game for its master, and does not enjoin washing the game, as Allah, may He be Exalted, says:

{So eat of what they [hunting dogs] catch for you, and mention the name of Allah upon it} [Al-Ma’idah 5:4].

Ibn Rushd (may Allah have mercy on him) said:

Malik was of the view that the command to throw away the left-over water of a dog and wash the vessel was an act of obedience for which no reason was given, and that the water from which the dog has lapped is not impure. He did not think that we should throw away anything that a dog has lapped up from except water, according to the well-known view that was narrated from him, and that – as we have said – is because nothing else can be compared to water because the hadith refers to water.

He also thought that if it is understood from the hadith that the dog is impure in and of itself, this contradicts the apparent meaning of the verse in the Qur’an in which Allah, may He be Exalted, says: {So eat of what they hunting dogs] catch for you}. What he meant was that if the dog is impure in and of itself, then the game it catches would also become impure because of the dog touching it.

End quote from *Bidayat al-Mujtahid*, 1/83-84.

The response that was given to that is that the dog’s saliva is overlooked in this case [hunting] because of necessity. Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said:

The dog’s saliva, when it catches the game, does not need to be washed off according to the more correct scholarly view, which is one of the two views that were narrated from Ahmad, because the Prophet (blessings and peace of Allah be upon him) did not instruct anyone to wash it off. So the dog’s saliva is overlooked in the case of need, and it is enjoined to wash it off in cases other than need. This indicates that the Lawgiver pays attention to people’s interests and needs.

End quote from *Majmu` al-Fatawa*, 21/620.

3) It was narrated from `Abdullah ibn `Umar (may Allah be pleased with him) that he said: At the time of the Messenger of Allah (blessings and peace of Allah be upon him), dogs used to urinate,

and come and go in the mosque, and they never used to sprinkle water on any of that [i.e., the dogs' urine]." Narrated by al-Bukhari, 174.

From this hadith, they concluded that if the urine of dogs was not washed from the mosque, this indicates that it is pure, and this proves that it is even more appropriate to say that their saliva is pure, because it is not unlikely that their saliva would also have got into some parts of the mosque.

But this may be answered on two counts:

1) The conclusion that al-Hafiz Ibn Hajar (may Allah have mercy on him) reached when he said:

What is more likely to be correct is the view that that was the case in the early days of Islam, as in principle things are pure, then there came the command to honour and purify the mosques, and doors were set up for the mosques.

This is indicated by what al-Isma`ili added in his narration of this hadith via Ibn Wahb, from Ibn `Umar, who said: `Umar used to say at the top of his voice: Avoid idle talk in the mosque!

Ibn `Umar said: I used to stay overnight in the mosque at the time of the Messenger of Allah (blessings and peace of Allah be upon him), and dogs used to come and go… Then he pointed out that this is what happened in the beginning, then instructions were issued to honour the mosque and protect it even from idle talk.

Thus it is proven that quoting this as evidence that dogs are pure is invalid…

Ibn Battal quoted that as evidence that the leftover water and food of dogs are pure, as dogs habitually go and find where food is and eat it. Some of the Sahabah had no homes except the mosque, so it is inevitable that the saliva of dogs would get onto some parts of the mosque [as the dogs would find their food and eat some of it].

The refutation of that is that the purity of the mosque was certain, and what he mentions is speculative, and what is certain cannot be invalidated by what is speculative. Moreover, what he

said about the possibility of dogs entering the mosque and eating the food of people there does not contradict the apparent meaning of the hadith which enjoins washing any vessel from which a dog has eaten or drunk.

End quote from *Fat-h al-Bari*, 1/279.

2) The reason why the Sahabah (may Allah be pleased with them) did not sprinkle water on the impurity of dogs was because the sun and wind would transform the impurity and remove it. Hence in his *Sunan*, Abu Dawud included this hadith in a chapter which he entitled: Chapter on the ground becoming pure when it dries out. *Sunan Abi Dawud*, 1/104.

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said:

This hadith was quoted as evidence by those who think that if impurity gets onto the ground, it will be purified by the sun, the wind and so on. This is one of the two views in the madhhabs of ash-Shafa`i, Ahmad and others, and it is the view of Abu Hanifah.

End quote from *Majmu` al-Fatawa*, 22/180.

To sum up, the apparent meaning of the hadith of Abu Hurayrah indicates that a dog's saliva is impure, and this meaning cannot be contradicted by the existence of mere reports that speak of some specific cases that were excluded from this general meaning for some reason.

Thirdly:

Those who are of the view that a dog's saliva is impure say that it is obligatory to purify the garment if this saliva gets onto it.

Purifying the garment is done in the manner mentioned in the hadith of Abu Hurayrah (may Allah be pleased with him), but what is most appropriate is to use soil the first time, as mentioned above in the report narrated by Muslim.

An-Nawawi said: It is recommended to use soil the first time, but that is not done, then it is better to use it in any but the seventh time, although if it is used in the seventh time, that is permissible.

End quote from *Al-Majmu`*, 2/583.

Shaykh al-Albani (may Allah have mercy on him) said:

This additional phrase, “the first time with soil”, was also narrated as “the seventh time with soil.” But what is more likely to be correct is the first version, because as al-Hafiz and others said – as I have explained in *Sahih Abi Dawud*, no. 66 – that is supported by the eighth isnad. But this is contradicted by the hadith of `Abdullah ibn Mughaffal, which says: “and rub it with soil the eighth time.”

But the version of the hadith narrated by Abu Hurayrah is more likely to be correct for two reasons:

1) This additional phrase is narrated from him via two isnads.

2) The meaning supports that, because using soil in the seventh time would necessitate washing it again, to clean it.

End quote from *Irwa’ al-Ghalil*, 1/62.

If no soil is available, or it is feared that it could damage the garment, then another purifying substance may be used, such as soap and the like.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) was asked:

There are checkpoints in some large corporations which use trained dogs. So the dogs enter the front of the car, then they sniff and lick things. Do the seats and places where the dog sniffs or licks become impure? May Allah reward you with good.

He replied:

As for sniffing, it does not affect anything, because no saliva comes out of the dog. But in the case of licking, saliva does come out of the dog, and if a dog’s saliva gets onto clothes and the like, then they must be washed seven times, but we do not say that one of the times should be with

soil, because that may damage [the car seats and the like]. Rather we say that soap or a similar detergent should be used instead of soil, and that will be sufficient, along with washing it seven times.

End quote from *Liqa' al-Bab al-Maftuh*, no. 49/8.

See also the answer to question no. 133869.

With regard to the view of the Malikis, who say that a dog's saliva is pure, so it is not obligatory to purify the garment from it; and that washing it seven times is a ruling that we should comply with as an act of obedience and it applies specifically to a vessel from which a dog has lapped up water, and we cannot apply this ruling to anything else, it says in *Al-Mudawwanah*, 1/116:

Ibn al-Qasim and Malik said: There is nothing wrong with a dog's saliva getting onto a garment. This was also said by Rabi`ah. End quote.

It says in *Mawahib al-Jalil*, 1/274.

If a dog licks the hand of one of you, he does not have to wash it. End quote.

Conclusion:

The view that is most likely to be correct is that of the majority of scholars, which is that a dog's saliva is impure (najis), and it is not permissible to pray in a garment on which there is anything of a dog's saliva, until it has been purified in the manner explained above.

As for the view of the Malikis, that a dog's saliva is pure, and there is no blame on the one who prays wearing that garment [on which there is some dog's saliva, and his prayer is valid, and he does not have to do anything,

if someone follows this view [of Malik] because he is satisfied with the evidence, or he follows the view of one of the imams or scholars who hold that view, then he is not to be denounced, because the difference of opinion regarding this matter is an acceptable difference of opinion, and each group has its evidence which it believes supports its view.

And Allah knows best.