

RULES PERTAINING TO THE USE OF WATER

1. Any **impure water** whereby all three of its qualities, i.e. **taste, smell** and **colour**, have changed because of some impurity, cannot be used under any circumstances. It cannot be given to animals for drinking purposes, nor can it be used to prepare mud for building or plastering.
2. If all three qualities have not changed, it could be given to animals, could be used for building purposes, and could also be used for watering in the house. **However, mud of this sort should not be used to plaster the walls of the masjid.**
3. The sea, rivers, that pond which is not on some private property, and that well which has been made *waqf* (given in Allah's name) - the water of all these can be used by the general public. No one has the right to stop anyone from using water from these places, nor does anyone have the right to use it in such a way that it causes harm to the general public. For example, a person digs a canal from a river or pond and draws water from it in such a way that it becomes dry, or there is the fear of flooding a tract of land or village. To use it in such a way is not proper, and everyone has the right to stop him from this improper way.
4. A person has a well, fountain, pond, or spring on his private property. He cannot stop others from doing the following:
 - a. drinking water from there,
 - b. giving water to their animals,

- c. making *wudu*, *ghusl* or washing clothes,
- d. and filling buckets in order to water their trees and gardens.

The reason for this is that everyone has a right in it. However, if on account of there being too many animals, there is a fear that the water will get finished, or the pond will get damaged; then he has the right to stop them. If he wishes to stop anyone, they will have to see whether they could get their work done by obtaining water from elsewhere, (eg. there is another well within 1.6 kilometres and it is not on any private property); or the work will not get done and they will have problems. If their work could get done from some other place, well and good. If not, the owner will be told that he should allow this person to draw water on the condition that he will not break the well, etc. or alternatively, he (i.e. the owner) should draw the water for him or get someone to draw it for him and give it to him.

However, the water that he receives for his farm or garden cannot be given to anyone else without the owner's permission. The owner has the right to stop him from this.

The same rule applies to grass and all those plants that have no trunks. However, trees that have trunks are the property of the land-owner.

5. A person wishes to irrigate his farm with water from someone else's well or reservoir and the owner of these wants to charge

him for the water. The *Ulama* differ as to whether it is permissible or not. The *Ulama* of *Balkh* have passed a *fatwa* that it is permissible.

6. If a person fills sea-water, water of a pond or well, etc. into a utensil of his, he will become the owner of that water. No one can use it without his permission. But if a person becomes extremely restless due to thirst, it will be permissible to take that water forcefully from that person if he knows that the water is more than what the owner will require. However, he will have to give compensation for the water.
7. *Wudu* and *ghusl* cannot be made with water that has been kept aside for drinking purposes - as is normally kept aside during summer. However, if a lot of water has been kept aside, it can be used. Water that has been kept aside for *wudu* can be used for drinking purposes.
8. If one or two bits of a goat's excreta fall into a well, and they come out whole, then the well will **not** become impure (*najis*). Irrespective of whether the well is in a jungle or in a town, or whether it is covered or not.

SUITABLE AND UNSUITABLE WATER FOR WUDU AND GHUSL

1. It is permissible to make wudu and ghusl with rain-water and water from rivers, canals, springs, wells, dams and seas irrespective of whether the water is sweet or salty.
2. It is not permissible to make wudu with the juice extracted from any fruit, tree, or leaf. In the same way, the water which comes out from a water-melon or sugar-cane, etc. cannot be used for wudu or ghusl.
3. If something is mixed or boiled in water in such a way that it is no more referred to as water but is called by some other name, then wudu and ghusl with it is not permissible. For example, wudu is not permissible with any syrup, juice, soup, vinegar, rose-water, etc.
4. A pure substance falls in the water and some change has taken place in the colour, smell and taste of the water. However, that thing was not boiled in the water, nor was there any change in the density (liquidity) of the water. For example, some sand falls in flowing water, or saffron falls in the water and slightly changes its colour, or soap, or any such thing falls in the water - in all these cases wudu and ghusl will be permissible with such water.
5. If anything has been cooked or boiled in water and it has changed its colour or taste, wudu with such water will not be permissible. However, if any such thing is boiled in the water which purifies it and does not make it thicker, then wudu with

such water is permissible. For example, berry leaves are boiled in water to bathe a dead person. There is no harm in this. However, if a large quantity is boiled which causes the water to get thick, then wudu and ghusl will not be proper with such water.

6. Water in which saffron or powder has been dissolved for dyeing a cloth cannot be used to make wudu.
7. If milk is mixed in water and its colour is dominant, wudu is not permissible. But if the milk was very little and did not affect the colour of the water, wudu with it will be permissible.
8. If a small quantity of water is found in a jungle, one can continue using it for wudu as long as its impurity (*najaasat*) is not established. Wudu should not be abandoned merely on the premise that perhaps it is impure. If, in the presence of such water, one makes *tayammum*, that *tayammum* will not be accepted.
9. Some tree-leaves fell in a well, etc. The water began to smell and its colour and taste also changed. Wudu with such water will still be permissible as long as its density does not change.
10. The water in which some impurity falls cannot be used for wudu or ghusl irrespective of whether the impurity is little or plentiful. However, if the water is flowing, it will not be rendered impure by the falling of some impurity in it until and unless its colour, taste or smell changes. If due to the impurity, the colour, taste or smell of the water changes, then even flowing water will be impure and wudu will not be permissible. That water which carries away grass, straws, leaves, etc. will be regarded as flowing water no matter how slowly it flows.

11. A large pond or tank which measures about 5 x 5 metres and is so deep that when a handful of water is scooped from it, its bed is not visible - is also regarded as flowing water. If such an impurity falls into it which cannot be seen after having fallen into it, eg. urine, blood, wine, etc. then wudu can be made from any of the four sides. But if an impurity which is visible, falls into it, eg. a dead dog, then wudu cannot be made from that side in which it fell. Any of the other sides can be used.
12. But even in such a tank, if some impurity falls and changes the colour, taste or smell of the water, it will become impure.
13. The water of a tank measuring about ten by two and half metres or twelve and half by two metres, is also treated as 5 x 5 metres.
14. Impurity fell on the roof. When it rained, the water came down the drains. If half or more of the roof was impure then that water will be impure. If less than half of the roof was impure, that water will be pure. If the impurity is only near the drain and it is such that all the water comes down from that drain alone, then that water will be impure.
15. If water is flowing very slowly, wudu should not be performed very hastily so that the water which was used does not come back in the hands.
16. If, from a tank measuring about 5 x 5 metres, water is taken from the place where the used water had fallen, this is also permissible.
17. If a non-Muslim or child puts his hand in the water, it will not become impure. However, if it becomes known that there was some impurity in the hands, the water will be impure. But

- because children cannot be trusted, it would be preferable not to use that water until some other water is not found.
18. If a living creature whose blood does not flow, eg. a mosquito, fly, wasp, gnat, scorpion, bee, etc. dies in the water or falls into it after dying, the water does not become impure.
 19. If creatures which are born in water and remain in water all the time die, the water does not become polluted but remains pure. Such creatures are: fish, frogs, turtles, crabs, etc.
 20. If such creatures fall in anything else besides water, eg. vinegar, syrup, milk, etc. then even these liquids will not become impure. The rule is the same for the land and water frogs, i.e. their dead bodies do not pollute the water. However, if the land frog has flowing blood, then by its death the water, etc. will become impure. Note: The distinguishing feature between the land and water frog is that the feet of the water frog are webbed while those of the land frog are not webbed.
 21. Creatures which live in water but are not born in water, such as ducks and water-fowls, if they die, the water becomes polluted and impure. Similarly, if they die outside and then fall in the water, it becomes impure.
 22. If a frog, turtle, etc. dies in the water and disintegrates and breaks down into minute fragments and gets completely mixed in the water - even then the water will be pure. However, it is not proper to drink that water or cook food with it. Wudu and ghusl can be made with it.
 23. By using water heated directly by the sun there is a fear of contacting leprosy. Therefore, wudu and ghusl should not be made with such water.

24. When the skin of a dead animal is dried or treated chemically in such a way that the water is removed completely and when stored it does not get decomposed - then it becomes purified and salaah can be offered on it. It can also be used for making water bags. However, the skin of a pig can never be purified. All other skins can be purified. But to use or utilise the skin of a human being is a major sin.
25. The skins of dogs, monkeys, cats, lions, etc. which become pure after treating them chemically can also be made pure by reciting *Bismillah* and slaughtering them. This is irrespective of whether they have been treated chemically or not. However, by slaughtering them, their meat does not become pure nor is it permissible to eat them.
26. The hair, horns, bones and teeth of dead animals are pure. If they fall in water, it will not become impure. However, if the bones, teeth, etc. have some fat of the dead animal on them, they will be regarded as impure, and if they fall in water, it will also be rendered impure.
27. The bones and hair of human beings are also pure. But to use them in any way is not permissible. Instead, they should be buried in the ground with respect.