

Introduction

The Book

In 1984 I published a series known as 'The Laws of the *Shari'ah*' which included booklets on *The Tendency of Rationalizing the Shari'ah Laws*, *Ijtihad*, *Taqlid*, *Taharat & Najasat*, *Wudu & Ghusl*, and *Khums*. The books were very well received by the readers in various parts of the world, *al-hamdu li 'l-lah*. Imam Mahdi Association of Bombay has translated the first three booklets in Urdu and is using it as a text in its study circle programs.

In 1987 when the time for the third printing of *Taharat & Najasat* and *Wudu & Ghusl* came, I decided to combine the two into one. But while combining, I thought of rewriting the two booklets and add some more discussions in them. But the rewriting was put off because of my studies and various other activities. Finally, this year Allah blessed me with an opportunity to rewrite and finalize this book, and the result is what you see in your hands.

The booklets *Taharat & Najasat* and *Wudu & Ghusl* were just simple explanations of the rules of ritual purity in Islam. In this book, I have extensively quoted the relevant Qur'anic verses and the *ahadith*. Moreover, I have added two new discussions: a section on "Our Outlook Towards the *Najasat*" which deals with an issue which is very important for the Muslims living in a non-Muslim society, and a chapter "From Ritual to Spiritual" which attempts to relate the ritual purification to the spiritual purification.

This chapter is in response to a need which I observed in the Muslim communities of various places with whom I have been working during the last seven years. Fortunately, the rituals are practiced by many; but unfortunately they are considered as just ritual and nothing more. I think it is very essential for the Muslims to know how to utilize the daily rituals of *taharat*, *wudu*, *ghusl* and *salat* for their spiritual upliftment.

The new chapter could still be expanded by including the spiritual significance of the daily prayers, an issue which I discussed in twelve lectures during the Muharram of this year. But in this book I wanted to confine myself to the spiritual purification that was relevant to the ritual purifications. And so I left the other aspects of spiritualism for some future work, *insha Allah*.

I hope the readers will find this new chapter informative and useful; and I would specially like to urge the leaders of the Muslim organizations in the West to read this chapter and try to implement its teachings in the way they think, behave and deal with the people.

The Sources of the Shari`ah

This is a book of Islamic laws, known as the *shari`ah*. The sources of the Islamic laws are the Qur'an and the *sunnah*. By the *sunnah*, we mean the sayings, actions and silent approval of the Prophet and the *Ahlu 'l-bayt*.

The Qur'an describes the basic rules only and the *sunnah* elaborates upon them. The Qur'an introduces the Prophet of Islam as *follows*:

“He (Allah) raised up among the common people a Messenger from among themselves to recite to them His revelations, to purify them, and to teach them the Book and wisdom;” (62:2)

“And We have revealed to you (O Muhammad) the Reminder (i.e., the Qur'an) so that you may clarify to the people what has been revealed to them, and so that they may reflect.” (16:44)

These two verses are enough to prove that Prophet Muhammad (peace be upon him) was not just a `mail-man' whose only job was to deliver the Book to us. He was a teacher and a commentator of the Qur'an. Even his actions are a source of guidance for us:

“You have a good example in Allah's Messenger for whosoever hopes for God and the last day, and remembers God oft.”(33:21)

The obedience to the Prophet has been considered as the proof of loving Allah:

“Say (O Muhammad): `If you love Allah, then follow me; (if you do so,) Allah will love you and forgive for you your sins.” (3:31)

The Qur'an further says,

“Whoever obeys the Messenger has surely obeyed Allah.” (4:80)

The Muslims who lived during the Prophet's time had easy access to his *sunnah*. What about us who were born hundreds of years after the Prophet's death? Well, the Muslims of the early days realized the importance of the Prophet's *sunnah* and started preserving his sayings in books of *hadith*. Even the actions of the Prophet, observed by the companions, were preserved in writing. But this process of preserving the *sunnah* of the Prophet was not immune from mistakes and even forgery. Many sayings were invented and wrongfully attributed to the Prophet during the early period of the Islamic history. Therefore, it is absolutely necessary to find an authentic and, at the same time, informed source for the *sunnah* of the Prophet. When you look at the Muslims of the Prophet's days, you can find no one who

may be more knowledgeable, informed, reliable and closer to the Prophet than the Ahlu 'l-bayt, the family of the Prophet. After all, it is the Qur'an which testifies to their spiritual purity of highest category by saying,

“Verily Allah intends to purify you, O the Ahlu 'l-bayt, a thorough purification.” (33:33)

Combine this verse about *Ahlu 'l-bayt's* purity with the following:

“It the holy Qur'an in a preserved tablet, none shall touch it but the purified ones.” (56:79)

This shows that the Ahlu 'l-bayt could understand the Qur'an better than any other follower of Prophet Muhammad (peace be upon him). Allah says,

“Say (O Muhammad), I do not ask from you any reward (for bringing the message to you) except to love my near ones.” (42:23)

See that it is Allah who is commanding His messenger to ask the people to love his family. If they were not truthful, reliable, and worthy of following, would Allah command us to love them?

These few verses are enough to show that the best commentators of the Qur'an and the most authentic source for the Prophet's *sunnah* are the Imams of *Ahlu 'l-bayt*. The Prophet himself said, “I am leaving among you two worthy things. As long as you hold on to them both, you will never be led astray after me. One of these two is greater than the other: the Book of Allah (which is a rope hanging from the heaven to the earth) and my descendants, my *Ahlu 'l-bayt*. These two things will not separate from each other until they come to me at the (fountain of) Kauthar (in the hereafter). Therefore, see how you recompense me by the way you deal with them.”

This is not the place to discuss about the authenticity of this *hadith*, but I will just quote Ibn Hajar al-Makki, a famous anti-Shi'ah polemicist. After recording this above-mentioned *hadith* through many companions who had heard it from the Prophet at various places and times, Ibn Hajar says, “And there is no contradiction in this [numerous reports] since there was nothing to prevent the Prophet from repeating [this statement] in those various places because of the importance of the holy Book and the pure Family.” 11

We can conclude from these verses and the *hadith* mentioned above that the Ahlu 'l-bayt are the most authentic and the best source for the *sunnah*, and therefore we prefer them to all other sources.

Whenever we quote a *hadith* from the Imams, it is not actually from themselves, instead it is the *hadith* of the Prophet which they had preserved as the true successors of the last messenger of Allah. Imam Ja'far as-Sadiq (as) says, “My *hadith* is the *hadith* of my father, the *hadith* of my father is that of my grandfather, the *hadith* of my grandfather is that of al-Husayn [bin 'Ali], the *hadith* of al-Husayn is that of al-Hasan [bin 'Ali], the *hadith* of al-Hasan is that of Amiru 'l-mu'minin ['Ali bin Abi Talib] (as), the *hadith* of Amiru 'l-mu'minin is that of the Messenger of Allah (s.a.w), and the *hadith* of the Messenger is a

statement of Allah, the Almighty, the Great.” 22

Ijtihad & Taqlid

After the twelfth Imam al-Mahdi (as) went into occultation, the responsibility of guiding the Shi`ahs in the *shari'ah* matter came upon the *mujtahids*, the religious scholars specializing in Islamic laws. The *mujtahids* derive the Islamic laws from the two sources mentioned above. This may sound very simple, but it is not so. They do not just open the Qur'an and the books of *hadith*, and start giving fatwas. They must first of all come up with a methodology (discussed in a subject known as *Usulu 'l fiqh*).

In their methodology, they decide how to study the Qur'anic verses and the *ahadith*. Should they take the literal meanings only? Have they to find out which verse came first and which came second on a same issue? Will the latter verse abrogate the former, or will it just put some limitations on it? Is every *hadith* to be considered authentic? If not, what are the means of verifying the authenticity of a given *hadith*? If they come up on two authentic *ahadith* on a single issue which contradict each other, then what should they do? If the Qur'an and the sunnah are silent on an issue, what recourse should be followed? All such problems have to be solved while designing the methodology of *ijtihad*, and only then can a *mujtahid* correctly and responsibly derive a law from the Qur'an and the sunnah.

It is obvious that not all have the ability or the time to specialize in the *shari'ah* laws; and therefore, for such people it is necessary to follow a *mujtahid* in the matters of the *shari'ah*. The laws on ritual purity presented in this book can be followed by the followers of most high-ranking *mujtahids* of our time, in particular Ayatullah al-`uzma Sayyid Abu 'l-Qasim al-Musawi al-Khu'i and the late Ayatullah al-`uzma al-Imam Sayyid Ruhullah al-Musawi al-Khumayni.

The differences, if any, among the present *mujtahids* on the matters of ritual purity are on the level of *makruh* and *mustahab*, but not on the level of *wajib* and *haram*. Wherever the differences among the *mujtahids* are of extreme nature, I have given their opinions separately.

The *ahadith* you find in this book have not been selected at random; I have tried my best to ascertain their authenticity and acceptability before using them. One reason for writing the relevant verses and *ahadith* in the book was to make the readers familiar with some of the sources which the *mujtahids* use in reaching to their conclusions. This, I believe, will also help in dispelling the idea voiced by some misinformed people that the *shari'ah* laws are nothing but an invention of the *'ulama'*.

I hope this book proves useful to those who want to learn about Islam; and I pray to Allah, *subhanahu wa ta`ala*, to accept it as a small contribution towards serving Islam from this most humble servant of His. *Inna rabbi la Sami `u 'd-du`a*.

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1. Ibn Hajar al-Makki, as-Sawa'iqu '1-Muhriqah, chapter 11, section 1. For further reading on this issue, see Rizvi, S.S.A., Imamah; Sharafu 'd-Din, S.A.H., The Right Path; and Jafri, S.M.H., The Origins and Early Development of Shi'a Islam.
 2. al-Kulayni, Usulu 'l-Kafi, book 2, chapter 17, hadith No. 14; ash-Sha'rani, at-Tabaqatu 'l-Kubra, vol. 1, p. 28; Abu Nu'aym, Hilyatu 'l-Awliya', vol. 3, p. 193, 197

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