

Is Touching the Qur'an Without Wudu Only Impermissible According to The Hanafis? What Is the Position of Other Imams?

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: Is it allowed to touch the Qur'an without wudu? Some people in our locality say that it is only the opinion of the Hanafis that touching the Qur'an without wudu is a sin, however it cannot be touched in the state of Janabah (major impurity), but it can be touched and read without wudu.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

Answer

Touching the Noble Qur'an while not being in the state of wudu is impermissible and a sin and its prohibition has been mentioned in The Qur'an and hadith. This is not only the position of the Hanafis, but it is also the position of majority of the companions (Sahaba) as well as the other three Imams: Imam Malik, Imam Shafi'ee, Imam Ahman Bin Hanbal عليهم الرضوان. However, when not in the state of wudu, it is permissible to recite the Qur'an without touching it, although, it is Mustahab to engage in the remembrance of Allah while in the state of wudu.

Allah Almighty states regarding not touching the Qur'an without wudu:

﴿لَا يَمْسُهَا إِلَّا الْمُطَهَّرُونَ﴾

Translation (Kanz-ul-'Irfan): None touch it except the pure. (Part 27, Surah Al-Waqi'ah, Verse 79)

Explaining the above-mentioned verse, it is stated in Tafsir Ruh Al-Bayan, Tafsir Al-Samarqandi, Tafsir Al-Tha'labi, Tafsir Al-Mawardi, Tafsir Al-Baghawi, Tafsir Al-Baydawi, Tafsir Al-Khazin, Tafsir Al-Tha'labi, Tafsir Al-Durr Al-Mansur and Tafsir Al-Aalusi (the following words of Tafsir Al-Aalusi):

والمراد بالمطهرون المطهرون عن الحدث الاصغر والحدث الاكبر يحمل الطهارة على الشرعية

Translation: Based on taking the Shar'iah terminological meaning of 'taharah' (purity), 'The pure' [مطهرون] refers to those who are pure from Hadas Asghar (minor impurity) and Hadas Akbar (major impurity). (Tafsir Al-Aalusi, Vol. 14, p. 154, Publ. Dar Al-Kutub Al-'Ilmiyah, Beirut)

Under this verse, Shaykh Al-Qur'an, Mufti Muhammad Qasim Attari دامت

بركاتهم العالیه writes:

قرآن عظیم کو چھونے کے لیے وضو کرنا فرض ہے۔۔۔ جس کا وضو نہ ہو، اسے قرآن مجید یا اس کی کسی آیت کا چھونا حرام ہے۔

Translation: It is fard to perform wudu to touch the Qur'an... It is Haram for the one who doesn't have wudu to touch the Qur'an or any verses from it. (Sirat Al-Jinan, Vol. 9, p. 703, Publ. Maktaba-Tul-Madinah, Karachi)

It is stated in Muwatta Imam Malik, Jami' Al-Sagheer Lil-Suyooti, Sunan Dara-Qutni, Kanz Al-'Ummal, Mishkat Al-Masabeeh, Jami' Al-Ahadith Lil-Suyooti, and Sunan Al-Kubra' Lil-Bayhaqi (the following words of Al-Bayhaqi):

عن سالم رضى الله عنه قال: قال النبي صلى الله عليه وآله وسلم: لا يمس القرآن إلا طاهرا

Translation: It is narrated from Salim رضى الله تعالى عنه, he states that the

Prophet ﷺ said: Only the pure should touch the Qur'an. (Sunan Al-Kubra'

Lil-Bayhaqi, Book of Zakah, Vol. 4, p. 149, Publ. Dar Al-Kutub Al-'Ilmiyah, Beirut)

Explaining the above-mentioned Hadith, it is stated in Fayd Al-Qadeer, Lam'aat Al-Tanqeeh, Al-Mafateeh Fi Sharh Al-Masabeeh, Mir'at Al-Manjeeh, and Mirqat Al-Mafateeh (the following words of Mirqat):

المحدث فإنه ليس له أن يمسّه إلا بغلاف متجاف

Translation: A 'Muhdis (the one who isn't in the state of wudu) isn't permitted to touch the Qur'an, except with such a covering which is detached (from the Qur'an). (Mirqat Al-Mafateeh, Vol. 2, p. 441, Publ. Dar Al-Kutub Al-'Ilmiyah, Beirut)

Stating the position of majority of the companions and scholars, Imam Abu-Hafs Siraj-Uddin Umar Bin Wali Bin 'Adil رحمه الله تعالى writes:

فالجمهور على المنع من مسّه على غير طهارة لحديث عمرو بن حزم، وهو مذهب علي وابن مسعود وسعد بن أبي وقاص و
سعيد بن زيد وعطاء والزهرى والنخعي والحكم وحماد وجماعة من الفقهاء منهم مالك والشافعي

Translation: Majority of the scholars prohibit touching (the Qur'an) while not in the state of purity because of the hadith of 'Amr Bin Hazm. This is the position of 'Ali, Ibn Mas'ood, Sa'd Bin Abi-Waqqas, Sa'eed Bin Zaid رضى

الله عنهم and 'Ataa', Al-Zuhri, Al-Nakha'i, Al-Hakam, Hammad, and a group of jurists including Malik and Al-Shafi'ee رحمهم الله. (Al-Lubab Fi 'Uloom Al-Kitab, Vol. 18, p. 437, Publ. Dar Al-Kutub Al-'Ilmiyah)

The position of the four Imams on touching the Qur'an without wudu:

Hanafi Fiqh: It is stated in Al-Hidayah, Tabyeen Al-Haqa'iq, Hashiyah Al-Tahtawi 'Ala Maraqi Al-Falah, Binayah Sharh Al-Hidayah, Al-Bahr Al-Ra'iq Sharh Kanz Al-Daqa'iq, Minhah Al-Khaliq, Al-'Inayah, Fath Al-Qadeer, Al-Muheet Al-Burhani, Al-Fatawa Al-'Alamgiri, and Al-Durr Al-Mukhtar Ma'a Radd Al-Muhtar (the following words are of Al-Durr Al-Mukhtar):

يحرم به اى بالحدث الاكبر وبالا صغر مس مصحف

Translation: It is haram to touch the Mushaf in the state of Hadas Akbar (not having ghusl) and Hadas Asghar (not having wudu).

Maliki Fiqh: It is stated in Al-Nawadir Wal-Ziyadat 'Ala Ma Fi Al-Mudawwanah, Al-Ma'oonah 'Ala Mazhab 'Alim Al-Madinah, and Tafsir Al-Muwatta Lil-Qanazi'ee (the following words of Tafsir Al-Muwatta):

قال مالك وغيره من العلماء: لا يمس المصحف أحد ولا يحمله إلا طاهر يطهر الوضوء إكراما للقرآن

Translation: Imam Malik (رحمة الله تعالى عليه) and other scholars' state: Out of respect for the Qur'an, no one should touch the Mushaf, nor should they hold it unless they have the purity of wudu. (Tafsir Al-Muwatta Lil-Qanazi'ee, Chapters of Salah in Ramadan, Vol. 1, p. 231, Publ. Dar Al-Nawadir, Qatar)

Imam Muhammad Bin Idrees Al-Shafi'ee رحمه الله تعالى عليه writes:

لا يحل مس مصحف الا طاهر الطهارة التي تجزيه للصلاة المكتوبة

Translation: It is not permissible to touch the Mushaf except with such purity which is valid for the fard salah (having wudu and ghusl). (Kitab Al-Umm Lil-Shafi'ee, Book of salah, Vol. 1, p. 286, Publ. Dar Al-Fikr, Beirut)

The Hanbali books of Fiqh, Zad Al-Mustanqi' Fi Ikhtisar Al-Munqi' and Sharh Muntaha Al-'Iradaat state (the following words are from the last-mentioned book):

(ويحرم بحدث) أصغراً أو أكبر مع قدرة على طهارة (صلاة) يحرم به أيضاً (مس مصحف وبعضه)

Translation: When one has the capability of attaining purity, it is haram to offer salah as well as touch the Mushaf or any part of the Mushaf while in the state of Hadas Asghar (not having wudu) and Hadas Akbar (not having ghusl). (Sharh Muntaha Al-'Iradaat, Book of purification, Vol. 1, p. 77, Publ. 'Aalam Kutub, Beirut)

Regarding reciting the Qur'an without wudu, it is stated in Sunan Abi-Dawood and Jam' Al-Jawami' (the following words are of Sunan Abi-Dawood):

عن عبد الله ابن سلمة، قال: دخلت على عليّ... فقال: إن رسول الله صلى الله عليه وآله وسلم كان يخرج من الخلاء فيقرأنا القرآن ويأكل معنا اللحم ولم يكن يحجبه، أو قال: يحجزه، عن القرآن شيء ليس الجنبه

Translation: It is narrated from Abdullah Ibn Salamah رضي الله تعالى عنه that he said: I came to 'Ali رضي الله تعالى عنه... and he said: The Messenger of Allah ﷺ would exit from the lavatory and teach us the Qur'an and he would eat meat with us, and there was nothing which was preventing him from reciting the Qur'an; or he said: nothing would prevent him from reciting the Qur'an except for Janabah. (Sunan Abi-Dawood, Book of purification, Topic: Recitation of a Junb, Vol. 1, p. 164, Publ. Dar Al-Risalah Al-'Alamiyah)

Under this hadith, it is stated in Sharh Sunan Abi-Dawood Lil-'Aini:

يعلمنا القرآن عقيب خروجه من غير اشتغال... ويستفاد من الحديث فائدتان، الأولى: جواز قراءة القرآن للمحدث

Translation: He (ﷺ) would teach us the Qur'an after exiting the lavatory without getting busy (with anything else)... Two points were derived from this hadith: first, it is permissible for a Muhdis (the one who isn't in the state of wudu) to recite the Qur'an. (Sharh Sunan Abi-Dawood Lil-'Aini, Book of purification, Chapter: Recitation of a Junb, Vol. 1, p. 510, Publ. Riyadh)
It is stated in Radd Al-Muhtar:

المس يحرم بالحدث ولو اصغر بخلاف القراءة

Translation: It is haram to touch the Qur'an in the stated of Hadas, even in Hadas Asghar, as opposed to reciting the Qur'an (this is permissible).
(Radd Al-Muhtar, Book of purification, Sunnah acts of ghusl, Vol. 1, p. 173, Publ. Dar Al-Fikr, Beirut)

وَاللّٰهُ اَعْلَمُ عَزَّوَجَلَّ وَرَسُولُهُ اَعْلَمُ صَلَّى اللّٰهُ تَعَالٰى عَلَيْهِ وَاٰلِهٖ وَسَلَّم

(Allah Almighty knows best and His Messenger ﷺ knows best.)

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