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# The provisions of human hair in Islamic law

# By

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### **Abstract**

Allah Almighty created man in the best form, justice and other things, and installed the parts of his body in a wondrous manner, and created for him that which benefits him and aids him, beautifies him and adorns him, so blessed be Allah, the best of creators. One of the parts of the human body is the hair that Allah Almighty grows in numbers estimated at millions in places of the human body, and the creation of that was not in vain without wisdom and benefit, rather it has wisdom and many medical and benevolent benefits, and so on. And that the human body is the crime that is entrusted with the assignment; Of acts of worship and legal rulings. The hair that grows in the human body is one of those parts that are attached to legal rulings that came from our true religion. Our research is about poetry because it matters; Because it is one of the parts of the human being for which special legal rulings were mentioned. The legal rulings related to hair include what is common to males and females, and some of them are specific to males, and some of them are specific to females. In our tagged research, we have dealt with: (The provisions of human hair in Islamic law), which revolves around the provisions of human hair in accordance with the provisions of Islamic law. Hair idiomatically: it is what grows on the human skin and is threadlike, light, thick, or sparse, and takes on colors. As for the second requirement, we reviewed: some of the provisions of human hair, and in the third requirement, we dealt with:: the provisions of human head hair and what is related to it. In the fourth requirement, it included: the provisions of the hair of the rest of the human body, then the results of the research, then the sources of the research.

**Keywords:** Human hair, qaza', shaving the beard and mustache and neck hair.

## Introduction

Praise be to Allah, Lord of the worlds, and prayers and peace be upon the most honorable of the prophets and messengers, the beloved of the Allah of the worlds, sent as a mercy to the worlds, Muhammad and the good and pure Allah, and after:

The Almighty said: (He created the heavens and the earth with truth, and formed you in the best of your forms, and to Him is the destination).<sup>1</sup>

That all legal rulings between males and females are alike in assignment, except for what came out with evidence, and among the matters in which the male differed from the female is the issue of legal assignment. This is unlike the woman in whom puberty is either eight or nine years of age, according to the difference of opinion among the jurists on this issue. Through my research and tracking, I found that poetry has sections and types. Some of them

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make it types into sections, and others make sections into types, and the truth is that the two terms overlap. And the division became according to its distribution on the human body and in terms of other considerations. Some of them said the types of hair and what is meant by thick and light, and there are other considerations in the types of hair.

# **Defining poetry linguistically and idiomatically**

## First, Defining Poetry Language:

Ibn Manzoor said in Lisan al-Arab: Poetry and poetry are remembrance: the plant of the body that is not wool or human hair and other than that. Aur, and the hair, the one of the hair, and it may be called the hair for the plural as it is the gray hair for sex; It is said: So and so saw the hair when he saw gray hair on his head. And a hairy man, hairy, and hairy: a lot of hair on the head and a long body, and a hairy people. And a man with nails: long nails, and neck: long-necked. I asked Abu Zayd about the diminutive of poetry, and he said: "Aysha'ar," referring to "Asha'ar." This is how it came in the hadith: "On their poetry." Good news to them. And it is said to the strong-willed man: So-and-so has neck hair, resembling a lion. And the hair of the goat and other people with hair is a lot of hair.<sup>2</sup>

## Second, Definition of poetry in terminology:

As for the terminology, I did not find a clear limit among the jurists, and it seems that they settled on the linguistic meaning and that it is one of the obvious ones that does not need the trouble of clarification and does not differ from the linguistic meaning. As it is said, one of the most difficult dilemmas is to clarify the obvious, but it is possible to define it with this definition, which is: that hair is what grows on the human skin and has a threadlike shape, light, dense, or sparse, and it takes multiple colors, most of which are black and blond, and the most prominent location for it is the head or what is called the scalp, and the hair of the beard, mustache and eyebrows Cilia and the rest of the human body.

# The ruling on human hair in terms of its purity and impurity

## Scholars differed on this issue and there are four opinions:

The first saying: The Imamiyyah <sup>3</sup> and in a narration on the authority of Ahmad <sup>4</sup> said that the hair of a Muslim is pure and the hair of an infidel is impure. And they inferred that: the infidel's hair is impure, and there is no evidence of the impurity of the things mentioned in themselves. If we judge the purity of his body by Islam, the consequential impurity will inevitably be removed from it, because what is required for purity from the effect, and the analogy is missing and the reason for the impurity is present, so the second saying worked on it: the Hanafis <sup>5</sup>, and the Malikis said <sup>6</sup>, Shafi'i <sup>7</sup>, and Hanbali <sup>8</sup>, until human hair is pure. And they inferred that: The Almighty said: (And We have certainly honored the sons of Adam) <sup>9</sup>.

The third saying: Al-Shafi'i (a.s.) said: Human hair is impure. 10

And they inferred that: The Almighty said: (Prohibited to you is dead meat, blood, and the flesh of swine, and that which is dedicated to other than Allah). <sup>11</sup>

# Ruling on looking at a woman's hair

#### Looking at the woman's continuous hair:

The Imami see that it is forbidden to look at the hair of a non-mahram woman, even if it is cut off from her <sup>12</sup>. Imam Al-Reza (peace be upon him) said in what he wrote to Muhammad

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bin Sinan about the answer to his questions, and he forbade looking at the feelings of women who are veiled by their husbands, and to other women because it irritates men, and what irritation leads to in terms of corruption and entering into what is not permissible, and what is not pregnant, as well as what Feel like<sup>13</sup>.

Also, the Hanafis <sup>14</sup>, the Malikis <sup>15</sup>, the Shafi'is <sup>16</sup> and the Hanbalis <sup>17</sup> said that looking at the hair on the head of a free adult woman who is connected to it is forbidden.

They inferred that: The Almighty said (and do not display their adornment except what appears of it). 18

### Third, Ruling on touching a woman's hair:

The Imamis went to the prohibition of touching the hair of a non-mahram woman, as they said that it is forbidden for men to look at the body and hair of a non-mahram woman.<sup>19</sup> Whatever it is forbidden to look at is forbidden to touch.

As the Hanafi <sup>20</sup>, Maliki <sup>21</sup>, Shafi'i <sup>22</sup> and Hanbali <sup>23</sup> jurists agreed that it is not permissible for a man to touch anything from a non-mahram woman, and that includes touching the hair.

And they inferred that: the words of the Messenger of Allah, may Allah's prayers and peace be upon him and his family, "For one of you to be stabbed in the head with an iron needle is better for him than for him to touch a woman who is not permissible for him". 24

# Fourth, Ruling on touching a woman's hair invalidates ablution: The jurists differed on this issue, and there are two sayings:

The first saying: The frontiers held that a man touching the hair of a non-mahram woman and a woman touching the hair of a non-mahram man does not invalidate ablution, as stated in the jurisprudential rulings of Sayyid Muhammad Saeed al-Hakim. Whatever overwhelms the mind, such as madness, fainting, drunkenness, or other things.<sup>25</sup>

Likewise, the Hanafis <sup>26</sup>, the Shafi'is <sup>27</sup> and the Hanbalis <sup>28</sup> held the same opinion.

And they inferred from this: that ablution is not intended for lust in most cases, and that these things are by virtue of the separate rule. <sup>29</sup>

The second saying: The Malikis <sup>30</sup> and the Hanbalis <sup>31</sup> went to the point that touching the hair if it was with desire, then it invalidates ablution.

# The second requirement, the provisions of the human head hair:

#### First, Ruling on head hair:

The concept of head hair: Head hair in terminology: It is what is included in the roots of the usual hair from the front to the nape of the nape.<sup>32</sup>

# Ruling on lengthening and cutting the head for men and women:

# First, Hair extension, cutting and shaving for men:

The scholars differed concerning the lengthening, cutting and shaving of hair for men. There are two opinions:

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### The first opinion:

The opinion of the Imamiyyah is that it is disliked for a man to grow his hair long, rather it is desirable to shave it <sup>33</sup>, as it was reported on the authority of Al-Hassan bin Ali bin Yaqtin, on the authority of his father, on the authority of Abi Al-Hassan Al-Awwal, peace be upon him, he said: I heard him say: "The hair on the head if it is long, the visual impairment, And he went by the light of his light." <sup>34</sup>

### The second opinion:

The Hanafis <sup>35</sup>, the Shafi'is <sup>36</sup> and the Hanbalis <sup>37</sup> in Raya on the authority of Imam Ahmad <sup>38</sup> said that it is permissible to shave the hair of the head and shorten it, as well as to lengthen it, and to compel it in that.

## They inferred this from legal texts, including:

That the Prophet (may Allah bless him and his family): He saw a young boy who had shaved some of his hair and left some of it, so he forbade them from that and said: "Shave it all, or leave it all".<sup>38</sup>

## The third opinion:

The Malikis <sup>39</sup>, and the Hanbalis <sup>40</sup>, in another narration from Imam Ahmad, said that it is disliked to shave the hair of the head and shorten it for purposes other than the rituals.

### They inferred this from legal texts, including:

On the authority of the Prophet (peace be upon him and his family) who said: (The forelocks are not placed except during Hajj or Umrah).<sup>41</sup>

# Second, Shaving and cutting hair for women:

### Shaving hair for women:

Scholars differed regarding shaving the hair of a woman's head on several sayings, including:

#### First, What the Imamiyyah said:

It was reported on the authority of Allamah al-Majlisi, I know that the shaving of hair by women without necessity or excuse is forbidden. Also, the Malikis <sup>42</sup> and the Hanbalis went to him to say that it is forbidden for women to shave their hair .<sup>43</sup>

They inferred this from legal texts, including:

On the authority of the Commander of the Faithful Ali Ibn Abi Talib (peace be upon him): (The Messenger of Allah forbade a woman to shave her head).<sup>44</sup>

Second: What the Hanafis  $^{45}$  and Shafi'is  $^{46}$  went to, and it is a saying of the Hanbalis  $^{47}$  that it is makrooh  $^{48}$  to shave a woman's hair.  $^{49}$ 

And they inferred this: On the authority of Ali bin Abi Talib (peace and blessings be upon him) who said: "He (may Allah's prayers and peace be upon him and his family) forbade a woman to shave her head".<sup>50</sup>

### Cutting women's hair:

The scholars differed regarding cutting the hair of the head of women in several sayings:

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### The first saying: the front saying:

Al-Khoei, in his book Al-Masa'il Al-Shariah, mentioned the question of whether it is permissible for a woman to cut her hair

The answer was: There is nothing wrong with that .51

The second saying: Al-Qadi Ayyad from the Malikis <sup>52</sup> and Al-Nawawi from the Shafi'is <sup>53</sup> went to the permissibility of cutting hair for women.

# They cited evidence for this:

They said: The hadiths that forbid shaving did not mention cutting, so these hadiths indicated that the prohibition is limited to shaving only, and anything other than that is permissible.

The third saying: Some Hanbalis went to the prohibition of cutting hair for women. They quoted as evidence for that:

- 1. Cutting a woman's hair is imitating the infidel women .<sup>54</sup>
- 2. A woman cutting her hair

Al-Qaza': is to shave part of the head at all, and it was said that it leaves separate places unshaven, likening to the clouds <sup>55</sup>. The Imamiyyah went to the disapproval of the Qana'a, as it was mentioned in the book Al-Kafi Al-Sharif on the authority of Abi Abdullah (peace be upon him), he said: (The Commander of the Faithful (peace be upon him) said): (Do not shave the boys. find a place and leave a place.<sup>56</sup>

Likewise, the Hanafi jurists <sup>57</sup>, Malikis <sup>58</sup>, Shafi'is <sup>59</sup> and Hanbalis <sup>60</sup> agreed that it is disliked. They inferred this from legal texts, including:

On the authority of Ibn Omar, he says: I heard the Messenger of Allah (may Allah bless him and his family and grant him peace): Al-Qaza' is forbidden. Ubaidullah said: I said: What is Al-Qaza'? Ubayd Allah indicated to us, saying: If a boy shaves, leaving a hair here, here, and here, then Ubayd Allah pointed to us to his forelock and the sides of his head.

This text indicates that the Prophet, may Allah bless him and his family, forbade qaza' and that qaza' is makrooh.

Fourth, beard hair: We will separate its provisions in a separate request due to the importance of its subject.

#### Mustache hair:

Ruling on trimming the mustache: Scholars differed on this issue and there are several opinions:

What was mentioned about the Imamiyyah, which is the permissibility of namas, I mean removing the hair from the face <sup>61</sup> what has reached us from the news of Ali bin Jaafar on the authority of his brother Musa, peace be upon him, he said I asked him about the woman who removes the hair from her face, he said there is no problem <sup>62</sup>.

The first saying: The majority of the Hanafis <sup>63</sup> and the majority of the Malikis<sup>64</sup> and the Shafi'is <sup>65</sup> and the Hanbalis <sup>67</sup> went to him, that cutting the mustache is Sunnah. <sup>68</sup>

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### They inferred that:

- 1. On the authority of Ibn Omar, on the authority of the Prophet: (may Allah bless him and his family and grant them peace) who said: (Trim the mustache and let the beards grow).<sup>69</sup>
- 2. On the authority of Ibn Omar, on the authority of the Prophet, may Allah's prayers and peace be upon him and his family, who said: "Be different from the polytheists.
- 3. On the authority of Ibn Omar, he said that the Prophet, may Allah's prayers and peace be upon him, said: "They fill their mustaches and shave their beards, but they differed from them." Ibn Omar used to cut his mustache like a sheep or a camel.

The second view is that some Malikis <sup>70</sup> and Ibn Hazm al-Zahiri <sup>71</sup> said that cutting the mustache is obligatory. And they inferred that: that Zaid bin Arqam on the authority of the Prophet, may Allah's prayers and peace be upon him, said: "He who does not trim his mustache is not one of us" <sup>72</sup>. In the hadith, there is an indication of the necessity of taking from the mustache, which is that the one who does not take from his mustache is not from the nation.

# **Shaving the beard and mustache for women:**

## Scholars differed regarding the beard and mustache for women.

What the Imamiyyah said about al-Sayyid al-Khoei when he was asked about removing hair from a woman's face, what is known among women as "having"? The answer was: There is nothing wrong with that .<sup>73</sup>

# The first saying:

The Shafi'is <sup>74</sup> went to the desirability of removing the hair of the beard and mustache for women. And they inferred from that: that a woman is required to adorn herself and beautify herself, so it is desirable for her to remove her mustache.

Al-Shafi'i said: The beard is for men to perfect the character, but for women it is a defect .<sup>75</sup>

### The second saying:

The Malikis are of the view that it is obligatory for women to shave their beard and mustache.

The mustache is an example, so it must be removed. And it came in Al-Zarqani's commentary on Mukhtasar Khalil: A woman must shave her body because it is mutilation. It is understood from this that she must also shave her beard, mustache and neck .<sup>76</sup>

### Sixth, the hair of the neck:

In the language: it is between the lower lip and the chin of it, and it was said: the stalk is between the chin and the tip of the lower lip, whether it has hair or not, and it was said: the stalk is what grows on the lower lip of hair <sup>77</sup>. In terminology: it is the hair of the lower <sup>78</sup>. The scholars differed regarding the removal of the neck, according to the following sayings:

#### The first saying:

The Malikis <sup>79</sup> went to the prohibition of removing the neck.

# They justified that:

1. The hair of the neck is like the hair of the beard, just as it is forbidden to remove the hair of the beard, it is also forbidden to remove the hair of the neck <sup>80</sup>.

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2. The hadith of Hariz bin Othman, that he asked Abdullah bin Yusr, the owner of the Prophet (may Allah bless him and his family), he said: Did you see that the Prophet, may Allah bless him and his family and grant him peace, was an old man? He said: "There were white hairs on his neck."

## The second saying:

The Hanafis (and the Shafi'is) are of the view that it is makrooh to remove the vertebrae

### They justified that:

- 1. The neck is from the beard and it is hated to take from it and shave it, which would be a distortion of the morals <sup>81</sup>.
- 2. The plucking of the phoenix is an innovation, and they are both sides of the neck, which is the hair that is on the lower lip. <sup>82</sup>

## Eyebrow hair:

The eyebrows in the language: the two bones that supervise the two sides of the eyes, and it was said that they are the hair roots of the eyebrows from the bone.

They inferred this: And in the hadeeth of Ibn Masoud, he said: Allah cursed the women who have tattoos, the women who have tattoos, the women who have tattoos, and the women who wear hair for beauty, who change the creation of Allah .<sup>83</sup>

They inferred that: shaving is like plucking, so it is not permissible for a person to shave the hair of his eyebrows, <sup>84</sup>just as it is forbidden for him to pluck them, <sup>85</sup> or with a throat, in terms of changing the creation of Allah Almighty.

Trimming the eyebrows if they grow long: Scholars differed on this issue, <sup>86</sup> and there are two opinions:

## The first saying:

The Shafi'is, the Hanbalis, went to the permissibility of cutting or trimming the eyebrows, and they did not count it as namas (namas).<sup>87</sup>

And they inferred that: with the hadeeth of Abu Ishaq, on the authority of the wife of Ibn Abi Al-Saqr, that she was with Aisha, and a woman asked her? She said: O Mother of the Believers, I have hairs on my face, 88 so should I pluck them, do I adorn myself with that for my husband? Aisha said: (Remove harm from you and do for your husband as you do for a visit. If he commands you, obey him, and if he swears on you, then fulfill him, and do not allow me into his house to whom he hates) 89.

The second saying: Al-Nawawi went from the Shaafa'is to hate it.

# Rule of thumb

The scholars differed regarding the ruling on names, according to two sayings: The first saying:

The Hanbalis are of the view that names is forbidden 90.

And they inferred that: 1- The hadith of Ibn Masoud, may Allah be pleased with him, the Prophet said: (peace and blessings of Allah be upon him and his family): "May Allah curse

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the women who have tattoos, and the women who have tattoos, and the women who have tattoos, and the women who wear hair for beauty, who change the creation of Allah" <sup>91</sup>.

#### The second view:

The Hanafis <sup>92</sup>, the Malikis, the Shafi'is <sup>93</sup>, and the Hanbalis <sup>94</sup>, held that namas is permissible with the permission of the husband only.

The fourth requirement: the hair of the rest of the body other than the head: First, Nose hair: Scholars differed on this issue, according to the following sayings: The first saying:

The Imamiyyah held that it is mustahabb to remove the hair of the nose, as it was narrated that al-Sadiq (peace be upon him) said that it beautifies the face.

### The second saying:

As for the Hanafis <sup>95</sup>, some Malikis <sup>96</sup>, and the Hanbalis <sup>97</sup>, to the prohibition of plucking the hair of the nose, but those who were forbidden to pluck it from among the Malikis and Hanbalis, they recommended that it be cut if it is obscene.

## They inferred that:

- 1. His survival is safe from leprosy, and his plucking leaves the eater <sup>98</sup>.
- 2. With regard to cutting it if it is obscene, by analogy with the hair of the eyebrows if they are long <sup>99</sup>.

## The second saying:

Some of the Malikis (and Shafi'is) said that it is mustahabb to remove nose hair.

### And they inferred this:

They said that it is mustahabb to remove nose hair, by analogy with removing pubic hair 100.

## Second: Armpit hair:

The scholars agreed that it is desirable to remove the hair of the armpit. A word he said: And plucking the armpit eliminates the reprehensible smell, and it is purification and Sunnah from what al-Tayyib (peace be upon him) commanded. And as it was reported from Imam al-Sadiq (peace be upon him), shaving it is better than plucking it, and applying it is better than shaving it <sup>101</sup>.

The Hanafi scholars  $^{102}$ , the Malikis  $^{103}$ , the Shafi'is  $^{104}$ , and the Hanbalis  $^{105}$ , agreed that plucking the armpits is Sunnah. They inferred that:

- 1. On the authority of the Messenger of Allah (may Allah's prayers and peace be upon him and his family) said: Ten things are part of the fitrah: trimming the mustache, growing the beard, using the toothpick, sniffing water, clipping the nails, washing the knuckles, plucking the armpits, shaving the pubic hair, and reducing water.
- 2. The Prophet Muhammad, may Allah's prayers be upon him and his family, said: "The instinct is five, or five of the instinct: circumcision, shaving the pubic hair, plucking the armpit hair, trimming the nails, and trimming the mustache."

# What is better in the armpit shaving or plucking?

The Hanafi jurists <sup>106</sup>, the Malikis <sup>107</sup>, the Shafi'is <sup>108</sup>, and the Hanbalis <sup>109</sup>, agreed on the Sunnah of removing armpit hair by plucking, and it is permissible to remove armpit hair by shaving, light, and others.

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### Third: pubic hair:

According to the Imamiyyah, it is recommended to shave pubic hair, as stated in the book Al-Istifa'at by Sayyid al-Sistani when he was asked about the ruling on shaving pubic hair. His answer was that it is mustahabb to remove pubic hair. 110

The Hanafi jurists <sup>111</sup>, the Malikis <sup>112</sup>, the Shafi'is <sup>113</sup>, and the Hanbalis <sup>114</sup>, agreed that shaving the pubic area is Sunnah.

## They inferred that:

On the authority of Ibn Omar: On the authority of the Messenger of Allah (may Allah bless him and his family): "From the instinct is shaving the pubes, trimming the nails, and cutting the moustache". 115

# Timing for mustache removal, armpit plucking and pubic shaving:

# The scholars differed on this issue, and there are two sayings: The first saying:

The majority went from the Hanafis <sup>116</sup>, the Malikis <sup>117</sup>, the Shafi'is <sup>118</sup>, and the Hanbalis<sup>119</sup>, with regard to the longest length: it looks at the length of the hair, and if it is long, it is cut, shaved, or plucked, but it does not exceed forty, then it is disliked, and according to my father Hanifa falls into inviolability. <sup>120</sup> As for the shortest period: they have agreed that it is desirable to remove hair every week. <sup>121</sup>

## Fourth, body hair:

Scholars have sayings about removing chest and back hair:

#### The first saying:

What was narrated from the Imamiyyah: that the two imams al-Baqir and al-Sadiq (peace be upon them both) used to anoint their holy bodies in the bath. Hence, some of the jurists stated this:

The sheikh said at the end: There is nothing wrong with shaving the entire head for men, as well as removing hair from all over the body. 122

#### The second saying:

The Hanafis <sup>123</sup>, went to the desirability of leaving the hair of the chest and back, <sup>124</sup> and not to shave or pluck, <sup>125</sup> and I did not find evidence for them, as I saw it

### The third saying:

The Malikis <sup>126</sup> went that it is permissible to remove it for men, and as for women, it must be removed, for beauty and adornment.

### Fifth, Removing the hair of the forearms and legs:

The Malikis hold that it is permissible to remove the hair of the forearms and legs for men, and as for women, it must be removed, for beauty and adornment.

I did not find anything for the Hanafis, Shafi'is, and Hanbalis in this matter, as far as I have seen it <sup>127</sup>.

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Sixth, burying the hair:

Scholars differed on this issue, as follows:

### The first saying:

The Imamiyyah held that burying the hair is mustahabb, as stated in (Al-Khasal) on the authority of Ali (peace and blessings be upon him) on the authority of the Prophet (peace be upon him and his family) who said: He commanded us to bury four: hair, tooth, nail, and blood <sup>128</sup>. The Hanafis <sup>129</sup>, the Shafi'is <sup>130</sup>, and the Hanbalis also held that burial of hair is also desirable.

### They inferred that:

- 1. On the authority of the Prophet, may Allah's prayers and peace be upon him and his family: He used to order the burial of hair and nails.
- 2. On the authority of the Messenger of Allah (may Allah bless him and his family): "Bury nails, hair and blood, for they are dead bodies" <sup>131</sup>.

## The second saying:

The Malikis went on to say that burying poetry is an innovation <sup>132</sup>.

### They inferred this:

Imam Malik inferred that it is an innovation, <sup>133</sup> that he found some of the Prophet's hair (may Allah bless him and his family): in the hood of Khaled bin Al-Walid <sup>134</sup>.

# **Conclusions:**

Through the research, the following results were reached:

- 1. The linguistic concept does not differ from the idiomatic one in the word hair, which is: that hair is what grows on human skin and is threadlike, light, dense, or sparse, and takes different colors.
- 2. The scholars differed about the purity and impurity of human hair, but most of them said: The hair of a Muslim is pure and the hair of an infidel is impure..
- 3. The Imamiyyah believes that it is forbidden to look at the hair of a foreign woman, even if it is cut off from her. As for the rest of the schools, they say: Looking at the hair on the head of a free adult woman that is connected to her is forbidden.
- 4. The scholars differed regarding women's hair cutting. The first view: the front view: it is permissible for a woman to cut her hair. As for the rest of the schools, it is permissible for women to cut their hair.
- 5. Scholars differed on the issue of burying the hair of the human body: in two sayings: the first view: the frontiers held that burial of hair is desirable. And the Shafi'is and Hanbalis, that burying poetry is also desirable. As for the second saying: the Malikis went on that burying poetry is heresy.

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