



Fiqh of Taharah: Class Thirty-Six

الحمد لله و الصلاة و السلام على رسول الله و بعد:

These classes are based upon the commentary of the eminent Shaikh Atiyya Muhammad Saalam, given in Masjid an-Nabawi, in Madinah al-Munawwrah.

CHAPTER 5: Massah Over the Khuffain

The Hadith:

وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ (قَالَ: { جَعَلَ النَّبِيُّ (ثَلَاثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ لِلْمُسَافِرِ،
وَيَوْمًا وَلَيْلَةً لِلْمُقِيمِ. يَعْنِي: فِي الْمَسْحِ عَلَى الْخُفَّيْنِ } أَخْرَجَهُ مُسْلِمٌ

Narrated Ali: The Prophet alayhi as salam fixed the period of Mash (wiping) over the leather socks for three days and nights for a traveler, and one day and night for the resident person.

Reported by Muslim

The Explanation:

The Author brings this hadith in order to explain the timing for wearing the khuffs if he wore them in purity, is it restricted by a time limit after which he must remove the khuffs and wash the feet, or is it open.

And this can repeat throughout the year.

The Ulema differ regarding the timing. The Jumhoor as is mentioned here and what will come, is that the Prophet alayhi as salam allowed wiping for three days with their nights, and the local resident for one day, 24 years.

The Jumhoor are of the opinion that wiping can be for any reason, there does not have to be any excuse, it is not restrained to sickness in the foot, or extreme cold, if it were the middle of Summer, and his feet are completely healthy, he has the permission to wipe them, if he wore them in purity.

And they say the man and women are the same, if she wore it on purity. Just like the man. It is not restricted to an excuse.

He has for every complete wudu during travel 3 full days, and if the days expire, he must remove the khuffs and make a complete wudu while washing the feet, then after wearing the khuffs he can wipe over them for three days again. He can continue doing this every three days during the travel.

But Imam Malik has a difference of opinion, and there are those who narrate about Malik that he did not make any restriction, not resident or travelling, but we will find a response to this, in the commentary on the coming hadith.

The hadith mentions that a man asked the Prophet alayhi as salam: “Can I wipe on the khuffs for one day when traveling.” He said, “Yes.” “Two days?” “Yes.” Three days? “Yes. And as long as you like (Wa maa sh’itta).”

Here Imam Malik said this is allowing wiping as long as you like.
The Jumhoor stated there is a limitation.

Shaikh al Amin-Shinqeeta studies these texts in Adwaa al Bayaan and says: “These texts are differing, and there is no way to reconcile between them. Because some Ulema join between these texts, and say “Three days, as long as you like.”

They understood it to mean, “Remove the Khuffs, wash them, then put them back on, and keep wiping.”

This is a type of reconciliation between the two hadith.

But Shaikh Amin said, this is not a true reconciliation, since one must accept both texts at face value without changing that text or this (not adding or deleting) in order to achieve true reconciliation.

For example, when some texts refer to freeing a slave, and others refer to freeing a believing slave, the scholars use the more specific text to qualify the more general one.

The general is restricted by the specific.

Here, the scholars say that there is no way to reconcile. Because the hadith about the time periods set a fixed time.

And this hadith says, “Yes, and as long as you like.” Indicates that there is no time limit. So the two texts contradict, and it cannot be reconciled.

So what is to be done in this case?

Either by knowing the dates and history of each hadith, so that the later hadith abrogates the earlier one.

Or by understanding that the narrator did not know the circumstances, for example:

The texts that say that the Prophet alayhi as salam entered the Kaaba and prayed.

And others that say that he entered the Kaaba and did not pray.

So they reconciled by saying that the Prophet alayhi salam entered the Ka'aba on two occasions: Once during Fath Makkah, and once during Hajjatul Wada'ah.

Those who who say he prayed, it was on one of these occasions.

And those who said he did not pray, it was on the other occasion.

So you can join the two texts easily, without contradiction. He prayed and he did not pray, because those who negated and those who affirmed prayer did not mention a time limit.

And from stating that two things contradict: They must be in the same place, time, and action.

So here the two can be joined together.

Yes the first narrator was truthful, since it was the first time.

The second was truthful, since it was the second time.

If one cannot join the two in this way, then there must be preference to one hadith over the other.

Shaikh Amin stated that the hadith stating that there is a time limitation should be preferred, because it is more safe in acts of worship,

and also the narrators are stronger.

And there are more narrators of the hadith that there is a time limit than the one without it.

Thus, the texts contradict in the time limit for those traveling and resident, and those that say there is no time limit.

The Jumhoor said there is a limit. Malik said no, in a narration according to him.

The one who desires to continue wiping, he should remove the khuffs and wash, then replace them when he does wudu, and keep wiping, even if it is for ten years.

For those who would like more information on this subject, they can refer to Adwaa' al Bayaan, in reference to the ayahs in Surah al Maa'idah, and you can find some books that deal specifically with the subject of mash on the khuffain.

The Hadith:

وَعَنْ ثَوْبَانَ (قَالَ: { بَعَثَ رَسُولُ اللَّهِ (سَرِيَّةً, فَأَمَرَهُمْ أَنْ يَمْسَحُوا عَلَى الْعَصَائِبِ

- يَعْنِي: الْعَمَائِمَ -وَالتَّسَاخِينِ - يَعْنِي: الْخِفَافَ { رَوَاهُ أَحْمَدُ, وَأَبُو دَاوُدَ,

وَصَحَّحَهُ الْحَاكِمُ

Narrated Thawban: Allah's Messenger sent out a contingent on a military expedition and commanded them to wipe over the turbans and leather socks. Reported by Ahmad

The Explanation:

This hadith indicates that the Prophet alayhi as salam sent out a contingent.

And the scholars of language say that the Sariyya or contingent is what is less than 40 people.

But what is correct is that a Sariyya is any group sent out without the company of the Prophet alayhi as salam in the battlefield.

If the Prophet accompanied them, then it is called a Ghazwa.

This is the terminology of the Seerah.

The Prophet alayhi as salam used to send out Sariyya, to the ocean, Ubaidullah, Muhsin, and others. He would send them out to attain surveillance, or gather news.

This particular Sariyya, when they returned they complained about the strong cold.

The Prophet alayhi as salam ordered them to wipe over their turbans.

Anything that is placed on the head to cover it, or wrapped, is called 'Amaamah, and the Prophet alayhi as salam commanded they wipe it.

Commanded, meaning he allowed it to be wiped.

And also, on the Tasakheen, or anything used to keep the feet warm. When it is cold.

And although the cold is not a condition for wiping, but from this text the Ulema took the permission to widen what can be wiped over.

So there is the Khuff, and there is the boot, stocking, and socks, and sandals.

All these things are worn over the feet.

The Na'al (shoe): Every text that mentions wiping over the sandals is not authentic. Except the text that mentions wiping over the na'al along with the socks. So the sock and shoe together cover the foot.

This is because the na'al by itself does not cover the place of washing the feet. And it is a condition that the thing being wiped cover the entire foot, and the shoe leaves the foot open.

Thus, what is like a Khuff: and the basis of Khuff is made of leather.

So say that wiping can only be over the Khuff, since it is a Rukhsaa, and Rukhsaa's cannot be expanded beyond their place.

But this hadith says, Wiping over the Tasakheen, or boots, there is no harm in that.

But then we come to the subject of the socks.

The Shafii say: The socks cannot be wiped over unless they are thick and leather on the bottom.

The agree that everything that can be walked in is permissible to wipe over.

Where is the walking? In the desert, or at home? At home, because some places cannot be walked in, even with shoes. So they must be firm.

We are left with the Hanifis, who say every sock that is worn on the foot is wiped.

The basis is Khuff. Whether it is from wool, fur, cotton. Imam nawawi says: The sock does not have to cover the color of skin.

And he said, if the sock was with glass, it would suffice. Like today, plastic, or even wood.

What some say that they must prevent water from reaching the skin.

If it is thin, and the water reaches the foot, than wiping is on the foot, not the sock.

All types of shoe that is over the ankle, and thick and strong, it is allowed to wipe. And with Allah is success.

But if they are thin, like a net, so thin, that you can see what is underneath, and water reaches underneath it.

And Allah knows best.

End of Class 36.