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Source: His short treatise *Tamaam-un-Nas'h fee Ahkaam-il-Mas'h* (The Complete Guidance concerning the Rules of Wiping), which appeared as a supplement to his verification of the book *Al-Mas'h 'alaal-Jawrabayn* (Wiping over the Socks) of Imaam Jamaal-ud-Deen Al-Qaasimee (*rahimahullaah*).

Translated: by abu maryam for al-manhaj.com

1. Wiping over the shoes

As for wiping over the shoes (*na'alayn*)¹ when performing ablution, then it has become popular amongst the contemporary scholars to say that it is not permissible to wipe over them. And we do not know of any evidence to support that claim, other than what has been stated by Al-Baihaquee (*rahimahullaah*) in his *Sunan* (1/288):

"The foundation is the obligation for washing the feet, unless there is an established aspect of the Sunnah that makes it more specific, or there is a consensus (*ijmaa*) in which there is no differing. And wiping over the shoes or the socks is not included in any of the two, and Allaah knows best."

This is what he has stated. And it is well known, unfortunately, that it indicates an unawareness of the previously mentioned *ahaadeeth* in this treatise² regarding the establishment of wiping over the socks and the shoes. And the chains of narration regarding some of them are authentic, as has been clarified previously. This is why At-Turkmanee Al-Hanafee (*rahimahullaah*) commented on these words, saying:

"This is incorrect, for it has preceded that At-Tirmidhee has authenticated the (hadeeth of) wiping over the socks and the shoes and declared it *hasan* from the hadeeth of Muzail on Al-Mugheerah **ﺗ**. He also declared the hadeeth of Ad-Dahhaak on Abu Moosaa **ﺗ** to be

¹ **Translator's Note:** The word used in this treatise for shoes is *na'alayn*, which can mean sandals or shoes that do not pass the ankle. At the time of Allaah's Messenger SAWS, the people used to wear these sandals, which were considered shoes. We have decided to translate the word as shoes for fear that if the word sandals were used, people would limit the ruling found in this treatise to just sandals, while the rulings apply to any type of shoe worn on the foot. And Allaah knows best.

² **Translator's Note:** The treatise he is referring to is *Al-Mas'h 'Alaa Al-Jawrabain* (Wiping over the Socks) by the great scholar of Shaam Jamaal-ud-Deen Al-Qaasimee (*rahimahullaah*). This treatise of Shaikh Al-Albaanee comes directly after his checking of Al-Qaasimee's book. Al-Albaanee included this last section to the book in order to clarify common misunderstandings present today and to compliment the book. Thus, there will be some references made to this book, such as "as has been stated previously". This means previously in the book *Al-Mas'h 'Alaa Al-Jawrabain*.

hasan. Also, Ibn Hibbaan has verified wiping over the shoes by authenticating the hadeeth of Aws **ؓ**. Similarly, Ibn Khuzaimah³ has authenticated the hadeeth of Ibn 'Umar **ؓ** on wiping over the shoes. And what Al-Baihaqee mentioned from the hadeeth of Zaid Ibn Al-Hibaab on Ath-Thawree (meaning with the chain of narration going to Ibn 'Umar **ؓ** and it was stated previously) regarding wiping over the shoes, is a good hadeeth. Ibn Al-Qataan has also authenticated it on Ibn 'Umar **ؓ**." [*Al-Jauhar-un-Naqee* (1/288)]

I say that once you have come to know this, it is not permissible to even hesitate in accepting this allowance - especially after the hadeeth concerning it have been established. This is since, as the author (Al-Qaasimee) has stated in what has been mentioned previously:

"The hadeeth concerning it are authentic, thus there is no recourse other than to hear and obey."

This is especially the case after knowing that the Sahaabah acted in accordance with it. And foremost amongst them, was the rightly guided Khaleefah, 'Alee Ibn Abee Taalib **ؓ**. Furthermore, it is the view that was held by some of the Imaams from the pious predecessors (Salaf As-Saalih), may Allaah be pleased with all of them.

Thus, Ibn Hazm (*rahimahullaah*) said in *Al-Muhallaa* (2/103):

"Issue: So if the footwear (*khuff*) are cut so that they fall beneath the ankles, then wiping over them is permissible. This is the opinion of Al-Awzaa'ee and it has been reported on him that he said: 'The *muhrim* may wipe over his shoes that come beneath the ankles...' Others have stated: 'He may not wipe over them unless they go over the ankles.'"

2. Wiping over *khuffs* or socks that have holes in them

As for wiping over *khuffs* (leather socks) or socks that are torn with holes, then the scholars have differed in this issue with many opinions. The majority of them forbid it based on a long differing amongst them, which you can see in the detailed discussions found in the books of *Fiqh* and *Al-Muhallaa*. Other scholars held the opinion that it was permissible, and this is the opinion that we favor. Our argument for this is that: the source principle is the (absolute) allowance for wiping. So whoever forbids it, or places a condition on it - such as that they must be void of any holes - or he places limits to it, then he is refuted by the statement of the Prophet:

"Every condition that is not found in the Book of Allaah, then it is false." [Al-Bukhaaree and Muslim]

It has also been authentically reported that Sufyaan Ath-Thawree (*rahimahullaah*) said: "Wipe over them (the socks) so long as they are attached to your feet. Were the socks of the

³ See *Saheeh Ibn Khuzaimah* (pg. 100)

Muhaajireen and the *Ansaar* anything but torn (with holes), ripped and tattered?" [Reported by 'Abd-ur-Razzaaq in *Al-Musannaf* (no. 753) and from that path of narration, by Al-Baihaqee (1/283)]

Ibn Hazm (*rahimahullaah*) said:

"So if there is found in the khuffs, or whatever is worn on the feet, any holes that are small or large, long or wide, such that some part of the foot is visible, whether a little or a lot, or both, then all of that is the same. And wiping over them is permissible, so long as any part of it continues to attach itself to the feet. This is the opinion of Sufyaan Ath-Thawree, Dawood, Abu Thawr, Ishaq Ibn Raahawaih and Yazeed Ibn Haaron." [*Al-Muhallaa* (2/100)]

Then he (*rahimahullaah*) goes on to relate the statements of the scholars that forbid it, according to what they contain from differing and contradiction. And then he goes on to refute them and explain that it is an opinion that has no evidence to support it except opinion. Then he closed that with his statement:

"However the truth in this matter is what is reported in the Sunnah, which explains the Qur'aan, in that the ruling for the two feet, which do not have any garment over them to wipe over, is that they must be washed. And the ruling for the two, if there is a garment over them, is that they can be wiped over. This is what is reported in the Sunnah **'and your Lord is not forgetful.'** [Surah Maryan: 64] The Messenger ﷺ knew, when he commanded for the wiping over the *khuffs* or whatever is worn on the feet – and he wiped over the socks – that there was large and small holes, as well as no holes, in the shoes, socks and whatever else is worn on the feet. And he ﷺ also knew that there existed the footwear that was red, black or white as well as the new and the old. But he ﷺ did not specify some of it over another. And if the ruling for that in the Religion varied, then Allaah would not have forgotten to send down revelation concerning it, nor would the Messenger of Allaah ﷺ have neglected explaining it, far is he removed from that. Thus, it is correct that the ruling for this wiping applies to all conditions." [*Al-Muhallaa* (2/100)]

Also, Shaikh-ul-Islaam Ibn Taimiyyah (*rahimahullaah*) said in his *Ikhtiyaaraa* (pg. 13):

"It is permissible to wipe over the (foot) garments on one of its two sides - Ibn Tameem and others related this. It is also permissible to wipe over the *khuff* that has holes in it, so long as it continues to hold that name (khuff) and one is able to walk in it. This is the older of the two opinions Ash-Shaafi'ee held on it, and it is that which Abul-Barakaat and other scholars have preferred."

I say: Ar-Raafi'ee attributed this view in *Sharh Al-Wajeez* (2/370) to the majority of the scholars and uses as a support for it, his argument that the opinion that forbids wiping over them, narrows the door of this allowance, so one must wipe. And he was correct, may Allaah have mercy on him.

3. Does taking off the footwear that is wiped over, nullify the ablution?

The scholars have also differed concerning the one who takes off the *khuff* and its types after having performed ablution and wiped over them. Their differing can be divided into three opinions.

The First: His ablution is valid and he is not required to do anything.

The Second: He must wash his two feet only.

The Third: He must redo his ablution

Each of these opinions were held by groups of scholars among the predecessors (Salaf). 'Abd-ur-Razzaaq (*rahimahullaah*) has transmitted their narrations regarding these opinions in his *Al-Musannaf* (1/210/809-813), as well as Ibn Abee Shaybah (1/187-188) and Al-Baihaqee (1/289-290).

There is no doubt that the first opinion is what is most correct, for it is in correspondence with the essence of wiping, in that it is an allowance and a facilitation from Allaah. Thus any opinion, other than the first, would deny this facilitation, as has been stated by Ar-Raafi'ee in the previous Issue (#2). Furthermore, the other two opinions are outweighed by two arguments, based on the following two evidences:

First: It complies with the action of the rightly guided Khaleefah 'Alee Ibn Abee Taalib **ؓ**, for we have presented previously with an authentic chain of narration, that he **ؓ** once broke his ablution, then performed a new one and wiped over his shoes. Then he took them off and prayed (without them).

Second: It is in compliance with the correct analogy, for indeed if one were to wipe over his head and then shave his hair off, he would not be obligated to wipe over his head again, since he would already have ablution. This is the opinion that Shaikh-ul-Islaam Ibn Taimiyyah (*rahimahullaah*) favored, as he states in his *Ikhtiyaaraat* (page 15):

"The ablution of the one who has wiped over his khuffs and turban is not canceled when he removes either of these two garments. Nor is it canceled by the cessation of its time limit (for wiping). And he is not obligated to wipe over his head nor is he required to wash his feet (because of removing the head or foot garment). This is the view of Al-Hasan Al-Basree. This (view) takes the similitude of the hair that is wiped, according to the correct opinion of the Hanbalee madh-hab and the opinion of the majority of the scholars."

This was also the view of Ibn Hazm (*rahimahullaah*), so refer to his words in which he argues against those that oppose it, for indeed it is valuable. [See *Al-Muhallaa* (2/105-109)]

As for what has been reported by Ibn Abee Shaiba (1/187) and Al-Baihaqee (1/289) on the authority of a man among the Prophet's companions, who when asked about a person that

wiped over his khuffs, then took them off, said: "He should wash his feet." Then in the chain of narration of this hadeeth is Yazeed Ibn 'Abd-ir-Rahmaan ad-Daalaanee. Al-Haafidh Ibn Hajr (rahimahullaah) said of him: "He is truthful, however he made too many mistakes in his narration. And he used to commit *tadlees*. Al-Baihaquee (rahimahullaah) reported a similar narration from Abu Bakrah **ؓ**. The narrators of this hadeeth are all reliable except for 'Alee Ibn Muhammad Al-Qurshee, for I do not know of him."

Then he (rahimahullaah) reported from Al-Mugheerah Ibn Shu'aba that he **ؓ** said: "**Wiping over the footwear is three days for the traveler and one day for the resident, so long as he doesn't remove them.**"

Then he (rahimahullaah) said. "'Umar Ibn Rudaih is alone in reporting this and he is not a strong reporter."

I say that this addition of "**so long as he doesn't remove them**" is rejected due to the loneliness of this weak narrator in reporting it and due to the lack of there being any supporting evidence for it.

4. When does the time limit for wiping begin?

There are two well-known views of the scholars concerning this issue:

The First: It begins at the point when the ablution is broken (for the first time), after having put on the footwear.

The second: It begins at the point when the first wiping occurs after, having broken the ablution.

Abu Haneefah, Ash-Shaafi'ee, Ahmad and their companions held the first opinion. And we do not know of any evidence on their part, which deserves mentioning, other than that it was simply an opinion. It is for this reason that some of their companions (i.e. from the same *madh-hab*) have contradicted them, as we shall mention. Nor do we know any of the predecessors from the Sahaabah that opposed the second view, for their guide was the authentic *ahaadeeth* and the ruling of 'Umar Ibn Al-Khattaab **ؓ**.

As for the Sunnah, then there are the authentic *ahaadeeth* which were reported on many of the companions, in Saheeh Muslim, the Four Sunan collections, the Musnads and others. In these narrations, the Prophet **ﷺ** commanded wiping. In some narrations he allowed the wiping. And in one narration, he **ﷺ** prescribed wiping the length of one day and one night for the resident and three days and three nights for the traveler. From the matters that are extremely evident, is that this hadeeth serves as a determining factor for the commencement of the time period for wiping, in that it begins immediately after the (first) wiping. It also serves as a refutation for the first opinion, since that (opinion) necessitates, as is determined in the subsidiary issues (*furoo'*), that the person that prays the Fajr prayer shortly before the

rising of the sun, then breaks his ablution (for the first time) during the time of Fajr on the second day. Then performs a new ablution and wipes over his footwear for the first time for the Fajr prayer, that he is not permitted to wipe over them after that! So is it truthful to say that this person has performed the wiping for "**a day and a night**"?! If we go according to the second opinion, the one that is most correct, then he is able to wipe over his footwear until shortly before the Fajr prayer of the third day. Rather, they hold even a more strange view than that of what we have mentioned. And it is that: "If one excretes and doesn't wipe over his footwear, such that a day and a night, or three if he is a traveler, comes to pass, after the excretion. The time limit comes to an end and wiping is not permissible after that, until he takes off his footwear, renews his ablution and then puts his footwear back on." [An-Nawawee mentioned this opinion in his *Majmoo'* (1/476)]

Thus, they prevent an individual from making use of this allowance (*rukḥ-sah*), basing it upon this opinion, which is in opposition to the Sunnah! For this reason, Imaam An-Nawawee (rahimahullaah) was left with no choice but to go in contradiction to his *madh-hab*, due to the strength of the evidence, even though he was keen not to contradict it (the Shaafi'ee madh-hab) if he was able to. So after relating the first opinion and those that held it, he (rahimahullaah) said:

"Al-Awzaa'ee and Abu Thawr said: 'The commencement of the time limit begins at the point of the (first) wiping (over the footwear) after the first breaking of the ablution.' And it is a report from Ahmad and Dawood. This is the most favorable (opinion), the one that has the most established evidences in support of it. Ibn Al-Mundhir has favored this view. And something similar to this has been related on 'Umar Ibn Al-Khattaab **ؓ**. Al-Maawardee and Ash-Shaashee have reported on Al-Hasan Al-Basree that it begins when the footwear is put on. Those that say that the time limit begins at the point of the (first) wiping use as evidence, the following hadeeth of the Messenger of Allaah **ﷺ**: '**The traveler may wipe (over his footwear) for three days.**' And these *ahaadeeth* are authentic as has been stated previously. This hadeeth is conclusive evidence that he **ﷺ** wiped (over his footwear) for three days. And this would not be possible, unless the time limit began from the first wiping. And this is also because Ash-Shaafi'ee said: 'If one excretes while he is a resident, (then travels) and wipes (over his footwear) while traveling, he should complete the wiping (duration) of a traveler, for the ruling for wiping applies.' Our (Shaafi'ee) companions use the hadeeth of Safwaan **ؓ**, which has been reported by Al-Haafidh Al-Qaasim Ibn Zakariya Al-Matrazee: '**...from the time of excretion to the time of excretion...**' to support their view. And this is a strange addition (to the hadeeth). It is not established. And they also use *Qiyaas* (judgment derived by analogy) for their claim..." [Al-Majmoo' (1/487)]

I say: If the *Qiyaas* that is mentioned here, is by itself correct in its validity, then for it to be accepted and used as an evidence, it must meet the condition of not contradicting the Sunnah. But if it does contradict it, as I believe it does, then it is not permissible to incline (one's view) towards it. For this reason it is said:

"When the narrations are mentioned, the deduction is nullified.

And when the influx of Allaah comes, the influx of intellect is nullified.”

How can this analogy be correct, when it also contradicts the opinion of the rightly guided Khaleefah ‘Umar Ibn Al-Khattaab? I know the blind followers claim to accept the authentic Sunnah when it contradicts ‘Umar’s opinion, as they have done regarding the issue of the pronouncement of the third divorce. So why don’t they accept his opinion when it does conform with the Sunnah?! ‘Abd-ur-Razzaaq has reported in *Al-Musannaf* on Abu ‘Uthmaan An-Nahdee, who said:

“I came upon Sa’ad and Ibn ‘Umar when they were both arguing in front of ‘Umar **ؓ** concerning the issue of wiping over the khuffs. So ‘Umar **ؓ** said: ‘He can wipe over them until the same hour (of the first wiping), for that day and night.’” [*Al-Musannaf* (1/209/807)]

I say that its chain of narration is authentic according to the conditions of Al-Bukhaaree and Muslim. And it is a conclusive evidence for the fact that the (time limit for) wiping begins when it is first executed over the footwear, and lasts until that same hour the next day. This is what is predominantly apparent in all the narrations that have been reported on the Sahaabah concerning the time limit for the wiping, according to what we have knowledge of, from what has been reported by ‘Abd-ur-Razzaaq and Ibn Abee Shaiba in *Al-Musannaf*. As an example, I will mention what Ibn Abee Shaiba (1/180) reported on ‘Amr Ibn Al-Haarith, that he said:

“I traveled with ‘Abdullaah to the (various) cities and he wiped over his khuffs for three days, while not taking them off at all.”

Its chain of narration is saheeh according to the conditions of Al-Bukhaaree and Muslim. Thus, the narrations from the predecessors along with the Sunnah of Muhammad **ﷺ** have agreed with what we have stated. So hold onto it and by the Will of Allaah, you will be guided.

5. Does the end of the time limit cancel the ablution?

Concerning this issue, the scholars are divided into several opinions, the most famous of which are two from the Shaafi’ee *madh-hab*. And they are:

The First: One is obligated to renew his ablution

The Second: It suffices him to just wash his feet

The Third: There is nothing required of him. Rather, his ablution is valid and he can pray while in its state, so long as he does not excrete or break it. This is what An-Nawawee (rahimahullaah) has stated.

I say: This third opinion is the most strongest of them. And it is that which An-Nawawee favored, also in contradiction to his *madh-hab*. Thus, he said:

“This opinion has been related by Ibn Al-Mundhir on Al-Hasan Al-Basree, Qataadah and Sulaimaan Ibn Harb. Ibn Al-Mundhir favored it. And it is what is the most preferable and most convincing. Our (Shaafi’ee) companions have reported it from Dawood.” [*Al-Majmoo’* (1/527)]

I say that Ash-Shi’araanee has related it to Imaam Maalik in *Al-Meezaan* (1/150) and An-Nawawee related it to others, so refer to it. Also, it is the opinion that Shaikh-ul-Islam Ibn Taimiyyah took, as you have seen in his afore-mentioned words under the Third Issue, in accordance with Ibn Hazm. And this last one (Ibn Hazm) mentions that the other scholars that held this opinion, included Ibraaheem An-Nakha’ee and Ibn Abee Lailaa. Then he (rahimahullaah) said:

“This is the view of which it is not permissible to take anyone other than it. This is since there is no mention in the reports that the ablution is annulled due to the body parts that are washed over or some of them, by the termination of the time limit for wiping. Indeed, the Prophet ﷺ only forbade that someone wipe over them for more than three days for the traveler and for more than one day for the resident. So whoever holds an opinion contrary to this, then he has crammed some (false) meaning into the reports that which is not present there, and into the statement of the Prophet ﷺ that which he ﷺ did not say. So whoever does this mistakenly, then there is nothing upon him. And whoever does it intentionally after the argument has been established against him, then he has embarked on committing one of the major sins. And nothing cancels the ablution, except for the excretion (hadath). And this person that has correctly performed his ablution and then does not excrete, then he is in a state of purity. And anyone that is in a state of purity can pray so long as he does not excrete or so long as there does not occur a clear text stating that his purity has been canceled, even if he doesn’t excrete. So this person, whose time limit for wiping has finished, he has not broken his ablution and there is no text that states that his state of purity has been annulled, whether on some of his body parts or all of them. So he is in a state of purity and can pray. This is until he excretes, at which point, he must take off his khuffs and whatever else is worn on his feet, and perform ablution. Then the time limit for wiping is renewed again. And this is the way it will always be and with Allaah lies the success.” [*Al-Muhallaa* (2/94)]

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