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Masah Over Regular Socks

Is it permissible 



VS.



A detailed look at the issue of wiping over socks instead of washing the feet while performing wudu

A Fatwa (religious verdict)

By Mufti Muhammad Taqi Usmani

Q.) What do the Ulama (Shariah Jurists and Scholars) say in regards to making masah over ordinary socks for performing wudu? Kindly explain on which types of socks is it permissible to make masah (wipe)?

There appears to be differences of opinion in making masah on woolen or nylon (ordinary socks).

a) Many Fuqaha (Jurists) have ruled making masah on such socks as permissible with certain conditions. If those conditions are not fulfilled, it will not be permissible to make masah on the regular socks. That will subsequently lead to many types of socks being invalid for masah.

However, Sayyed Abul 'Aalaa Maudoodi claims that it is unconditionally permissible to make masah on any type of socks.

b) To those Ulama who hold the opinion that making masah on regular socks is conditionally permissible, he responds, "I have attempted many times and made all efforts to find the sources of these conditions, but could not find them in the Sunnah. The Sunnah only establishes that Rasulullah ﷺ made masah over socks and shoes. Apart from Nasai, all the Books of Sunan and Musnad Ahmed record the Hadith narrated by Mughirah ibn Shu'bah, Radi-Allahu anhu, that Prophet Muhammad ﷺ performed ablution and made masah over his socks and shoes. It is mentioned in Abu Dawood that Ali, Abdullah ibn Masood, Bara ibn 'Azib, Anas ibn Malik, Abu Umamah, Suhail ibn Saad, and Umar ibn Hurayth made masah over their socks.

The practice of making masah over socks is also narrated from Umar and Abbas. Moreover, Ibn Abbas and Anas ibn Malik are reported by Uwais ibn Auws in Tahawi that the Prophet ﷺ made masah only over his shoes; socks are not even mentioned. This was also the practice of Ali. Thus, after taking into consideration all these narration's, it should be permissible to make masah on only socks and socks with shoes, just as it is permissible to make masah over leather socks. In these different narration's, the Prophet ﷺ did not make any mention of the conditions of the socks as outlined by the jurists. Therefore, I am compelled to state that the conditions are baseless. The Jurists are not the lawmakers of the Deen. Hence, if one chooses not to follow these conditions, he will not be sinful."

Apart from Sayyed Abul 'Aalaa Maudoodi, Ibn Taymiyyah, Hafiz Ibn Qayyim and

Allamah Ibn Hazam also have the same opinion. Respected Mufti Sahib, I humbly request your comments on the above matter, as well as guidance according to Shariah.

A.) Al-jawab billahi at-taufeeq (the answer with Allah's guidance)

It is not permissible to make masah (wipe) over the socks that are worn nowadays made from cotton, wool, and nylon, etc., according to any one of the A'immah Mujtahideen (Imaams of Ijtihad). Your assumption, that there are differences of opinion among the Fuqaha (Jurists) in these regards, is incorrect. On the contrary, all of the Imaams of Ijtihad are unanimous that it is not permissible to make masah on thin socks. Allamah Kaasaani (R.A.) writes in Bada'e us Sana'e, first volume, page 10: "If they (the socks) are so thin that water seeps (penetrates) through them, then it is not permissible to make masah over such socks by the consensus of the scholars."

The Qur'an requires washing of the feet. Only mutawatur hadith can make an exception to this general requirement.

And Allamah ibn Nujaim (RA.) writes: "And it is not permissible to make masah over thin socks made from yarn or hair. There are no differences of opinion on that. However, if the socks are thick, to the extent that one can walk one Farsakh (three miles) or more, then the jurists have differences of opinion." (Al-Bahr-ur-Ra'iq, first volume, p.192). From the above it is clear that to perform masah on the following types of thin socks is not held permissible by any of the Imaams of the madhaahib (Schools of Thought):

- (a) The socks are not thick, and water penetrates through them,
- (b) They cannot stay upright without having to tie them,
- (c) It is not possible for one to walk with them continuously without the socks tearing.

If not all three of the above mentioned conditions are present then only the scholars have differences of opinion. In regards to Sayyed Abul 'Aalaa Maudoodi, he has chosen a path apart from the majority of the Ummah. In this specific issue he has once again gone against the Jumhoor-e-Fuqaha (majority of the Jurists), and has been mistaken.

Upon analyzing the evidence cited in his support, I have come to this conclusion that he did not exert himself to understand the reality of the issue. For your satisfaction on this issue, I briefly present the following explanation.

Actually, the Qur'an has ordered us to perform ablution (wudu) in a particular way and has expressed and explicitly commanded the washing of the feet in Surah Al-Ma'idah, verse 6, not the performing of masah (wiping) of the feet. Allah says, "Oh Believers, when you stand up for prayer (i.e. when you intend to pray and are not in the condition of wudu) then (perform wudu and) wash your faces and (wash) your arms including your elbows, and wipe your heads (with wet hands) and (wash) your feet including the ankles". (Al-Maidah, 5:6).

In the above verse Allah commands us to wash our feet. Therefore to perform masah of the feet should not be permissible in any situation, even if the socks are made of leather. However, permissibility of performing masah over leather socks has been approved by the consensus of the Ummah. The consensus is based on the certainty of the matter by Tawaatur (overwhelming number of authentic narrations from the Prophet ﷺ). Had there been only two or three narration's from the Prophet ﷺ, then such a few Hadith (narration's from the Prophet ﷺ) would not have been sufficient to specify (or limit, taqyeed) the generality of this Qur'anic verse, due to Akhbaar-e-Ahaad (a few narration's from the Prophet ﷺ not being influential enough to specify or abrogate the generality of the verse).

On the contrary, the narration's in regards to masah 'alal khuffain (performing masah on leather socks) are established by Tawaatur (overwhelming number of narration's), thus being influential in elaborating and specifying the verse in Surah Al-Ma'idah, that is, washing of the feet is only specific in the case that a person is not wearing leather socks. In regards to this, Imaam Abu Hanifah

(R.A) said, "I did not declare the validity of performing masah on leather socks until its evidence was clear to me as daylight" (Al-Bahr-ur-Ra'iq, vol. 1, p. 173.)

Moreover, masah 'alal khuffain is proven and established in narration's from more than eighty companions of the Prophet ﷺ. Hafiz Ibn Hajar (RA) says in Fathul-Baari, (Naylul Awtaar, vol. 1, p.176). "An overwhelming group of the Huffaz (Experts in Hadith who had memorized large number of ahadith) have declared that masah 'alal khuffain is established by Tawaatur, and some of them have mentioned that they collected and enumerated the narration's from the companions of the Prophet ﷺ and found them to be more than eighty in number, from which ten of them are narrated by the Asharah-e-Mubasharah (the ten companions that were given glad tidings of Paradise in a single gathering from the Prophet ﷺ)." (Naylul-Awtaar, vol. 1, p. 176). Hasan Al-Basri (R.A.) says, "I met seventy companions who participated in the Battle of Badr, all of whom believed in the performing of masah 'alal khuffain." (Talkheesul-Habeer, vol. 1, p. 158, and Bada'e us-Sana'e, vol, 1, p.7).

If the masah of the leather socks was not established from the Tawaatur or Istifaadhah (overwhelming number of narration's) then Takhsees (specification) could not have been applied on the verse of the Qur'an, which orders us to wash our feet during wudu. In this regards, Imaam Abu Yusuf (R.A.) says, "The command of the Qur'an can be abrogated by the Sunnah (traditions of the Prophet ﷺ) only if it has reached the level of Tawaatur or Istifadhah, such as the level of narration's of masah 'alal khuffain." (Ahkaamul-Qur'an Lil-Jassaas, vol. 2, p.425). In summary, Allah commands us in the Qu'ran to wash our feet when performing wudu.

This ruling can't be specified (limited) by any condition or limited on the basis of a few narrations from the Prophet ﷺ. It is necessary to have a continuous chain of authentic narration's, like in the case of masah 'alal khuffain. It has reached the level of Tawaatur. Also, in regards to "KHIFFAIN" (leather socks), Tawaatur has been established that the Prophet ﷺ himself performed masah

over them, and he also gave permission to others to practice upon it. Apart from leather socks, to perform masah on other types of socks is not established by Tawaatur. The meaning of "KHUFF" in Arabic applies only to socks made out of leather. Socks made from cloth are not called "KHUFF" in Arabic.

All of the Imams of Ijtihad are unanimous that it is not permissible to make masah on thin socks.

Therefore, the permission of making masah is only specific with the leather socks. Regarding other types of socks the command of the Qur'anic verse of washing the feet must be implemented. However, if the material of the socks is so thick that is equal or better than leather socks, that is (a) water does not penetrate through them, (b) they do not have to be tied with something in order for them to stay upright, and ~ it is possible to walk with them at least one mile. In such types of socks there are differences of opinions among the Jurists. Some say, since they have retained the same qualities of leather socks, therefore it should be permissible to make masah over them. Others say that Tawaatur is established only for wiping over leather socks, thus it is not permissible to wipe over any other type of socks.

Socks are of three types: (1) KHUFFAIN, (Leather socks), it is permissible to make masah over them based on consensus supported by Tawaatur.

(2) Thin socks, not made of leather, nor having the qualities of leather, but are like the regular socks made from cotton, wool, or nylon. It is not permissible to make masah on such socks as it is not established with enough evidence that would enable one to take leave from the order of washing the feet as mentioned in the Qur'an.

(3) Thick socks, not made from leather, but have the qualities of leather. According to some Jurists, it is permissible to make masah over such socks, while others say it is not permissible.

In conclusion, socks not having the qualities of leather are not a point of disagreement among the Jurists. They all agree on its impermissibility. The

reason being that the Qur'anic command (washing of the feet) can't be left until the establishment of performing masah is at the level of Tawaatur, as in the case of masah 'alal khuffain. Therefore, the conditions that are mentioned by the Fuqaha (Jurists) are not their own made up specifications. They have verified a level to meet the standard of leather socks.

Ahaadith on Masah Over non-leather Socks (Jowrab)

After explaining the fundamental principle and its application to the reality of this issue, let us consider the Ahaadith concerning wiping over (non-leather) socks (Jowrab). From all the collections of Ahaadith, there are only three Hadith. One Hadith is narrated by Bilal, Radi-Allahu anhu, the second by Abu Musa Ash'ari, Radi-Allahu anhu, the third by Mughirah ibn Shu'bah, Radi-Allahu anhu. The narration of Bilal has been recorded in M'ujam Sagheer Tabraani, and the narration of Abu Musa in Ibn Majah and Baihaqi.

However, Hafiz Zayla'ee (a far renowned Muhaddith) in his famous works, Nasbur-Raaya (Vol. 1, pp. 183-184), has proven that both the Sanads (chain of narrators) are defective and weak. In regards to Abu Musa's narration, Imaam Abu Dawood Sajastaani (R.A.), in his works of Abu Dawood, being one book from the Sihaah Sittah (six most authentic books of Ahaadith) has written: "It (the Hadith's sanad) is not continuous, nor is it reliable (strong)." (Bazhlul-Mujhood, Vol. 1, p.96) Therefore, both these narration's do not need to be further discussed

The remaining Hadith of Mughirah ibn Shu'bah is mentioned by Imaam Tirmizi as being a good and sound Hadith. Some other eminent Muhadditheen have disagreed with Imaam Tirmizi. Imaam Abu Dawood (R.A.), after recording this narration states, "And Abdur-Rahman ibn Mahdi should not narrate this Hadith, because the authentic famous narration from Mughirah ibn Shu'bah is that the Prophet ﷺ used to perform masah 'alal khuffain." (Bazhlul-Majhood, Vol. 1, p.96) Imaam Nasai (R.A.) writes in Sunan Kubra', "Apart from Abu Qais no one else has narrated this Hadith, and I don't know of any other narrator who supports this narration. Although with certainty, Mughirah ibn

Shubah's narration about masah 'alal khuffain is sound (Sahih)."(Nasbur-Raaya, Vol. 1, p. 183)

Many Imaams, for example, Imaam Muslim, Imaam Baihaqi Imaam Sufyaan Thawree, Imaam Ahmed, Imaam Yahya ibn Mu'een, Imaam Ali ibn Madinee, and others have declared this narration as weak, due to Abu Qais and Huzail ibn Shurjeel being defective narrators. Allamah Nawawi (R.A.), Commentator of Sahih Muslim, (Nasbur-Raaya, Vol. I, p. 183) writes, "If all the Muhadditheen who criticized this Hadith as being weak were separate in their statements (i.e. not voiced together), even then, they would be correct over the ruling of Imaam Tirmizi, as the fundamental principle is that criticism prevails over approval. All the Huffaz of Hadith agree that the narration is weak.

Therefore, the statement of Imaam Tirmizi, "This Hadith is Hasan, Sahih", is not acceptable."(Nasbur-Raaya, Vol. I, p.183) .This is the status of the Hadith's sanad, that people like Sayyed Abul 'Aalaa Maudoodi cite to support his claim. You can now verify and clearly see that the majority of the Muhadditheen have declared it weak and unacceptable to use as a daleel (proof). Assuming the statement of Imaam Tirmizi is correct, then too it is only one Hadith from the entire collection of Ahaadith. Again the same question arises, can we leave the clear command from Allah Ta'ala to wash our feet while performing Wudhu on the basis of one Hadith? As mentioned previously, the establishment of masah 'alal khuffain reached the level of Tawaatur, and that Imaam Abu Yusuf said that if it hadn't reached that level then we would not have the flexibility of specifying (limiting) the command of Allah Ta'ala, of washing the feet. The Ahaadith about masah 'alal jowrabain do not reach the level of Tawaatur.

In fact, in all the collections of Ahaadith we find only three narration's, from which two are

There are more than 80 ahadith on wiping over leather socks.

unanimously weak, and the third is criticized by majority of the Muhadditheen, only Imaam Tirmizi declares it as a Sahih Hadith. So to leave, restrict, or define the command of Allah Ta'ala on the foundation of such weak

narration's is not acceptable in the Shari'ah. Imaam Abu Bakr Jassaas writes in Ahkaamul-Qur'an Lil-Jassaas, (vol. 2, p.428) "As mentioned previously the real objective in the verse of wudu is to wash the feet. In fact, even performing masah over leather socks would have never been made permissible, had it not been established by Mutawaatir Ahaadith. So due to the fact that the narration's of masah 'alal jowrabain are not on the same scale as the narration's of masah 'alal khuffain, the main objective of washing of the feet must be applied.

The statement that the Sahaba (Companions of Prophet ﷺ) were reported to have wiped over their socks and permitted others to do so, is incorrect. It is not proven in any narration or practice of the Sahaba that they wiped over thin socks of cloth, etc. A very famous 'Aalim, Allamah Shamsul Haqq Saheb Azeem Abaadi (RA.), (popular among the Ahle-Hadith) writes, "Socks can made out of leather, wool, cotton, etc., everyone of them are called "SOCKS". It is not permissible to wipe over any type of sock until it is not established that the Prophet ﷺ used to wipe over socks of wool, etc."(Awnul-M'abood, vol. 1,p.62). From this, it is even more apparent that the Sahaba used to wipe over either leather socks, or thick socks that would match attributes of leather socks.

In regards to this there is a narration in Musannaf ibn Abi Shayba, vol. 1, p188, "Sayid ibn Musayyab and Hasan Al-Basri used to say that it is permissible to wipe over socks, with the condition that they are thick." Note, that the word, "SAFEEQ" in Qaamoos and Mukhtaar As-Sihaah (the names of two Arabic dictionaries, means, "VERY THICK AND STRONG CLOTH". Both of the above mentioned men were eminent Tabi'een, and they used to issue fatawa (Shariah decrees) after seeing the practice of the Sahaba. Therefore, the Fatwa (Shariah decree), that the socks must be thick matching the attributes of leather is nothing new. For convenience, I have repeated the conditions of the thickness of the socks below:

- a. Water proof (water should not be able to seep through them)
- b. So thick that they can stand upright without having to tie them
- c. Possible to walk in continuously for at least a mile (without tearing)

With these three conditions in thick socks, they now share the same quality as leather socks. Most of the fuqaha (Jurists) have permitted making masah over such socks. See the following:

(1) Dalaalatun-Nass, (the derived objective) from the Hadith in masah 'alal khuffain, also applies to thick socks. Dalaalatun-Nass remains in the category of Qat'ee-uth-Thuboot (established on the basis of certainty), and is not the same as Qiyaas, as mistakenly understood by some.

(2) Athaar (practices) of the Sahaba Based on the above two proofs it would be permissible to wipe over thick socks. Allamah ibn Hamaam (R.A.) writes in Fathul-Qadeer, vol. 1, p. 109, "There is no doubt that the permission to wipe on the khuff is Khilaaful Qiyass (contradictory to reasoning and analogy). Therefore, to compare another thing with it (the khuff), would be incorrect, except by using Dalaalatun-Nass, being that the same characteristics of the khuff be present for it to be in the same category of the khuff. "Principally, one may leave the act of washing the feet by performing Masah over them only if the narration's reach the level and standard of Tawaatur. Masah 'alal khuffain satisfies condition. On the other hand, masah 'alal jowrabain is not at that level.

Therefore, it is not permissible to make masah on the jowrabain. However, if jowrabain have characteristics similar to those of leather socks, through Dalaalatun-Nass and the practices of the Sahaba and pious ancestors, most of the Fuqaha allow masah on such socks. After elaborating on the attributes of the leather socks, all the Imaams of Ijtihad have reached a consensus about this issue. As to the opinions of Allamah Ibn Hazam, Allamah Ibn Taymiyyah, and Allamah Ibn Qayyim, with due respect of their status and position, they have differed from the Jumhoorul-Fuqaha on many issues. Among others one is this issue. We are bound to follow the ruling of the majority Fuqaha, Muhadditheen and all of the Mujtahideen. How daring it is for one to even leave washing of the feet, as it is the order of Allah! If someone wraps his foot in cloth and performs masah over it, will this be permissible too?

Making Masah Over Shoes

None of the fuqaha allow making masah on shoes.

In your question you mentioned that Sayyed Abul 'Aalaa Maudoodi also permitted to wipe over the shoes. I wish to explain that as well. Some Fuqaha allow performing masah over the Jowrab when it is thick, but none of them allow making masah on shoes. Sheikh Yusuf Benori (R.A.) writes, "None of the Imaams have given permission to make masah over shoes." (Ma'arifus-Sunan Vol. 1, p. 347). The reason for this is the Prophet ﷺ wiped over his shoes only when he already was in the state of wudu. He would perform a fresh wudu for every prayer. And because he was already in the state of wudu, instead of washing his feet he would wipe over his shoes. The proof of this is in Sahih Ibn Khuzaimah, "It is reported from Ali, Radi-Allahu anhu, that he asked for a glass of water, he then performed a brief ablution and wiped over his shoes. He then said, this is how the Prophet ﷺ used to perform his wudhu when his wudhu was not broken. (Sahih Ibn Khuzaimah, Vol. 1, Hadith 300, Chapter 154, p. 100). From this Hadith we learn that a person, who does not have wudu, can't wipe over his shoes. After the clear evidence has been brought, there is no flexibility in the issue.

Conclusion

All reliable Fuqaha and Muijahideen agree that thin socks that allow water to seep through them, do not stand upright without support, and cannot be walked in continuously, are not permissible to make masah on. Shoes are also not allowed to be wiped over. Thin socks of today that are made out of cotton, wool, nylon, etc., do not have the features of leather socks, therefore, it is not permissible to make masah over them. If someone does, their wudhu will not be valid, according to Imam Abu Hanifah, Imam Malik, Imam Shafi, Imam Ahmed ibn Hanbal, or any other Mujtahideen.

Muhammad Taqi Uthmani Jumadul-Ulaa, 1397 Hijrah. This fatwa was translated by Adil Khan 27 Ramadhan, 1420.

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