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## Chapter Five: The Wiping or Washing of the Feet in the 'Wudhu' (Ablution)

The scholars of Islam have differed on the type of purification of the feet [required] for the parts of the 'wudhu'. The jurists of the masses have stated (and amongst them are the four Imams), that it is obligatory to specifically wash [the feet]. Dawud b. `Ali, and al-Nasir li'l-Haqq, who are amongst the Imams of the Zaydiyya, have stated it is obligatory to combine between the washing and the wiping, whereas some of them have said one can choose between the two. The Imamis (in following the Imams of the pure family of Prophet (S)) have said it is obligatory to wipe.

### The proof of the Imamis (Shi'i)

[The proof] is the saying of the Most High (Allah S.W.T.):

***"And, wipe your heads and your feet up to the anklebones."(5:6)***

For us, the reasoning as explained by Imam al-Razi is sufficient. When arguing based on this verse he stated in detail saying: "The proof of those who say it is obligatory to wipe is based on two famous readings in the [Qur'anic] statement ***'and your feet'*** (**verse 5:6**). Ibn Kathir, Hamza, Abu `Amr and `Asim, based on the reports of Abu Bakr narrated from him, have recited it in the genitive case; Nafi', Ibn `Amir and `Asim have recited it, according to the tradition reported by Hafs from him, in the accusative case."

He (al-Razi) said: "So we say, as for the recitation in the genitive, it would necessitate the feet [in the verse] to being a conjunction with the head. Therefore, just as it is obligatory to wipe on the head, similarly [it is so] on the feet." (Al-Razi said): "If it is said why is it not permissible to claim that the [word feet] ends in the genitive case due to the rule [stating] that the genitive case is inserted based on what closest to it as it is in the saying 'the hole of a lizard is destroyed', and 'the leaders of the people are wrapped up in a garment?'

We say, this is invalid for several reasons:

- 1) The [rule of the] genitive case being inserted based on the word closest to it is considered to be a mistake which is tolerated due to the needs of a poem, whereas the speech of God [Allah S.W.T.] is necessarily above that.
- 2) The above rule is only applied where the possibility of confusion is safeguarded against like the saying 'the hole of a lizard is destroyed' for it is necessarily known that that destruction is not attributed to a lizard, rather, it is to a hole, whereas there are no safeguards against confusion in this verse.
- 3) The [rule of the] genitive case being inserted based on the word closest to it is applicable [only] when there is no conjunction; as for when there is a conjunction the Arabs do not use it." And, al-Razi [further] said: "As for the reading [of the feet in the verse] being in the accusative case, they have said that this also requires the wiping, and that is because of His saying 'and wipe your heads,' the [word] head [in the sentence] is in an accusative position, due to the command 'wipe', as it (the head) is the object [in the sentence]; but, it is [written] in the genitive case due to the preposition ba.

So if 'the feet' are conjoined to 'the head' [in the sentence] then we are allowed to read 'the feet' in the accusative case, as it is conjoined to the position of the head [which is in the accusative case in the sentence]. We are [also] allowed to read it in the genitive case as a conjunction (to the apparent preposition)."

He said: "If this is clear, then we say it is clear for us that it is permissible that the 'amil (a word governing another in syntactical regimen) of the accusative in His saying '...and your feet....' be His saying 'wipe.' [However] it is permissible that [the 'amil] be His saying 'wash' but if the two 'amils are combined on one word, then the closest one is the best [to use]." He said: "It is obligatory that the 'amil of the accusative in His saying 'and your feet' be His command 'wipe.'" (Al-Razi said): "So it is clear that the recitation of 'and your feet' in the accusative also leads to the wiping [of the feet].

Then they [objected] saying it is not permissible to defend it (the wiping) by traditions because all of them are in the form of singular traditions, and the abrogation of the Qur'an by a singular tradition [only one saying- 'hadith' supporting the claim] is not allowed."

This is his speech word to word, nothing is left out, but he (al-Razi) further said: "There are many traditions reported on the obligation of washing. Washing [the feet] includes the wiping whereas the opposite is not the case. Therefore washing is closer to observing caution. So, it is necessary to opt for it (washing). On this basis, it is necessary that the washing of the feet takes the place by the wiping." I say, as for the traditions on washing, you will know the view of the Imams of the Ahlul Bayt and their friends about it soon, God willing.

As for his saying that the washing includes the wiping, this is a clear mistake, rather, they are two [separate] entities linguistically, according to custom and the 'shari'a'. It is necessary to note that

washing the feet cannot take the place of wiping them. Imam al-Razi stood between two opposites; the contradictions between the fixed Qur'anic verse and, in his view, the authentic traditions; therefore, he confused himself by saying that the washing includes the wiping, and that it is closer to the most cautious [course] and that it takes the place of the wiping.

[In doing this] he thought thereby that he combined the verse and the traditions. One who examines this defence of his will find him in confusion. Had there not been a clear verse indicating the obligation of wiping on the feet, he would not have needed to make the washing take the place [of the wiping] so examine and contemplate carefully.

A group of the intelligent scholars of 'fiqh' (jurisprudence), and Arabic tread this path, amongst them was the jurist, and researcher Shaykh Ibrahim al-Halabi who studied the verse on the 'wudhu' in his book called "Ghaniyah al-Mutamla fi sharh maniyya al-musalli 'ala madhhab al-Hanafi."

He said: "It (the feet in the aforementioned verse) has been recited by the seven [reciters] in the accusative, and the genitive cases; the famous opinion is [to recite] it in the accusative case, conjoined to 'on your faces' and the genitive case is inserted on that word which is closest to it".

He (al-Halabi) said: "And the correct view is that the feet are conjoined to the head in the two recitations, [it can be recited in] the accusative due to the position in the sentence (as it is the object in the sentence) and they (the feet in the statement) can be recited in the genitive case due to the preposition."

He continued: "That is because of the prohibition of the conjunction [of the feet] to 'on your faces' because of the separation between the conjunction ('atf) and that which it is conjoined to (ma'tuf alayh) due to a foreign sentence (which is 'wipe your heads')."

He said: "And, the rule is that there should be no separation between the two (the conjunction and what it is conjoined to) by a word let alone by a sentence. We did not hear in pure Arabic that I hit Zayd, and I passed by Bakr and 'Amr with a conjunction of 'Amr on Zayd. As for the genitive case being inserted based on the word which is closest to it, it can occur rarely in adjectives like the saying of some of them: "This hole of the lizard is destroyed."

And, amongst those who traveled this clear path is Abu'l-Hasan al-Imam Muhammad b. 'Abd al-Hadi known as al-Sanadi in his commentary on the Sunan of Ibn Maja. He says (after being sure that the apparent meaning of the Qur'an requires wiping): "The wiping is the apparent meaning from the book because reciting it in the genitive case is apparent in it; however, imposing the recitation in the accusative case by making it a conjunction to the position [in the sentence] is better than preferring the recitation in the genitive case over the accusative case as stated by the grammarians."

(He said): "Also, by doing this, we are free from the separation by a foreign (sentence) between the conjunction and what it is conjoined to. So, the apparent meaning in the Qur'an is the wiping." These are his words but, like others, he deemed it necessary to interpret the Qur'an [according] to the traditions

which explicitly talk of the washing."

Concerning this verse, Imam al-Zamakhshari has philosophized it in his al-Kashshaf [saying]: "The feet are amongst the three parts which are to be washed by pouring water on them; they (the feet) are the place one expects the prohibited extravagance of water [to be practised]; hence, it was conjoined to the third part of the 'wudhu' [which is] to be wiped; it was conjoined to it (the head) not for the sake of wiping but to indicate the necessity of moderation when pouring water on the feet." He said: "And, the verse states 'to the anklebones' as the final point [in washing] to remove any thoughts of those who might think that they (the feet) are to be wiped since no limits have been imposed on the wiping in the 'shari`a'."

This is the reasoning offered for the conjunction of the feet on the head and for mentioning the limits [of wiping] on the feet. As you can see, nothing in it is derived from the shari`a rulings from the fixed verse. Neither is there anything concerning it in the exegesis, nor, is there any verse which proves it (his view).

He is merely trying to interpret the verse according to his views rather than deriving his views from the proofs. He has exceeded the limits in his, speculations, nobody pays heed to him except one who is convinced of washing the feet based on primary juristic rulings. As for it being a point of contention, it is not to be paid heed to especially after their admission that the apparent meaning of the book indicates the obligation to wipe. Sufficient for us is the Arabic [grammatical] rule that the feet are conjoined to the wiped head, this is according to the agreement of the sources and juridical rulings.

## **A View on the Traditions of Washing the Feet**

The traditions on washing [the feet] are of two types, there are those which do not indicate it, like the tradition of `Abd Allah Ibn `Amr b. `As. He says, as reported in the two 'Sahihs' that: "We lagged behind the Prophet (S) on a journey we traveled with him. We caught up when the time for the 'asr' prayer had set in. So, we started wiping on our feet and he said: "Woe to the heels from the fire of hell"."

If this [tradition] is correct it would lead to the wiping since he (S) did not forbid it (the wiping) rather, he (S) emphasized it for them as you see. He (S) merely rebuked them for the filthiness of their heels, no wonder, amongst them were Arabs who were completely ignorant; they were urinating on their heels especially when traveling. He threatened them with the fire so that they would not pray with their impure heels.

Amongst these traditions are those which indicate the [obligation of] washing like the tradition of Humran, the client of `Uthman b. `Affan. He said: "I saw `Uthman pouring out [the water] on his hands from his vessel and he washed them three times. Then he put his right hand for the 'wudhu' then he rinsed, inhaled then he went away."

It has been reported in it that he then washed every foot three times and he said: "I saw the Prophet (S)

performing the ablution just like my ablution." Similar to this is the tradition of `Abd Allah b. Zayd b. `Asim al-Ansari, and it was said to him: "Perform the 'wudhu' for us like the 'wudhu' of the Prophet of God (S)." So, he asked for a vessel and he turned it over his hand and, at the end of the tradition, it states: "then he washed his two feet up to the anklebones." Then he said: "This was the 'wudhu' of the Prophet of God (S)" and other traditions reported along these lines. There are objections for many reasons:

Firstly, they are contrary to the book of God, the Almighty and Glorious, and [contrary] to what the Imams from the pure family have agreed on. The book and the family are the two weighty things of the Prophet of God (S) which will never ever separate and the community will not go astray if they stick to the two, so whatever contradicts them should be discarded.

What is reported from the savant of the 'ummah' and the receptacle of the book and the 'sunnah', `Abd Allah b. `Abbas is sufficient to refute the [act of] washing, and the weak traditions [on washing]. He was arguing for the wiping, and would say "Allah has imposed two washings, and two wipings, don't you see that when He mentioned the 'tayammum', He imposed two wipings instead of the two washings and he left the two wipings of the 'wudhu' [as they were]?"

He used to say that the 'wudhu' consists of two washings, and two wipings, and when he learnt that al-Rabi`, the daughter of Ma'udh b. `Afra al-Ansariyya, claims that the Prophet (S) used to do the 'wudhu' at her place, and he would wash his feet, he came to her and asked her about it. When she related it to him he said, not verifying but repudiating and arguing, "the people refused [everything] but the washing whereas I do not find in the book of God anything but the wiping."

Secondly, if this (obligation of washing in the ablution) was true, it would have been successively transmitted because the need to know about the purification of the feet in the 'wudhu' is a general need for the men and women of the community, for those who are free and those who are slaves. It is a basic need for them every day and night.

If [the command] "do not wipe" was understood by the ruling of the verse those who follow the shari'a (mukallafun) would have known it at the time of the Prophecy, and after it. It would have been a certain thing between them; these traditions would have been successively transmitted from the Prophet (S) at all times and in all cities and there would have been no opportunity to refute, or, doubt them. Since this is not so, the weakness of those invalid and baseless traditions becomes clear to us.

Thirdly, the traditions on the type of purification of the two feet are contradictory. Some of them require the washing like the traditions of Humran and Ibn `Asim, and, as you have read, some of them indicate the wiping like the 'hadith' which al-Bukhari reported in his 'Sahih'. All of this has been reported by Ahmad, Ibn Abi Shayba, Ibn Abi `Umar, al-Baghawi, al-Tabrani and al-Mawardi, all of them with a chain of reliable transmitters. From Abu'l-Aswad and `Ibad b. Tamim on the authority of his father who said: "I saw the Prophet of God (S) performing the ablution and wiping on his feet."

Similarly, Shaykh (Tusi) has reported an authenticated tradition from Zurara and Bukayr, the two sons of

A`yan, from Imam al-Baqir (as) that he narrated the 'wudhu' of the Prophet of God (S). He wiped his head and his feet to the anklebones with his palm and he did not take fresh water. It is reported from Ibn `Abbas that he narrated the 'wudhu' of the Prophet of God (S), and he wiped, as reported in Majma' al-Bayan, on his feet. When the traditions contradict each other, the source of reference is the book of God, the Almighty and Glorious, we cannot deviate from it.

## **The view on their argument here based on 'Istihsan'**

Sometimes the masses argue for the washing of the feet, they see it as most suitable for the feet rather than wiping [the feet], just as wiping is more suitable for the head rather than the washing because mostly, the filth on the feet cannot be cleaned except by washing them as opposed to the head, it can be cleaned mainly by wiping.

They said that there is nothing to prevent the benefits, as understood by the intellect, to be causes for the prescribed worship. Thus the law looks at [an act] in two meanings: the general benefit and the benefits derived from that [act of] worship. By the general benefit they mean the benefits that can be sensed [by the intellect] and by [the benefits] of worship they mean what refers to the purification of the soul.

I say: We believe that the lawgiver [Allah S.W.T.] was lenient to His slaves in everything that He prohibited them from, unless where there was corruption for them. Despite that, He did not impose a single shari'a ruling on them nor did He command them to do anything unless it was to their benefit. He did not make these rulings dependent on the slaves' views of the benefits, and corruption; rather, He imposed the rulings on them with strong proofs which He prescribed for them. He (Allah) has not given any alternative to them, nor, has He prescribed anything equivalent.

The first source of those rulings is the book of God, the most Mighty and Glorious, in which He has commanded the wiping of the head and the feet in the 'wudhu'; so, it is essential to abide by His ruling. As for the cleanliness of the foot from filth, it is necessary to guard against it before wiping on it acting in accordance to special proofs, which show that it is a prerequisite that the parts where 'wudhu' is done must be pure before starting it.

Perhaps the washing of his feet by the Prophet of God (S), as reported in the traditions, was due to this reason. Maybe he did it to cool his feet, or, because he was intense in observing cleanliness after completing the 'wudhu' and God knows best.

## **Notice**

Ibn Maja has reported concerning the washing of the feet in his 'Sunan' from Abu Ishaq on the authority of Abu Hayya, he said: "I saw `Ali (as) doing the 'wudhu' and he washed his feet to the anklebones, and then he said: `I wanted to show you the purification of your Prophet (S)'" When he completed this citing

tradition, al-Sanadi said in his comments on the 'Sunan': "Since the washing has been narrated from `Ali (as), this is a major refutation against the Shi`a who believe in the wiping of the feet." He further said: "Therefore the author has mentioned it on the authority of `Ali (as), and has started the chapter with it.

The author has done well, and he excelled in reporting the hadith of `Ali (as) in this chapter, may God [Allah S.W.T.] reward him for that." He said: "The apparent meaning from the Qur'an necessitates the wiping as has been reported from Ibn `Abbas but it is obligatory to interpret it as referring to washing." These are his words, may God forgive him, Imam Ibn Maja, and all the scholars of the masses. They know that this tradition is invalid because its chain of transmission is invalid due to several reasons.

Firstly, Abu Hayya, the reporter of this tradition, is completely unknown. Al-Dhahabi mentioned him in the section of the patronymics (al-kuna) in his Mizan and has stated that he is not known. Then he cited Ibn Madini and Abu Walid al-Fardi saying that he (Abu Hayya) was an unknown person. Then he said: "Abu Zar`a said he is not mentioned." I say I have investigated Abu Hayya extensively and I have not found a discussion except that it mentioned him as an unknown person; perhaps, some fabricators of traditions have fabricated him, and God, the Almighty, knows best.

Secondly, this tradition is only reported by Abu Ishaq. He grew old and he used to forget and confuse traditions, so people abandoned him. Nobody except Abu al-Ahwas and Zuhayr b. Mu`awiya al-Ju`fi narrated from him, and people found fault with him because of that.

No wonder, if a traditionalist mixes up [traditions], all his traditions which are not known to have been transmitted before his becoming confused become invalid; [this is applicable] whether it is known that it has been reported after his confusion (like this tradition), or, the date of the tradition being reported is not known. [This is] because general knowledge in doubtful specific circumstances necessitates keeping away from all the peripheral matters as has been established in 'usul al-fiqh' (the science of deriving juridical principles).

Thirdly, this tradition contradicts established traditions from the Commander of the Faithful [Ali ibn Abi Talib (as)], and from his sons, the 'Ahlul Bayt' of the Prophet [Muhammad] (S), and the place where Prophecy was revealed, and the frequenting place of the angels, and where revelation was revealed; it also contradicts the book of God, the Almighty and Majestic; so let us discard it.

## **[Wipe up] To the two anklebones**

The two anklebones are mentioned in the verse of the 'wudhu', they are the joints between the legs and the feet, according to the ruling of an authentic tradition reported by Zurara and Bukayr, the two children of A`yan. They asked Imam al-Baqir (as) about it. This is clear from [Shaykh] al-Saduq, he has also reported from them. The Imams of the languages have also stated that every joint of the bones is an anklebone.

The masses have stated that the anklebones here are the two bones which grow on the side of every leg. They have argued that if the anklebone is the joint between the foot, and the leg, this would mean every leg has one anklebone so it would have been necessary for God [Allah S.W.T.] to have said: "and [wipe] your foot to the anklebones." Just as it is clear that for every hand there is an elbow, He said: "and your hands with the elbows."

I say if He [Allah S.W.T.] had stated with the two elbows then it would have been correct without any doubt, and the meaning becomes: "and wash your faces and your hands with the two elbows of all of you and wipe your heads and feet to the two anklebones of all of you." Thus [using] the dual and plural of the two words in the verse are equivalently correct. Similar is the case if one is mentioned in the plural and the other in the dual. Perhaps that would be required for artistic [poetic rhythm] expression.

This only applies if we talk of one anklebone in the foot, but if there are two anklebones in every foot then there is no point for them to dispute. Anatomists have agreed that there is a bone which is circular like the anklebone in the cattle and the sheep under the bone of the leg where the joint of the foot and the leg [is located], this is also called the anklebone.

Based on this, the wiping of every foot ends at the two anklebones, and they are the joint itself, with a round anklebone under it. In [using] the dual for the anklebone in the verse, and not using dual for the elbow is a subtle point, and an indication; something which only anatomists knew, so Glory be to the one who Created, the One who is most Knowledgeable, and the most Wise.

## **The Wiping on the Slippers and Socks**

The jurists of Islam have differed greatly on the [question of] wiping on slippers and socks, [differences] which can not be covered in this haste. In short, the discussion on it is connected with the question of its permissibility, and non-permissibility and on limiting and defining its position. It [also] pertains to its characteristics, its timing and prerequisites and [on what] nullifies it.

As for it being permissible, there are three views:

- 1) Always allowed whether one is traveling, or, at home.
- 2) Permissible when traveling, not when at home.
- 3) Not allowed at all as it has not been regulated in religion. The three views are narrated from the first generation, and from [School of] Malik.

As for defining its position, they have also differed on it. There are those who say that it is obligatory to wipe the upper part [of the slipper], and that the wiping on the lower part is recommended. [Others] state that it is obligatory to wipe the outer, and the inner parts.

The third view is that it is obligatory to wipe the outer rather than the inner part, for the wiping of the inner part is neither obligatory, nor, recommended. There are those who say that one can choose between wiping the inner and the upper part, whichever you wipe becomes obligatory.

As for the type of position, those who say [it is necessary] to wipe on the slippers have differed on the wiping on the socks, some have allowed it others have disallowed it.

As for the description of the slipper, they have differed on the [permissibility] of wiping on torn slippers. Some have allowed wiping on it as long as it can [still] be called a slipper even if its externalities is excessive. Amongst them are those who have not allowed the front part of the slipper to be torn whereby the foot, however little, may be visible. Some of them have allowed wiping on it provided the tear is little.

As for it's timing, they have disagreed on it [too]. Some have said there is no time [fixed] for it and that the wearer of the slippers can wipe on them as long as he has not removed them, or, he has not become ritually impure. Some have stated that there is a special time for that (the mash) for those at home, those traveling have a different time, they have also differed on the description of a journey, and [definition] of the distance.

As for the conditions of wiping on the slippers, it is that when wearing the slippers the feet must be pure by performing the ritual ablution ('wudhu'). This is a condition which most of them have imposed. However, it has been narrated from [School of] Malik that this is not a condition. They have disagreed on the question of one who has washed his feet, worn his slippers, and then completed his 'wudhu'; is his washing of the feet sufficient for him before he wears them or must he wipe them? They have two views on this.

As for different [things] breaking the [act of] wiping, one of them is the removal of the slippers. A group has stated that the purity remains if he removes the slippers, until something which breaks the ablution occurs, he does not have to wash his feet. Others have said that his purity is broken by his mere removal of the slippers. Others still have said that his purity remains if he washes his feet after removing his slippers. If he prays without washing them then he has to repeat the prayer after washing them. [They have] other differing views, and contradictory verdicts on that which pertain to the wiping on the slippers, it is not our intention to discuss the details now.

As for the Imamis (Shi'i), following their predecessors, following the Imams of the pure family of Prophet Muhammad (S), [their view] is that they do not allow the wiping on the slippers, whether that be at home, or, on a journey. For our proof, the saying of the Almighty is sufficient. He said: "And, wipe your heads and feet to the anklebones." This [verse] imposes the obligation of wiping on the feet themselves.

Where did the wiping on the slippers come from? Has this verse been abrogated? Or, is it ambiguous? Never, on the contrary, and this is unanimously agreed upon, it is amongst the unambiguous verses which are [part of] the mother of the book [surah al-fatiha]. The exegetes are agreed that there is no abrogation in the chapter of Ma'ida (chapter 5) which includes the verse on the 'wudhu' except for one

verse

***"O you who believe, do not violate the sanctity of the symbols of God (5:2)."***

Some of them have claimed that it, not other verses of the blessed chapter, have been abrogated.

As for the traditions which indicate the permissibility of wiping on the slippers, they do not prove anything according to our conditions. We have shown their weaknesses. Additionally there are [other] considerations:

1) They are opposed to the book of God, the Almighty and Glorious. It has been reported from the Prophet of God (S) that he said: "If a hadith is reported to you from me then compare it with the book of God. If it agrees to it then accept it, otherwise reject it."

2) They (the traditions) contradict themselves, therefore many differences have arisen amongst those authenticating them, acting on what they require, as you have noted. What we have indicated recently is that they have differed on their verdicts as they (the traditions) contradict themselves since they are the sources for their (the jurists') rulings.

3) The consensus of the Imams of the pure family of Prophet Muhammad (S) (ʿAli and his sons, the legatees) on the ruling of not permitting the mash (wiping) on any obstacle whether it be [in the form of] slippers, socks and shoes, or, other types [of materials], their traditions clearly contradict the traditions of the masses which indicate the permissibility of doing so.

The ruling that is established concerning contradictory traditions is to prefer what agrees with the book of God, the Almighty, the Glorious. This applies if they are equal as regards to their 'isnad' and proofs. How can the weighty [thing] from the Prophet of God (S), the other half of the book of God, the most High, the ships of salvation of the 'ummah' and the door of [reducing the] burden of its sins and its [the 'ummah's'] safety from differences be equal [to these traditions]?

4) If this [wiping on the slippers] was true, then it would have been successively transmitted at all times, and places. This is because the need to know the purity of the feet in the 'wudhu' is a general one, as we have said before, for the men and women of the 'ummah'. It is a basic need for them every day and night whether they are at home, or, on a journey. If the verse meant "not wiping", those abiding by the 'shari'a' would have known it at the time of Prophecy, and after it.

It would have been an established thing amongst them in all generations especially as it is coming in devotional worship whose meaning is not rationally derived. [The fact that] it is alien to the act of worship would necessitate it being well-known due to its awkwardness. Since the matter is not so, the weakness of these invalid and baseless traditions becomes clear to us.

5) Assuming that this [wiping on the slippers] is correct, there should have been an abrogating [verse] to the verse of 'Surah al-Ma`ida', since this is the last chapter that was revealed. By it, Allah perfected His

religion and completed His blessings and He was pleased with Islam as His religion.

Its obligations are obligatory to the day of resurrection; its prohibitions are forbidden to the day of resurrection. Just as the mother of the faithful, `A'isha, said to Jubayr b. Nafir, when he performed the pilgrimage and visited her, "O Jubayr, do you recite the Ma'ida?" He said: "Yes." She said: "It is the last chapter which has been revealed, what you find permitted in it then consider it as 'halal', what you find forbidden in it then prohibit it."

The masses stubbornly cling to the ruling of mash on the slippers [even] after its revelation due to the 'hadith' of Jarir: He urinated, then he performed the ablution and wiped on his slippers. It was said to him: "Do you do this?" He said: "Yes, I saw the Prophet of God (S) urinate [God forbid], and perform the ablution wiping on his slippers." Muslim reported it and he also reported that this 'hadith' surprised them because the conversion of Jarir was after the revelation of the Ma'ida.

I say: On the contrary, his conversion was before the revelation of the Ma'ida. The proof of this is his presence at the farewell pilgrimage with the Prophet of God. He asked him on that day, as is in the biographical profiles of 'al-Isaba', reporting from the two 'Sahih's that he should ask the people to hear [the sermon]. So, his conversion must have occurred before that pilgrimage, and the revelation of the 'Surah al-Ma'ida' certainly did not occur before that.

Furthermore, al-Tabrani reported from Jarir, as reported in the profile of al-Isaba, he said: "The Prophet of God (S) said: 'Your brother al-Najashi has died.'" The death of al-Najashi occurred before the revelation of al-Ma'ida for there is no doubt that he died before 10 A.H.

Al-Qastalani has another strange stubbornness: He says, about wiping on the slippers, the mash is not abrogated by the 'hadith' of al-Mughira. The Prophet's (S) wiping on his slippers is clear in the battle of Tabuk, and it was his last battle, and the 'Surah al-Ma'ida' was revealed before it during the expedition of 'al-Marisi'.

I say: The expedition of 'al-Marisi' was also the expedition of the Banu Mustaliq, they occurred on the second night of Sha'ban in the fifth year, some say in the fourth year as is [reported] by al-Bukhari from Ibn `Uqba. Al-Nawawi also followed this in his al-Rawda. It has been said that it occurred in 6 A.H. After it, 'surah al-Ma'ida' and many other chapters were revealed. The verse on 'tayammum' was revealed during it (the expedition). This is the saying of the most High in 'surah al-Nisa' (chapter 4):

***"If you are sick, or, on a journey or if you go for a call of nature or if you have gone into your women and you do not find any water then perform the 'tayammum' on pure earth and wipe on your faces and hands, God is most forgiving, kind (4:43)."***

The report on this is established from `A'isha, as it is reported by al-Wahidi in his book [entitled] Asbab al-Nuzul (occasions of revelations); so, refer to it so that you are sure that al-Qastalani mistook the verse on ablution with the verse on 'tayammum'. Moreover, we do not depend on al-Mughira and Jarir,

soon you will know what we have discovered about al-Mughira. Jarir had behaved with the legatees (of the Prophet of God (S)) in a manner which makes us doubt about him too.

6) The mother of the faithful `A'isha, despite her status with the 'sunnah' and her astuteness, and despite her location where revelation descended and was legislated, would strictly forbid the wiping on the slippers. Ibn `Abbas (he was the scribe of the 'ummah' and the receptacle of the book and 'sunnah' and cannot be denied) was also amongst those who severely refuted it. Both of them refuted it to the utmost possible degree. Why don't you examine her statements with me? [She said] "Because cutting my feet is more beloved to me than wiping on the slippers." He (Ibn `Abbas) said: "Wiping on the skin of a donkey is more beloved to me than wiping on the slippers."

Can you reconcile this form of rejection with those traditions? Never! Given her status, they can never be reconciled. If these are the statements reported orally from her, by those who know the thick and thin [of traditions], how is it possible for us to rely on them given our remote distance from them (the traditions) over centuries and generations?

One who examines, without prejudices, the repudiation [of mash] by those close to the Prophet of God (S) like his wife and his cousin and all the guided leaders from his holy family (Ahlul Bayt), he would be compelled to doubt those traditions.

From this, you will know that the claim that they (the traditions on wiping on the slippers) have been successively transmitted is extravagant and [mere] speculation. Can they reach the level of 'tawatur' (i.e. successively transmitted by many chains of authority) whilst these pious notables be ignorant? Or, are they ignorant of the traditions? This is a great accusation.

If they were successively transmitted, then `Abd Allah b. `Umar would not have refuted them, nor, would Imam Malik in one of the two traditions reported from him, nor, would any other upright, upright believing predecessor refute it.

Those who have done complete injustice have said: "I fear unbelief for one who does not wipe on his slippers." It has been seen that the mash on the slippers is not a part of religion, nor, is it amongst the essentials of its derivatives, nor, is it something which the book has imposed, nor, is it, by the consensus of the 'ummah', that the 'sunnah' has made obligatory.

Rather, it is merely a dispensation for a part of the Muslim community. Is there any blame for one who does not practise it [acting instead] in accordance with what the verse on 'wudhu' has imposed? The people of the 'qibla' (a commonly accepted amongst all schools of thought direction towards 'Kaaba' in Mecca, also the site of 'Hajj' pilgrimage, in order to pray) have agreed on the correctness of the acts which it (the verse) dictates, and have agreed on the permissibility of the prayer by that.

On the other hand, the correctness of the 'wudhu', the removal of uncleanness and the permissibility of prayer by it (i.e. by wiping on the slippers) is a point of dispute between the Muslims. Can disbelief be

feared from one who observes caution? What is your view of `A'isha, `Ali (as), Ibn `Abbas and all the 'Ahlul Bayt' since they did not observe the wiping on the slippers, O Muslims?

## **The mash on the turban ('imama')**

Our scholars have stated that wiping on the turban is not allowed. This is the view of [School of] al-Shafi'i, Abu Hanifa and Malik, Imam Ahmad b. Hanbal, Abu Thawr, al-Qasim b. Salam, al-Awzai and al-Thawri opposed this. The difference is reported from others too. They have stated that it is allowed by drawing an analogy with the [mash on] slippers and acting according to the 'hadith' of al-Mughira b. Shu`ba that the Prophet of God (S) wiped on his forelock, and on his turban. Other chains of transmission [state] that he had wiped on his turban, the forelock is not mentioned.

The book of God, the Almighty and Glorious, "and wipe on your heads" and the practice of His Prophet of wiping on his (S) forelock are sufficient for us. This is certain, it does not require elucidation. The consensus on it has been formed both by it being narrated and through direct investigation ('muhasal'), thanks be to God, the Lord of the Universe.

There is no proof for them in drawing an analogy with the slippers for the religion of God cannot be known by analogy. Moreover, the mash on the slippers is forbidden, as you know.

As for the 'hadith' of al-Mughira, it is invalid, Muslim has reported it. Concerning the hadith, Abu `Umar Ibn `Abd al-Barr, has stated that it is a weak tradition. I say: Perhaps Abu Hanifa, al-Shafi'i and Malik did not attach importance to it as they deemed it to be weak too.

Al-Mughira had a habit of deception, misleading people, inconsistency and trickery. He was immersed in vices, submersed in lust, and [indulged in] outbursts of treachery, and transgression of the limits [imposed] whenever he liked, and disliked especially with those enemies of the family of Muhammad (S) who follow them, and those friends of God [Allah S.W.T.], and His Prophet (S) who had enmity towards them.

He became a Muslim to spare his life from the Banu Malik and that was because he came with a group of their notables to Ceaser when he was in Alexandria. The Malikis succeeded in getting a gift from the king whereas he did not. He was overcome with greed and jealousy towards them so he invited them for drinks and they agreed to accompany him.

He made them drink until it affected their senses. He turned against them, and killed all of them, and he appropriated their wealth. Since he did not feel safe from [the vengeance of] their families he joined Islam. He came to the Prophet of God (S) when he was in Medina. He entered to see him and testified that there was no god, but Allah, and that Muhammad was the Prophet of God.

As was his practise with the believers and hypocrites, the Prophet (S) accepted his Islam. When the property of the Banu Malik was presented to him, he refused it. It was proper for him to accept it since it

was from those who had waged war, and they had seized it unlawfully, [property] which Allah, the most High, did not forbid [him to take]. However, since that was taken by deceit, his [Prophet Muhammad (S)] conscience did not allow him to accept it; so, he made his (al-Mughira's) property forbidden for himself.

This was his [Prophet Muhammad's (S) projection of Islam, it gives you a picture of his principles, and shrewdness. In a famous story of the events of the year 17 A.H., Abu Bakra, he was amongst the prominent companions, and his companions testified against him for acts which would require punishment. How can we compare the wise Qur'an with his traditions, 'O people of understanding'?

## **Is there a limit to the wiping on the head?**

Our scholars have ruled that there is no limit to the mash on the head, not for what one is wiping with (extent of fingers), nor, that is being wiped; rather, what is normally called a wiping is sufficient even if that means the minimum of touching according to the 'urf' (conventional usage of the term "wipe"). This is also the school of thought of the Shafi. The two Imams, Malik and Ahmad, and a group of others have maintained that it is obligatory to wipe on the whole head, whereas Imam Abu Hanifa has said it is obligatory to wipe a quarter of it with three fingers, if he wipes with less than that it is not proper for him.

Our proof is the saying of the most High [Allah S.W.T.]: "And wipe on your heads," the meaning is [any form of] touching of the head. Just as this can be attained by embracing [the whole head] and by a quarter of it, it can [also] be attained by a minimum of what is [normally] called wipe even if it be by a part of the finger passing on a part of the head. There is absolutely no proof for what they have specified (a specific portion of the head).

If He intended embracing [the whole head], the most Glorious would have said: "and wipe on your whole heads" just as He said "wash your faces." If His intention was a specific amount of wiping, He would have clarified it as He did with the washing of the hands when He said "with the elbows" and concerning the wiping of the feet He said "to the anklebones."

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