

ISSN: 2581-3269

ISLAMIC INSIGHT

JOURNAL OF ISLAMIC STUDIES

Vol. 7 No. 1 2024



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ISLAMIC UNIVERSITY

ISLAMIC INSIGHT

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Islamic Insight Journal of Islamic Studies (IIJIS) is an academic journal published twice a year by the Kulliyya of Qur'ān and Sunnah, Darul Huda Islamic University, Kerala, India. It is a multi-disciplinary journal devoted for publishing original scholarship of exceptional quality on all aspects of Islam and the Muslim world. It covers, for example but not limited to, textual and field work studies on various aspects of the Noble *Qur'ān*, *Hadith*, Islamic Jurisprudence, Islamic Theology, Islamic Mysticism, Philosophy, Comparative Religion, Islamic Social Sciences, History and Culture of Muslims. The papers will be sent for a double blind peer review and will be published accordingly.

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Annual subscription fee Rs. 700/-

THE KHUFF IN MUSLIM RITUAL THOUGHT: THE CURIOUS CASE OF A BOOT’S RELIGIOUS IDENTITY

Hamza A. Dudgeon¹

Abstract

Typically, Islamic footwear is not casual conversation that one might have in the elevator, even amongst Islamic Studies academics. Slippers, leather socks, boots, moccasins, or whatever one may want to call them, the “khuffayn” are generally regarded as no more than a footnote by academics. Often, it is merely gleamed over as a mundane snippet of Ṭahāra (purity), and not deeply investigated. The reality is that the issue of footwear in medieval and contemporary Islam is surrounded by nuanced discussion and debate. Investigating the Qur’ān, medieval Ḥadīth literature, various books of Islamic law, and theological treatises, the researcher discovered that not only do the khuffayn have legal ramifications, but also creedal. Some of the books examined are the Ṣaḥīḥayn, *Shamā’il Tirmidhi*, *Kitāb al-Āthār* of Abū Ḥanīfa, *The Muwaṭṭā’*, *The Musnad* of Imam Shāfi’ī, *Al-‘Aqīda at-Ṭahāwīya*, Abū Ḥanīfa’s *al-Fiqh al-Akbar*, and so on. The mass mention of the khuffayn indicates that it was an important topic to the authors writing it down. The researcher wanted to know what exactly the physical khuff was? And how Sunni Muslims conceptualized footwear’s legal and theological implications from the medieval period until now? This adds to the ongoing debate between the supremacy of ritual vs. theology. Through analyzing the medieval passages that the researcher used, it became apparent that in the early period, the khuffayn were never physically described. They were so common that the reader was assumed to be quite familiar with the footwear. In the stipulations of the jurists as to what components the khuffayn may consist of, or what basic elements constitutes a khuff, we are able to paint a partial picture as to what they might’ve been. Furthermore, in the later medieval period (11th - 17th centuries) we start to see more of a physical description of the khuffayn. The

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descriptions indicate that the khuffayn were probably a type of leather moccasin-boots, which had some universality in the Near East, and even East Africa. It is not until the 19th century that footwear besides the khuffayn and Jarmūq (galosh) are mentioned. Shoes appear in the Ḥanafī encyclopedic text Ḥaṣhiya Ibn ‘Ābidīn. Contemporary Sunnis think about footwear and purity in a very different way. The researcher demonstrate textually how late Sunni traditionalists, and different revisionist groups conceive of modern footwear, both legally and theologically, which often diverges significantly from medieval conceptualizations. However, in the medieval period up until our contemporary time, wiping over the khuff has been a ritual that marks sectarian identity so much so that it is considered a part of Islamic creed to affirm or reject the practice. So, is wiping over the khuff a ritual or theologizing? Perhaps, both.

Key words: *Khuffayn, Ritual Studies, Islamic Law, Fiqh, Shia Studies, Ibadi Studies, Islamic Theology, Islamic Footwear.*

INTRODUCTION

Little known to Western Academia is just how nuanced and deep a discussion medieval, and modern Muslims have had about footwear. While many academics write articles or books on the history of Islamic Law as a whole or Islamic legal theory, rarely do they ever give the khuffayn the credence they deserve.² It is typically merely glossed over as a snippet of Ṭahāra (ritual purification), and not deeply investigated.³ Conventionally, the khuffayn are translated as ‘leather socks,’ sometimes as ‘slippers,’ and more rarely as ‘shoes.’ Through the medieval passages that the researcher has investigated regarding the khuffayn, that the stronger position is that they are more like boots than the aforementioned options. It also becomes quite clear that the khuffayn has much more significance to Muslim thought than perhaps previously understood, even having theological ramifications. Nearly every Islamic ritual law book mentions them, and often with more rigor and detail than other topics. As Islamic

² Pun intended.

³ Just take a look at Goldziher, Schacht, Hallaq, and the likes.

ritual law becomes more codified and enriched by generations of Muslim scholars, we get to see very detailed conditions as to what footwear can be considered a khuff. In the modern period, we see debates over the permissibility of wiping over the khuffayn, socks, shoes, and other footwear. But where do the khuffayn originate, both physically and conceptually?

The Khuffayn in Early Islamic Sources

All Muslims believe the Qur'an to be the divine speech of God, and the ultimate source of Islamic law. However, the Qur'an is not a detailed manual on Islamic ritual law. Muslims, at varying degrees, have affirmed the teachings of the Prophet Muhammad ﷺ as a source of Islamic ritual law. As for the khuffayn, they are not mentioned or alluded to in the Qur'an whatsoever. On the contrary, and not then surprisingly, we find the khuffayn in the ḥadīth collections. One of the alleged very early collections of aḥādīth, *Kitāb al-Āthār* of Abū Ḥanīfā⁴, has a chapter on the khuffayn entitled, "Al-mash' alā al-khuffayn." What is striking about this chapter is the placement of within *Kitāb al-Āthār*. Unlike later ḥadīth collections and fiqh mukhtaṣars, the chapter on the khuffayn is very early in the book preceded only by ablution and water left over by animals, making the chapter on the khuffayn the third bāb of the book. This is a strikingly straightforward indication that this book was written before the codification of ḥadīth and fiqh manuals and its attribution the 8th-century Kufan Jurist Abū Ḥanīfā more plausible. Similarly, in the *Muwatta'*⁵ of the Medinan Jurist Mālik ibn Anas, also from the 8th

⁴ Abū Ḥanīfā and Muḥammad Shaybānī, *The Kitāb al-Āthār Of Imam Abū Ḥanīfah: The Narration of Imam Muhammad Ibn al-Hasan ash-Shaybani*, ed. 'Abdur Rahman Ibn Yusuf, Shaykh Muhammad Akram, Hafiz Riyad Ahmad al-Multani and Safira Batha, trans. Abdussamad Clarke (London, UK: Turath Publishing, 2008).

⁵ Mālik ibn Anas, *Al-Muwatta' of Imām Mālik ibn Anas: Arabic & English*, ed. And trans. Aisha Abdurrahman Bewley (Norwich, UK: Diwan Press Ltd., 2014); Mālik ibn Anas and Muhammad Bin al-Hasan Ash-Shaybani, *The Muwatta of Imam Muhammad: The Muwatta of Imam Malik ibn Anas in the narration of Imam*

century, has an unusual chapter order, or placement of the chapter regarding the khuffayn. The *Muwattā'* starts with the times of prayer, and then goes into ablution. Early in the book the Khuffayn appear. In Bewley's edition, it is the 8th chapter, and in Muḥammad Shaybānī's version it is the 13th. This is also contrary to ḥadīth collections and both late-medieval and contemporary fiqh books that contain the chapter on the khuffayn, which usually contains the chapter of the khuffayn near the end of the chapter on ablution by the chapter on major ablution (ghusl) and/or dry ablution (tayammum). This appearance of disorganization, suggests these three aforementioned books predate the 10th and 11th century codification of law manuals. The *Musnad* of Imam Shāfi'ī⁶ places the chapter "fī mashī 'alā al-khuffayn" just before tayammum indicating that Shāfi'ī probably had a major impact on the organization of the fiqh genre and ḥadīth collections, as Dr. Ahmed el-Shamsy suggests,⁷ or that it was the ahl al-ḥadīth who originated this sequence, and influenced Shāfi'ī. Regardless, Shāfi'ī's *Musnad* still contains what appears to be an archaic sequence of chapters and archaic chapter names, which makes it probable to have originated in the 8th- 9th century. *Al-Umm*, likewise, does not follow the chapter sequence of later ḥadīth collections and fiqh mukhtaṣars.⁸ In all the aforementioned books, there is one main ḥadīth that is reported. This ḥadīth is the same in

Muhammad ibn al-Hasan ash-Shaybani, ed. Yahya Batha, Mufti Zubair Ismail Bayat, Uthman Ibrahim-Morisson, Shaykh Sulaiman Gani, Abdassamad Clarke, and Safira Batha, trans. Mohammad Abdurrahman and Abdassamad Clarke, and Dr. Asadullah Yate (London, UK: Turath Publishing, 2010), which I will refer to as *The Muwatta' of Shaybani*.

⁶ Muḥammad ibn Idrīs al-Shāfi'ī and Majid ud-Dīn Ibn Athīr, *ash-Shāfi'ī Musnad al-Shāfi'ī*, ed. Aḥmad Bin Sulaymān and Yasir Bin Ibrāhīm Abu Tumaym (Riyadh, Saudi Arabia: Maktabatar-Rushd, 2005), Vol 1.

⁷ Ahmed El-Shamsy, *the Canonization of Islamic Law: A Social and Intellectual History* (New York City: Cambridge University Press, 2015).

⁸ Muḥammad ibn Idrīs al-Shāfi'ī, *Al-Umm*, ed. Dr. Muḥammad Ibrāhīm al-Ḥafnāwī (Cairo: Dār al-Ḥadīth, 2008), Vol 1; for a detailed description on *al-Umm*'s attribution to Imam al-Shāfi'ī, see: Ahmed el-Shamsy, "al-Shāfi'ī's Written Corpus: A Source-Critical Study," accessed November 20, 2017, https://www.academia.edu/2058064/Al-Sh%C4%81f%C4%BF%C4%AB_s_Written_Corpus_A_Source-Critical_Study.

meaning. The particular wording in *Kitāb al-Āthār*⁹ differs from the narration found in both versions of the *Muwaṭṭā'*¹⁰ and the particular wording in the *Musnad*¹¹ differs from the both the *Muwaṭṭā'* and *Kitāb al-Āthār*. Moreover, the particular wording found in *al-Umm* is also different in wording, but the same in meaning.¹² Below is the ḥadīth from *Kitāb al-Āthār*:

عن المغيرة بن شعبة رضي الله عنه أنه خرج مع رسول الله صلى الله عليه وسلم في سفر فانتطلق رسول الله صلى الله عليه وسلم ففضى حاجته ثم رجع وعليه جبة رومية ضيقة الكتفين فرفعها رسول الله صلى الله عليه وسلم من ضيق كتمها قال المغيرة: فجعلتُ أصب عليه الماء من إداوة معي فتوضأ وضوءه للصلاة ومسح على خفيه ولم يزعهما ثم تقدم وصلى.¹³

From Al-Mughīra Bin Shu‘ba, may God be pleased with him, that he left with the Messenger of God ﷺ on a journey and the Messenger of God ﷺ departed to answer the call of nature. Then he returned and upon him was a roman jubba with two tight sleeves. The Messenger of God ﷺ raised its tight sleeves, and Al-Mughīra said, ‘I put the water-skin with me at an incline [pouring] over him water. He made his ablution for prayer and wiped over his two boots. He did not take them off, and then he stepped forth and prayed.’¹⁴

The *Muwaṭṭā'* also informs us that the journey was the battle of Tabūk. The narration in *Musnad Shāfi‘ī* tells us that Al-Mughīra went down to take off the khuffayn from the feet of Muḥammad, but Muḥammad repudiated him saying, “Leave the khuffayn, because, verily, I put them on my two feet and they are ritually pure.”¹⁵ In *Al-Umm*, Muḥammad’s ablution and the subsequent prayer are elucidated in detail. The abovementioned ḥadīth is also in Ṣaḥīḥ al-Bukhārī in many other versions and in Ṣaḥīḥ Muslim over seven

⁹ Abū Hanīfa, *Kitāb al-Āthār*, 7.

¹⁰ Mālik ibn Anas, *al-Muwaṭṭā' of Imām Mālik ibn Anas*, 27; Mālik ibn Anas and Muhammad Shaybani, *The Muwatta' of Shaybani*, 63-64

¹¹ Al-Shāfi‘ī, *ash-Shāfi‘ī Musnad al-Shāfi‘ī*, 1:268.

¹² Al-Shāfi‘ī, *Al-Umm*, 1:205-206. This wording is also found in Abū Dawūd under Kitābat-Ṭahāra: bābal-mash‘ alā al-khuffayn; Imām Hāfiz Abu Dawud Sulaiman bin Ash'ath, *English Translation of Sunan Abu Dawud*, ed. Hāfiz Abu Tāhir Zubair 'All Za'I and Abū Khaliyl, trans. Yaser Qadhi (Riyadh, Saudi Arabia: Maktaba Dar-us-Salam, 2008), 103.

¹³ The researcher has left out the full chain of narrators for the sake of brevity.

¹⁴ All translations are researcher’s own unless otherwise indicated.

¹⁵ "دع الخفين فاني أدخلت القدمين وهما طاهرتان. وفي لفظ البخاري "دَعُهُمَا. فَإِنِّي أَدْخَلْتُهُمَا طَاهِرَتَيْنِ"

times.¹⁶ The Khuff is also mentioned in the other four canonical ḥadīth collections.¹⁷ It is said there are over 70 narrations regarding the khuffayn. This informs us that the khuffayn remained an integral tradition (Sunna) to the early Muslim community between the 8th and late 10th century.

Creedal Significance: The Khuffayn as a Theological Marker

The next question is naturally, “How did the Muslim community receive these reports?”, and “What did they think about them?” Undoubtedly, the most widespread and widely accepted book of early Islamic creed is that of the 9th-10th century Islamic scholar Abū Ja‘far Aḥmad aṭ-Ṭaḥāwī entitled *Al-Aqīdaat-Ṭaḥāwīya*.¹⁸ In one line, Ṭaḥāwī states, “We see the wiping upon the khuffayn in the journey and the residency like what came in the report.”¹⁹ What is striking here is that Ṭaḥāwī made the issue of wiping over the khuffayn as a matter of creed. In the introduction of Ṭaḥāwī’s book, he declares his creedal formulations as originating from Abū Ḥanīfa and his students. One notable work of Abū Ḥanīfa that mentions this issue is *Al-Fiqh al-Akbar*.²⁰ Just before a very serious creedal line regarding excommunication (takfīr), Abū Ḥanīfa says, “The wiping over the khuffayn is a sunna.”²¹ Abū Ḥanīfa goes on to say in his book *Al-Waṣiyya*, “We declare that wiping over leather socks is permissible for one day and night for the resident and three days and three nights for the traveler, as the ḥadīth elucidates. Unbelief is feared for the one who denies this because its status is close to that of the uninterrupted

¹⁶ Al-Bukhārī, notably ḥadīth #363, 1:245; Al-Imām Muslim Ben al-Ḥajāj Al-Naysābūrī, *Ṣaḥīḥ Muslim: The authentic hadiths of Muslim With full arabic text*, 2nd ed., trans. Muḥammad Mahdi Al-Sharīf (Beirut, Lebanon: Dar Al-Kotob Al-Ilmiyah, 2012), 1:324-326.

¹⁷ Namely, Abū Dawūd, Tirmidhi, An-Nisā’ī, and Ibn Māja.

¹⁸ Abū Ja‘far Aḥmad aṭ-Ṭaḥāwī, *The Creed of Imam al-Ṭaḥāwī*, ed., & trans. Hamza Yusuf (Berkeley, CA: Zaytuna Institute, 2007).

¹⁹ نرى المسح على الخفين في السفر والحضر كما جاء في الآخر.

²⁰ Abū Ḥanīfa, *Al-Fiqh al-Akbar Explained*, ed. & trans. Abdur-Rahman Ibn Yusuf Mangera (London/Santa Barbara: White Thread Press, 2014); for a detailed analysis of the attribution of *Al-Fiqh al-Akbar* to Abū Ḥanīfa, see 24-31.

²¹ والمسح على الخفين سنة

narration (mutawātir).”²² Abū Ḥasan al-Karkhī (d. 951) is known to have said, “I fear a state of disbelief for the one who rejects wiping over the foot-coverings.”²³ Regarding theological creedal formulations, Hamza Yusuf says, “One is the necessity of belief in multiply-transmitted ḥadīth, which have the status of the Qur’an in their legal and creedal consideration.”²⁴ He then goes on to say, “To reject a multiply-transmitted ḥadīth is akin to rejecting a verse in the Qur’an and hence is a type of disbelief threatening one’s faith.”²⁵ Abdur-Rahman, explaining Abū Ḥanīfa’s passages on the khuffayn, says that they were mentioned as a rebuttal of the “Rāfiḍī Shī’a who deny the wiping over the leather socks.”²⁶ From the very early period of Sunni Islam until contemporary times, the khuffayn seem to have a very special place in the ḥadīth collections and creedal formulations of Sunni Islamic scholars. But what physically are the khuffayn and how were they understood by classical Sunni jurists?

Materiality and Form: What Were the Khuffayn?

Linguistically the word “khuff” comes from the root kh-f-f such as the word khafīf meaning “light” (in regards to weight) or “thin,” “nimble,” “agile,” “to reduce,” “to alleviate,” “to make easier,” “to make less,” etc. Although the word “khuff” itself is not found in the Qur’an, its root is in many places.²⁷ One narration in *Kitāb al-Āthār*²⁸ mentions that Ibrāhīm an-Nakha’ī “used to wipe over his galoshes

²² Abū Ḥanīfa, *Al-‘ālim wa’l-Muta‘allim, Al-Fiqh al-Absaṭ, Al-Fiqh al-Akbar, Risāla Abī Ḥanīfa, Al-Waṣīyya* [a collection of the five books of Abū Ḥanīfa] ed. Muḥammad Zāhid al-Kawtharī, 1st Ed (Cairo: Al-Maktaba al-Azhariyya l-Turāth, 2001), 2:184. Quoted in Abū Ḥanīfa, *Al-Fiqh al-Akbar Explained*, 155. Translation is from Abdur-Rahman Ibn Yusuf; Mutawātir is a technical term of ḥadīth criticism from within the tradition. It means that there are at least 10 or more fully different narrations of the particular ḥadīth in question from different places. In other words, as Muslims see it, it would be impossible for people to have gathered and conspired to fabricate the tradition/narration.

²³ Akmal al-Dīn Muḥammad b. Muḥammad al-Bābartī, *Sharḥ ‘Aqīda Ahl al-Sunna wa al-Jamā’a* (Kuwait: Wizārat al-Awqāf, 1989), 123. Quoted in Aṭ-Ṭaḥāwī, 120n61; Translation is by Hamza Yusuf.

²⁴ Aṭ-Ṭaḥāwī, 119n61.

²⁵ Ibid, 199n61-120n61.

²⁶ Abū Ḥanīfa, *Al-Fiqh al-Akbar Explained*, 155n161.

²⁷ Notably, [101:8], [43:54], [30:60], and [16:80].

²⁸ Abū Ḥanīfa, *Kitāb al-Āthār*, 9.

(jurmūq, pl. jarāmīq).²⁹ What this indicates through induction is that the kuffayn were probably a lighter footwear in which a heavier galosh could be worn over. Whether the word “khuff” refers to a specific particular set of footwear or a certain genre or style of footwear remains unclear. There appears to be no pre-Islamic reference to them. In *Kitāb al-Āthār* and Shaybānī’s *Muwattaʿ*, we find the formulation “Muḥammad [Shaybānī] said, ‘It is the saying of Abū Ḥanīfa, and we adhere to it.’³⁰ After certain narrations, I appear after nearly every narration regarding the khuffayn, and I suspect that this formulation appears after a narration where there is difference of opinion between famous jurists. It appears after a narration reporting that the khuffayn can only be wiped over one day and one night for the resident and three days and three nights for the traveler,³¹ which was not the opinion of Mālik ibn Anas, who allowed the wiping over the khuff indefinitely for both the traveler and resident.³² At the end of the chapter regarding the khuffayn in the *Muwattaʿ*, Shaybānī affirms the position that wiping may only last for one day and night for the resident, and three days and nights for the traveler.³³ Omitted from Shaybānī’s version is the chapter “The Praxis Regarding Wiping over the Khuffayn,”³⁴ which has the method of wiping that Mālik preferred. One-narration states:

وحدَّثني عن مالك: أنه سأل ابن شهاب عن المسح على الخفين كيف هو؟ فأدخل ابن شهاب إحدى يديه تحت الخف والأخرى فوقه ثم أمرهما.

قال يحيى قال مالك وقول ابن شهاب أحب ما سمعتُ إليَّ في ذلك.³⁵

“It was narrated to me from Mālik that he asked Ibn Shihāb about the wiping over the khuffayn, how is it

²⁹ أنه كان يمسح على الجرموقين

³⁰ قال محمد: وهو قول أبي حنيفة وبه نأخذ

³¹ Abū Ḥanīfa, *Kitāb al-Āthār*, 6-7.

³² Mālik ibn Anas and Saḥnūn Muḥammad ibn Saʿīd, *al-Mudawwana al-Kubrā*, ed. al-Sheikh Zakariyya Oumayrat (Beirut: Dar al-Kotob al-Ilmiyah, 2012), 1:144; Umar F. Abd-Allah Wymann-Landgraf, *Mālik and Medina: Islamic Legal Reasoning in the Formative Period* (Leiden: Brill, 2013), 401.

³³ Mālik ibn Anas and Muhammad Bin al-Hasan ash-Shaybani, *The Muwatta of Imam Muhammad: The Muwatta of Imam Malik ibn Anas in the narration of Imam Muhammad ibn al-Hasan ash-Shaybani*, 65.

³⁴ باب: العمل في المسح على الخفين

³⁵ Mālik ibn Anas, *Al-Muwattaʿ of Imām Mālik ibn Anas: Arabic & English*, 30.

done? Ibn Shihāb placed one of his hands under the khuff, and the other on top of it, and then passed over them.

Yahyā said that Mālik said, ‘Out of what I have heard about that, I prefer the statement of Ibn Shihāb.’”

This ran contrary to the opinions of many early companions and jurists such as ‘Alī, Al-Ḥasan al-Baṣrī, Abū Ḥanīfa, Sufyān al-Thawrī, Shāfi‘ī and Aḥmed Ibn Ḥanbal.³⁶ The early Ḥanafī jurist, Aḥmed Ibn Muḥammad al-Qudūrī (10th century), who wrote one of the early Ḥanafī mukhtaṣars, and surely the most influential one, says in his mukhtaṣar³⁷ regarding the method of khuff wiping, “The wiping of the khuffayn is upon the tops of them, making lines with the fingers.”³⁸ The author of the first Ḥanbalī mukhtaṣar,³⁹ Abū al-Qāsim al-Khiraqī (10th century), said in his *Mukhtaṣarfī al-Fiqh*⁴⁰, “He wipes upon the top of the foot. If he wipes the bottom of it, other than the aforementioned, it is not accepted of him.”⁴¹ Shāfi‘ī has a pretty detailed section on the khuffayn in *Al-Umm* that give us some insights as to how he thought of the khuffayn legally and the physical make up of the khuff. He begins his section⁴² on the khuffayn with the Qur’anic verse enjoining ablution, “Wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles.”[5:6] In a later page, he says “The wiping is a

³⁶ Umar F. Abd-Allah Wymann-Landgraf, 401.

³⁷ Aḥmed Ibn Muḥammad al-Qudūrī, *The Mukhtaṣar al-Qudūrī: A Manual of Islamic Law According to The Ḥanafī School*, ed and trans. Ṭāhir Maḥmūd Kiānī (London: Ta-Ha Publishers Ltd., 2012), 16.

³⁸ والمسح على الخفين على ظاهرهما خطوطاً بالأصابع

³⁹ Nimrod Hurvitz, “the Mukhtaṣar of al-Khiraqī and its place in the formation of Ḥanbalī legal doctrine” in *Law, Custom, and Statute in the Muslim World. Studies in Honor of Aharon Layish*, ed. Ron Shaham (Leiden: Brill, 2006).

⁴⁰ Abū al-Qāsim al-Khiraqī, *Mukhtaṣar al-Khiraqī*, ed. Qāsim Darwīsh Fakhrū and Muḥammad Zahīr al-Shāwushī (Damascus: Manshūrāt al-Maktab al-Islāmībidmishq, 1978), 12.

⁴¹ ويمسح على ظاهر القدم. فإن مسح أسفله دون علاه لم يجزه.

⁴² Al-Shāfi‘ī, *Al-Umm*, 1:205.

dispensation (*rukḥṣa*)⁴³ for he who covers his two legs with *khuffayn*.⁴⁴ He then goes on to say, “If there was a tear in the *khuff*, and a sock is covering the foot, it is not our verdict that for him is the wiping upon it (i.e. *kuff*). Because the *kuff* is not a sock (*jawrab*). Because if it is abandoned, that wearing other than the *kuff*, a sock, some of his two legs have been mired.”⁴⁵ Shāfi‘ī then says, “For if you adorn the *khuffayn* by one thing different than it, but was in its meaning, wipe over it and those are all of them made from cow hide, camel hide, wood, but most are made from goat hide.”⁴⁶

Classical Juristic Debates: Conditions and Controversies

In the *Mudawwana*, there is a small passage which says, “Mālik used to say regarding the two socks that on the sole of them there is leather stitching and the tops of them leather stitching that they may be wiped upon. [Ibn al-Qāsim] said, ‘then he retracted’ and said, ‘they are not wiped upon.’”⁴⁷ Shāfi‘ī’s and the *Mudawwana*’s passage tells us a great deal about how the *khuffayn* were thought about and what materials they were made out of. The *khuffayn* appear to be of a more general meaning perhaps being translated as moccasin boots, because

⁴³ The *rukḥṣa* is a legal term referring to the replacement of a commandment of Islamic law in its original force. It is a “replacement with a less onerous alternative in cases of need or duress. Literally, *rukḥṣa* means ‘facilitation’ or ‘alleviation.’ As a technical term in the discipline of *uṣūl al-fiqh*, it refers to a special dispensation from performing an obligatory act or from submitting to a prohibition, as a result of a mitigating circumstance (*‘udhr*).” Quoted from Katz, Marion H., “‘Azīma and *rukḥṣa*,” in: *Encyclopaedia of Islam*, Three, Edited by: Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson. Consulted online on 23 November 2017 <http://dx.doi.org/10.1163/1573-3912_ei3_SIM_0261> first published online: 2007, First print edition: 9789004161641, 2007, 2007-3.

⁴⁴ المسح رخصة لمن تَعَطَّطَ رجلاً بالحقن.

⁴⁵ وإن كان في الخف خرق وجوب يورئ القدم فلا نرى له المسح عليه. لأن الخف ليس بجورب. ولأنه لو ترك أن يلبس دون الخف جورباً رئي بعض رجله.

⁴⁶ فإن تَخَفَّفَ واحداً غيره فكان في معناه مَسَحَ عليه وذلك أن يكون كله من جلود بقر أو إبل أو خشب فهذا أكثر من أن يكون من جلود الغنم.

⁴⁷ Mālik ibn Anas, *Al-Mudawwana al-Kubrā*, 1:143 lines 18-20; Umar F. Abd-Allah Wymann-Landgraf, 401.

they might not have been limited to the Arabs. There is one report, found in *Shamā'il Muḥammadiyya* by Abū 'Īsā Muḥammad ibn 'Īsā at-Tirmidhī (9th century) showing, perhaps, that the Abyssinians also knew this footwear. Tirmidhī says:

عن بريدة أَنَّ النجاشيَّ أهدى للنبيِّ صلى الله عليه وسلم خَفَيْنِ أسودين ساذجين فلبسهما ثُمَّ تَوَضَّأَ
ومسح عليهما.

Reported from Burayda that the Negus gifted the Prophet صلى الله عليه وسلم two simple black boots. He wore them; then, made ablution and wiped upon them.

This narration shows us that the khuff was perhaps known in Abyssinia and that they differed in construction and color. The topic of the moccasin boots remained an important one from the early period onward as it facilitated ease of travel and daily life. Water is a precious commodity, so conserving it, and making ease in ablution appeared to have kept the topic of the moccasin boots a lively one.

Late Medieval Codification: The Khuffayn's Legal Rigidity

In the latter period from the 11th century on wards, the legal discussions of the khuff become more intricate and detailed getting into the finer nuances of what materials can or cannot be used and what shape or length the moccasin boots must be. The khuffayn are even mentioned in the smallest of treatises, such as *Matn al-Ghāyawa al-Taqrīb*⁴⁸ by the 11th century Persian Shāfi'ī jurist Abū Shujā', showcasing their importance in early Islamic ritual law. It is also notable that the 12th century Central Asian Ḥanafī jurist, Burhānuddīn al-Marghīnānī, informs us that Shāfi'ī did not accept wiping over galoshes saying, "There is no substitute for a substitute."⁴⁹

⁴⁸ Abū Shujā' al-Aṣḥāhānī, *The Ultimate Conspectus: Matn al-Ghāyawa al-Taqrīb*, ed. & trans. Steven Musa Woodward Furber (Islamosaic, 2012), 11-12.

⁴⁹ البديل لا يكون له بديل.

Burhānūdīn al-Marghīnānī then goes on to say, “It [the galosh] is a substitute for the foot, not for the khuff.” Al-Marghīnānī also tells us about what material is acceptable for the galoshes stating, “If the galoshes were made of cotton (kirbās), it is not acceptable to wipe upon them.”⁵⁰ He says that Abū Ḥanīfa’s position is that socks (jawrabayn) cannot be wiped upon unless they are leather (mujalad) or soled with leather (muna‘al).⁵¹ The 13th century Ḥanbalī jurist Ibn Qudāma wrote a series of books to take students from the very beginning of Islamic jurisprudence to the very end. He wrote five books each more advanced than its predecessor did. For the very beginner he wrote *‘Umdatul-Fiqh*, which contains a notable section on the khuffayn and jarmūqayn even including within it wiping over the turban and cast/splint.⁵² The fifth and most advanced book, that Ibn Qudāma wrote is the comparative fiqh work *Al-Mughnī*. The *Mughnī*, a commentary on Khiraqī’s *Mukhtaṣarfi al-Fiqh*, has an interesting passage referring to the maqtū ‘or ‘cut-one.’ Khiraqī says, “Do not wipe except upon the khuffayn or what takes the place of them such as the maqtū ‘or what is similar to it that which exceeds the two ankles.”⁵³ Ibn Qudāma then goes on to explain the commentary that the maqtū “is the shortened shinned khuff.”⁵⁴ He then goes on to have a detailed discussion about what different jurists of the past have said about the maqtū ‘, but what the researcher find significant here is that this unequivocally means that they understood the khuffayn to be boots, and that the standard khuff included a full shin to it. The 14th century jurist ‘Abdullah an-Nasafī also has a section on the khuffayn in his treatise *Kanz ad-Daqā’iq*, where he mentions also the jarmūqayn, the leather socks, and soled socks, the thick socks, the impermissibility of wiping over turbans, and wiping over

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² ‘Abdullah Ibn Qudāma, *‘Umdatul-Fiqh*, ed. Aḥmad Muḥammad ‘Ajawz (Beirut: al-Maktaba al-‘Aṣrīya, 2003), 16.

⁵³ ولا يمسح إلا على خفين أو ما يقوم مقامهما من مقطوع أو ما أشبهه مما يجاوز الكعبين.

⁵⁴ والمقطوع هو الخف القصير الساق.

splints/casts.⁵⁵ The 14th century book *‘Umda as-Sālik* by Aḥmad an-Naḳīb al-Miṣrī states that one of the conditions of the khuff is that it is “preventing penetration of water.”⁵⁶ Khalīl Ibn Ishāq al-Jundī, a 14th century Mālikī jurist, writes in his *Mukhtaṣar Khalīl* that the khuffayn must be “made of leather on the dorsal (top) of it, and sole of it.”⁵⁷ One notable phenomenon is that any book of Mālikī jurisprudence smaller than *Mukhtaṣar Khalīl* is devoid of any mention of the khuffayn such as *Mukhtaṣar al-Akhḍarī*⁵⁸ or *Murshid al-Mu’īn*,⁵⁹ unlike that the other three schools of jurisprudence that usually included a section on the khuffayn. In later Ḥanbalī treatises, wiping over the thick sock begins to be more prominent such as in the mukhtaṣar *Zād al-Mustaqni’* by the 16th century jurist Mūsā al-Ḥajjāwī al-Ḥanbalī, where he says, “From the khuff and thick sock and what is like them.”⁶⁰ The conditions of wiping over the khuff start to be come more codified and elucidated in books during and after the 14th century. One of the most detailed discussions on this was found in *Marāqī al-Falāḥ* by the 16th century Egyptian jurist Ḥasan ash-Shurunbulālī. He says, “Stipulating on the validity of wiping upon the khuffayn is seven conditions. First, they are worn after washing the two feet. They are worn before the perfect ablution if he completes it before reaching a nullifier for ablution. Secondly, they cover the two ankles.”⁶¹ He then goes on to say, “Thirdly, The possibility of walking continuously in them, i.e. the khuffayn, so the dispensation is rendered lost because the non-existence of its condition, and it is continuous walking. So it is not accepted to wipe over a khuff made

⁵⁵ ‘Abdullah an-Nasafī, *Kanz ad-Daqā’iq*, ed. Rāshid Muṣṭafā Al-Khalīlī (Beirut: al-Maktaba al-‘Aṣrīya, 2010), 7-8.

⁵⁶ لنفوذ الماء.

⁵⁷ جُئِدَ ظَاهِرُهُ وَبَاطِنُهُ

⁵⁸ ‘Abdur-Raḥīm al-Akhḍarī, *Mukhtasar Al-Akhḍari: The Fiqh of The Acts of Worship According to The Maliki School of Islamic Law*, trans. Sidi Baye (Atlanta, GA: Fayda Books, 2014).

⁵⁹ Abū Muḥammad ‘Abdul-Wāḥid Ibn ‘Ashir, *Al-Murshid al-Mu’een: The Concise Guide to the Basics of the Deen*, trans. Dr. Asadullah Yate (Norwich, UK: Diwan Press, 2013).

⁶⁰ من خف وجوب صفيق ونحوهما

⁶¹ Ḥasan ash-Shurunbulālī, *Marāqī al-Falāḥ Sharḥ Matn Nūr al-Iḍāḥ*, ed. Na‘īm Zarzawr (Beirut: al-Maktaba al-‘Aṣrīya, 2005), 56 lines 2-4.

from glass, wood, or iron.”⁶² This is a divergence from the Shāfi‘īs who allowed the use of wood as previously noted. He continues, “Fourth, are both of them being free from a tear the size of three toes from the smallest of toes. Fifth, they must adhere to the legs without being tied up. Sixth, they prevent water from reaching the body. Seventh that the forefoot remains being the size of at least three fingers from the smallest fingers. If he is missing the forefoot, he does not wipe over his khuff even if the heel [of his foot] was present.”⁶³ The 17th century responsa collection commonly known as *Al-Fatāwā al-Hindiyya*, which was commissioned by the Mughal Empire, also adds more detail to previous literature regarding the khuffayn. It says, regarding the conditions of the khuff, that “He must be able to walk continuously in it, that it covers the two ankles, and covering what is above them is not a condition unless if wearing a khuff without a shin. It is accepted to wipe if the ankle was covered. He wipes on the leather sock (Al-jawrab al-mujalad) and it is that which is affixed with leather as aforementioned and the bottom of it [affixed with leather].”⁶⁴ Sounding humorous to the modern ear, the responsa collection then goes on to state, “If two khuffs are worn, and one of the two galoshes are worn, it is acceptable for him to wipe over the khuff which has no galosh upon it and upon the galosh. And wearing a khuff on top of another khuff is like the two galoshes.”⁶⁵ In what looks like a pejorative responsum to possibly an Mālikī inquirer, it states, “It is not accepted to wipe on the bottom (sole) of the khuff or its heel or its shin, or its sides or its ankles.”⁶⁶ Moreover, it says, “If there was a wide galosh and he could enter his hand in it, wiping over the khuff is still not accepted.”⁶⁷ As humorous as they may seem today these were the important legal questions of their day regarding purification and footwear. The 19th century Ḥanbalī jurist Mūsā al-

⁶² Ibid, lines 22-24.

⁶³ Ibid, 56 lines 5-6, 57 lines 1-4.

⁶⁴ Muḥammad Bak al-Ḥusaynī, ed., *al-Fatāwā al-Hindiyya aw al-Fatāwā al-‘Ālimkarīya* (Beirut: Dār an-Nawādir, 2013), 32.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

Qudūmī an-Nābilusī gives us seven conditions for wiping over the khuffayn in his small treatise *Al-Ajūba al-Jalīya fī al-Aḥkām al-Ḥanbalīya* (*The Obvious Questions Regarding The Verdicts of the Hanbalīs*) where he states, “Wearing them after the perfect purification (*tahāra*) with water, they cover the obligatory area, it is possible to walk in them according to custom, they remain firmly in place by themselves, they are permissible (*mubāḥ*), they are made from a pure material, and that they cover skin (i.e. not transparent).⁶⁸ The largest and most encyclopedic book in the Ḥanafī madhhab to date is commonly known as *Ḥāshīyat Ibn ‘Ābidīn* written by the 19th century Damascene Ottoman Jurist Muḥammad Amīn Ibn ‘Ābidīn and within the book there is over thirty pages regarding the khuffayn, but one passage right in the beginning of the chapter struck me as a modern reader. He mentions the modern shoe! He says, “The Legal definition of the khuff is that it covers the two ankles and most of it is made from leather or the likes of it. The condition of wiping on it is three matters. First that is was made to cover the obligatory area of washing the food and ankle, or there is a decrease of it (i.e. the khuff) smaller than the preventing tear (i.e. smaller than the three smallest toes), so it is acceptable [to wipe] upon the shoe (*zurbūl*) if it is tied, unless the space of three toes are apparent. The jurists of Samarkand allowed covering the two ankles with a bandage [if the shoes did not cover the ankles, they could be augmented with bandages].”⁶⁹ This clearly demonstrates that foot-gear not only was changing but that jurists were still reexamining their own tradition to fit new scenarios.

Modernity and Adaptation: From Boots to Socks

As modernity characterized by industrialization and globalization swept the world, the traditional khuff lost practical prominence, and

⁶⁸ Mūsā al-Qudūmī an-Nābilusī, *Qaddūmī's Elementary Hanbali Primer*, ed. & trans. Joe Bradford (Origem Publishing, 2013), 29-30.

⁶⁹ Muḥammad Amīn Ibn ‘Ābidīn, *Ḥāshīya Radd al-Muḥtār ‘alā ad-Durr al-Mukhtār Sharḥ Tanwīr al-Abṣār*, ed. AbūBilāl Jamāl Bin ‘Abdul-‘Āl (Cairo: ad-Dār al-‘Ālimīya Li-an-Nashr wa at-Tawzī’, 2014), 1:433.

the modern shoe became the predominant footwear people were concerned with.

Contemporary Divisions: Traditionalists vs. Salafists

We find four distinct movements amongst Sunnis in our contemporary time. Dr Brown calls them the Islamic Modernists, the Modernist Salafists, the Traditionalist Salafists, and the Late Sunni Traditionalists.⁷⁰ These four categorizations are not perfect, but help us to understand, generally, Islamic thought in our time. The Islamic Modernists were most notably Qur'anists accepting the criticism of hadiths by Orientalists like Muir and Goldziher. Most of them rejected all hadiths, except for a minority that held mutawātir hadiths would be considered.⁷¹ Islamic Modernists, therefore, most likely would not concern themselves with wiping on the khuffayn since it is based in a hadith, except for those who considered mutawātir hadiths. The khuffayn, as mentioned previously, is established by a mass transmission (mutawātir hadith). One of the notable features of the Salafist Modernists is that they did not hold aḥād hadith transmissions (i.e. not mutawātir) to be theologically binding. "Whoever feels comfortable with them can believe in them. But none can be forced to believe in them or be declared an unbeliever for rejecting them."⁷² Thus, the Salafist Modernists most likely would have taken into consideration the theological and legal implications of the mass transmitted hadith regarding the khuffayn. Myself coming out of a Traditionalist Salafist seminary school, the researcher was taught that khuffayn were not only theologically important, but legally relevant. Despite usually rejecting weak (ḍa'īf) hadiths for any matter, breaking with the practice of pre-modern Muslim scholars, the Traditionalist Salafists are most known for their elevation of hadiths with their most illustrative example being Muḥammad Nāṣir al-Dīn

⁷⁰ Jonathan A.C. Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World* (London: Oneworld Publications, 2016), 243.

⁷¹ Ibid, 244; I am using the transliteration of حديث used by Dr. Brown.

⁷² Ibid, 253.

al-Albānī (d. 1999).⁷³ They are known for casting away the institutions of classical Islam and relying on hadiths as their ultimate source for interpreting the religion. Of their mainstays is using the aḥād hadith transmissions for both theology and law, and emphasizing the spirit of Ijtihād (the application of legal theory and legal reevaluation).⁷⁴ When it comes to wiping over the khuff in the modern context, Traditionalist Salafists and Modernist Salafists are most known for allowing the wiping over modern cotton socks. As noted earlier, the Muslim scholars of pre-modernity never allowed this, saying, to the effect, that wiping over the boots was a dispensation for washing the feet as ordained in the Qur'an. A substitute (i.e. the khuff) cannot have another substitute, nor a dispensation (rukḥṣa) have another dispensation, was their legal reasoning. The fashion in which the Modernist and Traditionalist Salafists finagle their way around this legal precept is by saying that the aṣl (original) is the matn (text/hadith) of the khuffayn and the substitute is the wiping over cotton socks. In America, just from what the researcher has personally witnessed, this type of legal reasoning has had a huge impact. People like ease and wiping over the sock is a lot easier than washing your foot in a sink at work/school/the mall, etc, especially when you are a Muslim minority in a Muslim majority country. Nobody likes to be the weird person caught with his foot in the sink. It's not merely the feeling of being caught with your foot in the sink, but in 2016 it even became a debate on public radio in St. Cloud, Minnesota, because parents were concerned with sanitation at their local high school complaining the Muslim ablution ritual was contaminating the high school sinks. It has become a stigma and a taboo that American Muslims are quick to avoid if possible. Late Sunni Traditionalists, on the other hand, more or less, maintain all of the components rejected by the three previous groups mentioned above. Brown says, "Late Sunni Traditionalists subordinate hadiths to the interpretive traditions of the Sunni schools of law and Sunni legal theory. Late Sunni Traditionalists affirm their total confidence in the

⁷³ Ibid, 256-257.

⁷⁴ Ibid, 258.

classical method of hadith criticism; as Al-Ghazālī says, ‘I do not know its equal in the history of human culture in terms of establishing principles for verification.’ They also, however, entrust jurists, not hadith scholars, with the ultimate authority in determining the authenticity and implication of a hadith.”⁷⁵ Late Sunni Traditionalism, the school to which I now adhere, is famously known for not allowing the wiping over modern socks, but only the khuffayn as they were classically understood (as boots or leather socks). This is sometimes even explicitly mentioned like in Nuh Keller’s translation of *‘Umda as-Sālik* where he says, “Not modern dress socks, which are not valid to wipe in any school, even if many are worn in layers.”⁷⁶ This is because many Late Sunni Traditionalist jurists stipulate that one must be able to walk one farsakh⁷⁷ without it tearing more than the size of the three smallest toes, and certainly modern socks to not fulfill this condition. Nuh Keller also says, “The footgear Muslims generally use for this (i.e. khuff) are ankle-high leather socks that zip up and are worn inside the shoes.”⁷⁸ Dr. Imran Ahsan Khan Nyazee also translated the khuff as ‘boots’ every single time in his translation of *Al-Hidāya*.⁷⁹ To contrast this with a Somali Traditionalist Salafist, Cusmaan Cali Faarax, in his book *Fahamka Kitaabka Iyo Sunnada*, where he reveals to us quite succinctly the Traditionalist Salafist approach. The Somali Jurist’s section in the book regarding the khuff is titled as, “The wiping [on] the two khuffs, shoes, and socks.” He explains in this chapter that if one wears a sock, shoe, or khuff, that he may wipe over them instead of washing his feet. He quotes a hadith evincing the practice of wiping over the khuff, and a second hadith evincing the practice of wiping over socks and sandals. He goes on to state that the some of the ‘Ulamā’ stipulated the condition of the khuff being water proof or reaching the ankles unlike sandals,

⁷⁵ Ibid, 262.

⁷⁶ Aḥmad an-Naqīb al-Miṣrī, 69.

⁷⁷ ~3 miles or 6km in modern measurements.

⁷⁸ Aḥmad an-Naqīb al-Miṣrī, 68.

⁷⁹ Burhānudīn al-Marghīnānī, *Al-Hidāya: The Guidance*, ed. & trans. Dr. Imran Ahsan Khan Nyazee (Islamabad: Center For Excellence in Research, 2016), 1:79.

but he goes on to patronizingly say that the previous Muslim scholars were wrong, that there is no evidence in Qur'an or the hadith for such stipulations, and the stronger opinion is to ignore those stipulations thus allowing the wiping over shoes and socks.⁸⁰ These two examples perfectly highlight the current dichotomy on the khuffayn between the Late Sunni Traditionalists and Traditionalist Salafists.

CONCLUSION

Whether or not you wipe on your socks, or wipe on your boots, no one can deny the importance that the khuffayn has had on, not only theology, but also Islamic ritual law. However, it does seem clear that in the medieval period the khuff resembled more a moccasin boot than any other type of footwear. Classical Muslim Scholars strongly emphasized the khuffayn for their creedal implications, and for the legal dispensation they represented. Undoubtedly, it is much easier to wipe over your boots or leather socks while traveling trying to conserve your water in the desert. Classical Jurists seemed much more concerned with the materials the khuff was made out of, or what the method of wiping may be. On the contrary, modern Jurists were more concerned with whether shoes or socks counted as khuffs or not. Ultimately, this is merely scratching the surface of Sunni Islamic thought regarding the khuffayn, and there is a lot of more work to be done by future researchers.

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⁸⁰ Cusmaan Cali Faarax, *Fahamka Kitaabka Iyo Sunnada*, (Egypt: Dar Alsalam Printing, 2000), 86-88.

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