The Islamic Ruling Concerning

The Clothing of the Pious

The Shari'ah proofs of the non-slit Arab Kurta being Sunnah

Compiled By: Moulana Abdur Rauf
A student of Moulana Muzahimul Alim Saharanpur

Translation Edited By: Mufti Azizul Hossain Elias (May Allah Protect him)

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This booklet is a compilation by Moulana Abdur Rauf, a student of Mazaahir Uloom of the famous institute in Saharanpur, U.P. India. The answer is provided by the grand Mufti of Bangladesh, Hadhrat Moulana Foydhullaah and approved by the Muftis of Mazaahir Uloom.

Then the ruling of the Mufti of India, Hadhrat Mufti Mehmood ul Hasan Gangohi is presented followed by the ruling of the Mufti of Pakistan, Hadhrat Mufti Shafi.

May Allaah Jalla Majdahu accept the effort of the respected author and all those who aided in this most valuable work.

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KURTA!!!
IS YOURS ACCORDING TO THE SUNNAH?

THE SUNNAH KURTA!!!

KURTA ..... SLIT OR NON-SLIT!!!

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PREFACE
Clothing of the Pious

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad ﴿ is the faithful servant and the Last Rasul of Allaah. May Allaah Ta’ala’s mercy be on him, his family and his Sahabaah and may He bless them and raise their status.

This booklet is a compilation by Moulana Abdur Rauf a student of Mazaahir Uloom of the famous institute in Saharanpur, U.P. India. The answer is provided by the grand Mufti of Bangladesh, Hadhrat Moulana Faydhullaah and approved by the Muftis of Mazahir Uloom.

In some quarters the laws pertaining to the size, length and shape of the Kurta has become hair splitting and nerve wrecking.

Whilst in other areas the matter has reached levels of hiring and firing, raising cries of ‘slit’ or ‘split’ (go). Fortunately the above burning issue has been academically, professionally addressed in most civil and cultured manner utilizing the proofs from reliable authentic sources.

Discussion on the word ‘Qamis’ is made then proofs rendered from the Sunnat, Ahadith and Fiqh books.
The research shows:

1. 'Sunnah is that which Nabi ﷺ or any of his companions did.' (Imam Tahawi (التمهيد العامة))
2. 'It would be impossible to perform Salaat wearing the slit kurta in vogue …'
3. 'The one who adopts these dimensions (anywhere from below the knees till above the ankles) will be regarded as having fulfilled the Sunnah' - Shaykh Muhaddith Dehlawi;
4. Imam Nawawi (التمهيد العامة) writes, 'There is no problem in wearing one's garment from anywhere between the knees till the ankles, but till half the shin is preferable (Mustahab), and lower than this till the ankle is permissible and not detested at all. Whatever falls below the ankles is prohibited. [Commentary of Sahih Muslim vol.2 p.195].
5. The Sunnah length will be till half the shin, but whatever is below this but above the ankles will also be permissible.
6. 'Nevertheless, it will be permissible to lower it till above the ankles.' Allamah Qadhi Thanaullah Pani Patti.
7. Defining the Qamis, Mulla Ali Qari (التمهيد العامة) says, "It is a sewn garment with sleeves, having no slits.”
8. The fact that our pious elders chose to wear the non-slit clothing in preference to the slit clothing is sufficient proof of its superiority.
9. Hadhrat Umar ﷺ ‘Refrain from the dress code of the non-Arabs.’
10. If a pious person or a spiritual mentor (no matter who he may be) is seen wearing a kurta that is contrary to the Sunnah, or does anything for that matter that is contrary to the Sunnah, he cannot be followed, and his action cannot be regarded as any proof or evidence in the Shariah. However, it is acceptable for him to err as he is human and not an angel.

The author of Tafsir Mazhari, Qadhi Thanaullah Pani Patti (التمهيد العامة) says, ‘Anyone who says or does anything contrary to Sunnah will have to be rejected, irrespective of who the person is.’

Then the ruling of the Mufti of India, Hadhrat Mufti Mehmood ul Hasan Gangohi (التمهيد العامة) is presented followed by the ruling of the Mufti of Pakistan, Hadhrat Mufti Shafi (التمهيد العامة).

Thus adherence to the reliable authenticated will lead to salvation in all worlds.

Allaah Jalla Majdahu bless all.

A.H.Elias (Mufti)
Muharram 1431
January 2010
Durban.

Question

What do the ‘Ulamâ’ and the Muftîn have to say regarding the following:

1) Are the slit kurtas the clothing of the Fussâq (sinners) and Bidatis (innovators), or is it permissible to wear them? Please elaborate with proof.

2) Is the Arab round non-slit kurta the Sunnat attire or is it Mustahab (preferable)? Is this type of kurta the clothing of the Salafus Sâlihin, or is it the attire of the later pious people only?

Please explain with proof.

Answer

We praise Allaâh and send salutations on his noble messenger.

It should be noted that there are few types of clothing that are common among the Ulamâ’ and students of our society.

1) Punjâbi kurta: the description of this kurta is known to all.

[The author refers to the people of Bangladesh in his era – translator]

It is extremely short with out slits. This type of kurta is common among the Fussâq and Fujjâr (sinners and transgressors).

2) Such a kurta which has slits that are so long that the one wearing it appears to be naked. i.e. the slits go up to the thighs.

3) Such a kurta whose length reaches half the shin together with extremely short slits approximately four, ten or twelve fingers in length.

4) Such a kurta which reaches half the shin and does not have any slits i.e. it is similar to the common non-slit Arab kurtas.
Concerning the first two types, there is no doubt that it should be prohibited due to them coming under the purview of the following Ahādīth:-

1) The one who imitates a nation is part of them.
2) The one who increases the number of a people is part of them.
3) Many a persons who was clothed in the world will be naked on the day of Qiyāmah (due to them wearing insufficient clothing to cover their Awrah (parts of the body necessary to cover)

As far as the third type of kurta is concerned, since there is no cause for its prohibition, neither any reason for its preference, thus it will be permissible to wear.

Before explaining the rule concerning the fourth type it is imperative to explain a few preludes.

1) In substantiating the laws of Shariah just as explicit sources (Ibāratun Nass) and text are taken into consideration similarly implicit texts (Ishāratun Nass) are also regarded (according to its various categories), as explained in the books of Usūl (principles ) of Fiqh.

2) The actions and practices of Sahabah which Nabi approved of, are attributed
to Nabī himself. (Referred to as tacit approvals).

3) The tacit approvals of Nabī, even though they be the mere habits of Sahabah, can be regarded as sunnah or Mustahab, as stated by Imam Tahāwī:-

والسنة ما فعل النبي صلى الله عليه وسلم أو أحد من أصحابه

'Sunnah is that which Nabī or any of his companions did.'

4) The clothing that Nabī loved and use to wear the most was the Qamīs (kurta).

Proof 1

The narration of Umme Salamah

كان أحب الثياب إلى رسول الله صلى الله عليه وسلم القميص

'The most beloved clothing to Rasūlullāh was the Qamīs (kurta)

[Abū Dāwūd, Tirmizī, Mishkât vol. 2 p.374]

Proof 2

قال الإمام ابن الحسين العراقي رحمه الله فيه ندب ليس القميص
وأنه كان أحب الثياب إلى رسول الله صلى الله عليه وسلم لياً فيه
من مؤيد الستار لاحاظته بالهدنة بالخياطة بخلاف الرداء
والإزار وغيرها مما يحتاج إلى ربط وإمساك ولف وعقد ورباً
غفل عنه لا بعده فيبسط بخلاف القميص. شرح الشبلأل
The Clothing of The Pious

Imam Zaynūd Din Al-Iraqī says: ‘From the above hadith we can deduce that it is preferable to wear the Qamīs, and that it was the most beloved clothing for Rasūlullāh due to it being more concealing. This is on account of it being sewn in such a way that it covers the entire body. Contrary to the Ridā (Sheet/cloth worn over the upper part of the body) and the izār (lower sheet) and other such garments that either have to be folded, tied or fastened in some way or the other. If a person is negligent in securing it, it can open up. This is not so with the Qamīs. [Sharh ush Shamāil vol.1 p.8]

Proof 3

عن سلمة بن الأكوع رضي الله عنه قال قلت يا رسول الله إنني رجل أصيب بأص陈列 في القميص الواحد قال نعم وأوزرته ولو بشوكة. أبو داود والنسائي، مشكاة 183

Salama bin Akwa narrates that I asked Rasūlullāh, “I am fond of hunting, can I perform Salāh in a Qamīs only (only a kurta without a trouser or lungi).” Rasūlullāh replied, “Yes, but fasten it. Even it means using a thorn.”

Proof 4

عن أبي ناكر السفياني رضي الله عنه قال أمنا جابر بن عبد الله في قميص ليس عليه رداء فلما انصرف قال رأيت رسول الله صلى الله عليه

From the above mentioned narrations it is evident that Rasūlullāh himself and the Sahābah used to read Salāh in one piece of clothing. It would be impossible to perform Salāh wearing the slit kurts in vogue as without any doubt, the Awrah would be exposed. Concealing the Awrah is among the Farâ’id (obligatory actions) of Salāh.

Proof 5

عن ابن عباس رضي الله عنه أنه صلى الله عليه وسلم كان يلبس قميصاً فوق الكعبين. الجمع الصغير للسيوطي

It is narrated from Ibn Abī Ḥāmid that Rasūlullāh used to wear a Qamīs (kurta) that used to be above the ankles. [Al Jami’us Sahîr of Suyūtî from Ibn Mājah – Mîqât vol.8 p.248, Pakistan]

Proof 6

وللغز الحاكم في مستدرك كأن قميصاً فوق الكعبين
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Hâkim narrates in his Mustadrak, “The Qamîs of Rasûlullâh used to be above his ankles.”

It is also known that Nabî greatly emphasized wearing the izâr (a piece of cloth used as a lower garment) up to half the shin. Bear this in mind when studying the seventh proof.

Proof 7

ما قال رسول الله صلى الله عليه وسلم في الizar فهو في القميص

أبو داود.

Abdûlîh bin Umar says, “What Rasûlullâh stipulated regarding the izâr (its length being till half the shin) also applies to the Qamîs.”

Proof 8

وأما القدر المستحب في ما ينزل إليه طرف القميص والizar فنصف الساقين

Ibn Nawawî writes in his commentary of Sahîh Muslim,

‘The preferable extent that the hem of the Qamîs (kurtâ) should reach, is till half the shin.’

[Commentary of Sahîh Muslim vol.2 p.195]

Proof 9

Shaykh Muhaddith Dehlawî writes in Madârij un Nubuwwah (vol.1 p.472), ‘The hem of the blessed Qamîs, izâr (lungi), and Ridâ (sheet) of Rasûlullâh used to reach half the shin.’

He further writes, ‘The term ‘middle of the shin’ that is found in the hadîth points to the fact that it does not have to be precisely half the shin. Anywhere from below the knees till above the ankles will fall under the context of these words. The one who adopts these dimensions will be regarded as having fulfilled the Sunnah.’

Proof 10

كما في حديث ابن عمر المذكور ولا جناح فيما بين الكعبين في 설치 حفرة بينهما وهو تستحب نصف الساقين بالجائزا ولا كراهة ما تحته إلى الكعبين فهذا لغة للшибاء في حفرة محينة.

Ibn Nawawî writes, ‘There is no problem in wearing ones garment from anywhere between the knees till the ankles, but till half the shin is preferable (Mustahab), and lower than this till the ankle is permissible and not detested at all. Whatever falls below the ankles is prohibited.

[Commentary of Sahîh Muslim vol.2 p.195]’

Hence, the clothing that was most beloved to Rasûlullâh and most frequently used by him, the Sahâbah, the Tābiîn will without any
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doubt be the most desirable and recommended. Similarly, as mentioned above, the Sunnah length will be till half the shin, but whatever is below this but above the ankles will also be permissible.

Proof 11
Allāmah Qadhāh Thanāullāh Pānī Pāttī writes, 'One should not wear such appealing and fashionable clothing that attracts the attention of people, and the hem of the kurta should extend to half the shin. Nevertheless, it will be permissible to lower it till above the ankles. [Mā Lā Budda Minhu p.120 – Chapter on Clothing]

Proof 12

Imām ul Asr Allāmah Anwar Shāh Kashmirī says, 'According to the Arabs, the Qamīs is a garment that is long and reaches the ankles. (Contrary to the Qamīs of the people of India which only reaches upto the thigh, and as far as terminology is concerned, that of the Arabs is considered and accepted.]

Proof 13
Mullā Ali al Qārī states that Shaykh Jazrī has defined the Qamīs as,

'It is a sewn garment with sleeves, having no slits.'

Proof 14
Whenever someone from amongst the Sahābah asked Rasūlullāh  permission to perform Salāh in one garment only, he was granted permission. In this instance, the Salāh can only be valid if we regard the Qamīs to be without slits till half the shin, otherwise the thighs would become exposed, rendering the Salāh invalid.

Proof 15
It is narrated regarding Salama bin Akwa that at times, for hunting purposes, he would remain in only one garment. This would be permissible only when the Qamīs together with being upto half the shin had no slits, otherwise his Awrah would have become exposed.

Proof 16
It is mentioned in the books of Fiqh that if a person performs Salāh in one garment only, and he is able to see his Awrah through the opening of his collar, his Salāh will be intact.

From this we deduce that the concept of Qamīs according to the Fuqahā' is that which reaches half the shin without slits. Otherwise, it is impossible to understand the permissibility of the Salāh. (If slits were present, then the thighs would have become exposed on account of no lower garment.)

Proof 17
The clearest proof, is that the Arabs from the time of Rasūlullāh up till this day wear the kurta that reaches mid-shin, without slits. Over and above this is the Taāmul and Tawāruth (continuous practice) of
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the pious predecessors which is regarded as an independent proof according to the Fuqahā’.

**Proof 18**

The fact that our pious elders chose to wear the non-slit clothing in preference to the slit clothing is sufficient proof of its superiority. To imitate the pious is surely a means of success. It is stated in a hadith,

من تشبه ي يقوم فهو منهم أبو داود

‘Whoever imitates a nation is from amongst them.’ [Sunan Abū Dāwūd]

If someone objects, saying, ‘What is necessary is to cover the body, irrespective how this is done’, it will be said, ‘If just the mere covering of the body was desired in Sharī'ah then we would not have found the Fuqahā’ and Muhaddithīn mentioning a complete chapter on clothing, nor would there have been so many hadith narrated from Rasūlullāh صل الله عليه وسلم concerning this subject.

Therefore, we can confidently say that it is not just a matter of covering the body, but an action of merit and reward too. This will be the case if one does it in the way of Rasūlullāh صل الله عليه وسلم.

Mention is made in the books of fiqh regarding the prohibition of such clothing that the westerners and tyrants wear. How can it ever be that the ulamā’ who are the inheritors of the legacy of Rasūlullāh صل الله عليه وسلم ever wear the clothing of the non-

ulamā’! Hence, it is mentioned in Hidāyah (Renowned Hanafī Fiqh work),

ورأته من ذي الأكاسة والجبارة والتشبيه بهم حرام وقال عمر رضي الله عنه إنه كرز زي الأعاجم

‘...because it is the clothing of the kings and oppressors, and imitating them is forbidden. Umar  said, “Refrain from the dress code of the non-Arabs.”’

Thus it is as clear as daylight that such clothing (of the non-Arabs) that does not match the Arab clothing is contrary to the Sunnah and should be shunned.

Similarly, we have been prohibited from imitating the non-Arabs in other matters. In a hadith it is explained:

فقال صلى الله عليه وسلم لا تقوموا كما تقوم الآعاج يعظم بعضهم بعض. أبو داود. مشكلة.

“Do not stand in honouring one another like the non-Arabs.” [Sunan Abū Dāwūd, Mishkār vol.2 p.403]

The objective of the establishment of Islāmīc institutes is that together with imparting knowledge, our students become Muttaqī (conscious of Allāh ﷻ), Allāh Wāla (friends of Allāh ﷻ), Sīfī (pious), and Daī (inviters) to Dīn. These institutes were not established to learn the Arabic language only.

It is now clear that the non-slit kurta, extending to half the shin is Sunnah. If a person mocks at, or
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makes a joke of any outwardly trivial aspect of Din, then he comes under the stern warnings mentioned in the Ahâdith. Therefore it is imperative that every Muslim abstains from such actions.

A Persian couplet says:
No matter which path you tread contrary to the way of the messenger you will never reach your destination.' It is important that every Muslim adheres to the Sunnah. Only in it lies true success. It is important that this Sunnah of Rasûlullâh (the non-slit kurta till half the shin) should not be neglected or treated lightly, as practising on any Sunnah is better than the worship of many years.

Shaykh Abdul Haqq Muhaddith Dehlawi explains, 'To practice upon the Adâb (etiquettes) proven from ahadith of relieving oneself with the intention of Sunnah is far better than building Madâris (Islamic Institutes) and Ribât (travellers rest houses). [Ashiatul Lamaat vol.1 p.147]

Moreover, Mujaddid Alf Thani in his Maktûbât, ‘To practice on the Sunnah of Rasûlullâh to the extent of an atom can never be equated to all the enjoyments and bounties of the next life.’ [Maktûbât vol.1 p.135]

The reward will be increased indefinitely, especially in this age that is full of tests and trials.

It is narrated by Abû Hurayrah in a hadith, Rasûlullâh said, "The one who holds fast to my Sunnah at the time of the corruption of my ummah will attain the reward of a hundred martyrs." [Bayhaqi, Mishkat vol.1 p.30]

If a pious person or a spiritual mentor (no matter who he may be) is seen wearing a kurta that is contrary to the Sunnah, or does anything for that matter that is contrary to the Sunnah, he cannot be followed, and his action cannot be regarded as any proof or evidence in the Shariah. However, it is acceptable for him to err as he is human and not an angel.

The author of Tafsir Mažhari, Qâdhî Thanâullâh Pâni Patî says, ‘Anyone who says or does anything contrary to Sunnah will have to be rejected, irrespective of who the person is.’

Âisha reports that Rasûlullâh said,

"Whoever brings about something new in this Din of ours which is not part of it will be rejected.” [Mishkat vol.1 p.27]

A Persian couplet states:
‘No action or statement of any spiritual guide is a proof in Sharîah (if it conflicts the Sunnah of Rasûlullâh). The truth that was revealed from Allâh and the way of Rasûlullâh has to be followed.
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Rasûlullâh ﷺ has given testimony of excellence regarding three eras, that of the Sahâbah ﷺ, Tabî‘în, and the Tabut Tabî‘în.

From among you will you see abundance of difference. Therefore, hold fast to my Sunnah and the Sunnah of the rightly guided successors...

[Musnad Ahmad, Sunan Abû Dâwûd, Mishkât vol.1 p.29-30]

Thus, during the trying times of differences, if these three eras will be kept as an example, then success is inevitable.

Compiled by a Student

Abd ur Ra’ûf
(May Allaâh forgive him and the translators)

The occurrence of differences after these blessed eras has been mentioned in the ahadith:

Nabi ﷺ said, “I advise you with the fear of Allaâh and obedience to your leaders, even if he be an Abysinnian slave, for verily he who remains...
The Clothing of Nabî

The fatwa (verdict) of Faqīhul Ummah Al-Muftī Al-ʿAzam of India Hadhrat Muftī Mahmūd Al-Hasan Gangohi regarding the clothing of Nabî ﷺ.

**Question:** What type of clothing was common during the time of Rasūlullāh ﷺ?

**Answer:** Kurtas were used and in vogue long before the time of Rasūlullāh ﷺ, the Qur'ān mentions with regard to the kurta of Yūsuf ﷺ.

Nevertheless, as far as the Indian kurta is concerned, it was not worn by the Arabs. The kurta of the Arabs generally used to be till above the ankles and round, i.e. it did not have the slits that our Indian kurtas have. [Malfṣāḥat Faqīhul Ummah part 5 p.43]

An Excerpt from Thamarāṭul Awrāq
by Al-Muftī Al-Aʿzam of Pakistan
Hadhrat Muftī Shafiʿ Al-Uthmānī Al-Deobandi

It is narrated in the Sunan al Arba'ah (four famous books of hadīth) from Salamah bin Akwa that he said to Rasūlullāh ﷺ that I am a hunter, (tying a lower garment and running is difficult). Is it permissible that I wear only the kurta and perform Salāh wearing it as well? Nabi ﷺ replied, “Yes, but fasten the collar even if it means using a thorn.”

**Note:** The kurta of the Arabs used to be long, reaching half the shin, and there were no slits on the left or right hand side. Based on this, in wearing only the kurta there was no possibility of any nakedness or any of the private areas (awrah) being exposed. [Thamarāṭul Awrāq a compilation of the monthly journal “Al-Muftī” - Deoband p.15]

Translation edited by
Muftī Afzal Hoosen Elias
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