English Translation of

Sahîh Muslim

Volume 4

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Chapter 1. Marriage Is Recommended For The One Who Desires It And Can Afford It, And The One Who Cannot Afford It Should Distract Himself By Fasting

[3398] 1 - (1400) It was narrated that 'Alqamah said: “I was walking with 'Abdullâh in Minâ when he was met by 'Uthmân. He stood and talked with him and 'Uthmân said to him: ‘O Abû 'Abdur-Rahmân, shall we not marry you to a young girl who can remind you of times past?’ 'Abdullâh said: ‘If that is what you are telling me, (let me tell you that) the Messenger of Allâh ﷺ said to us: O young men, whoever among you can afford it, let him get married, for it is more effective in lowering the gaze and guarding one’s chastity. And whoever cannot afford it should fast, for it will be a shield for him.’”
[3399] 2 - (...) It was narrated that 'Alqamah said: "I was walking with 'Abdullâh bin Mas'ûd in Minâ when he was met by 'Uthmân bin 'Affân who said: 'Come here, O Abû 'Abdur-Rahmân.' He took him aside, and when 'Abdullâh saw that there was no need for that, he said to me: 'Come here, O 'Alqamah.' So I came. 'Uthmân said to him: 'Shall we not marry you, O Abû 'Abdur-Rahmân, to a young virgin hoping that you might regain some of that which you had in the past?' 'Abdullâh said: 'If you are telling me that..."' and he mentioned a Hadîth similar to that of Abû Mu'âwiyah (no. 3398).

[3400] 3 - (...) It was narrated that 'Abdullâh said: The Messenger of Allâh ﷺ said to us: "O young men, whoever among you can afford it, let him get married, for it is more effective in lowering the gaze and guarding one's chastity. And whoever cannot afford it, let him fast, for it will be a shield for him."

[3401] 4 - (...) It was narrated that 'Abdur-Rahmân bin Yazîd said: "My paternal uncle
‘Alqamah, Al-Aswad and I entered upon ‘Abdullâh bin Mas‘ûd who said: ‘I was a young man in those days,’ and he narrated a Hadith which he seemed to narrate for my sake. He said: ‘The Messenger of Allâh ﷺ said...’ a Hadith like that of Abû Mu‘âwiyyah (no. 3398), and he added: “It was not long before I got married.”

[3402] (…) It was narrated that ‘Abdullâh said: “We entered upon him and I was the youngest of the people...” a Hadith like theirs (no. 3401), but he did not mention (the phrase): “It was not long before I got married.”

[3403] 5 - (1401) It was narrated from Anas that a group of Companions of the Prophet ﷺ asked the wives of the Prophet ﷺ about what he did in private. One of them said: “I will not marry women.” Another said: “I will not eat meat.” Another said: “I will not sleep in a bed.” He (the Prophet ﷺ) praised and extolled Allâh, then he said: ‘What is the matter with people who say such and such? I pray and I sleep, I fast and I break the fast, and I marry women.
Whoever turns away from my Sunnah is not of me.”

[3404] 6 - (1402) It was narrated that Sa‘d bin Abi Waqqâs said: “The Messenger of Allah forbade ‘Uthmân bin Maz‘ûn to be celibate. If he had given him permission, we would have gotten ourselves castrated.”

[3405] 7 - (...) It was narrated that Sa‘eed bin Al-Müsâyyab said: “I heard Sa‘d say: ‘He forbade ‘Uthmân bin Maz‘ûn to be celibate. If he had given him permission, we would have gotten ourselves castrated.”

[3406] 8 - (...) Sa‘íd bin Al-Müsâyyab narrated that he heard Sa‘d bin Abî Waqqâs say: “‘Uthmân bin Maz‘ûn wanted to be celibate, but the Messenger of Allah told him not to. If he had allowed him to do that, we would have gotten ourselves castrated.”
Chapter 2. Recommendation
To The One Who Sees A Woman And Is Attracted To Her, To Go To His Wife Or Slave Woman And Have Intercourse With Her

[3407] 9 - (1403) It was narrated from Jâbir that the Messenger of Allâh saw a woman, then he came to his wife Zainab who was tanning a leather, and fulfilled his desire, then he went out to his Companions and said: "A woman comes in the form of a devil and goes in the form of a devil. If one of you sees a woman, let him go to his wife, for that will repel what he feels in his heart."

[3408] (...) It was narrated from Jâbir bin ‘Abdullâh that the Prophet saw a woman... and he mentioned a similar report (as no. 3407), except that he said: "He came to his wife Zainab who was tanning a leather," and he did not mention (the phrase): "And goes in the form of a devil."
Jâbir said: “I heard the Prophet say: ‘If one of you likes a woman and feels attracted to her, let him go to his wife and have intercourse with her, for that will repel what is in his heart.’”

Chapter 3. Mut’ah Marriage: It Was Permitted Then Abrogated, Then Permitted Then Abrogated, And It Will Remain Forbidden Until The Day Of Resurrection

‘Abdullâh said: “We were on a campaign with the Messenger of Allah, and we had no women with us. We said: ‘Why don’t we get ourselves castrated?’ But he forbade us to do that, then he granted us a concession allowing us to marry women in return for a garment, for a set period of time.” Then ‘Abdullâh recited the verse: “O you who believe! Make not unlawful the Tayyibât (all that is good as regards foods, things, deeds, beliefs, persons) which Allâh has made lawful to you, and transgress not. Verily, Allâh does not like the transgressors.”[1]

[3411] (…) A similar report (as no. 3410) narrated from Ismâ’îl bin Abî Khâlîd with this chain, and he said: “Then he recited this verse to us,” and he did not say: “Abdullâh recited.”

[3412] 12 - (…) It was narrated from Ismâ’îl with this chain (a Ḥadîth similar to no. 3410). He said: “When we were young men, we said: ‘O Messenger of Allâh, should we not get ourselves castrated?’” And he did not mention: “We were on a campaign.”

[3413] 13 - (1405) It was narrated that Jâbir bin ‘Abdullâh and Salamah bin Al-Akwâ’ said: “The caller of the Messenger of Allâh came out to us and said: ‘The Messenger of Allâh has given you permission to enter into Mut‘ah marriages with women.’”

[3414] 14 - (…) It was narrated from Salamah bin Al-Akwâ‘ and Jâbir bin ‘Abdullâh that the Messenger of Allâh came to us and gave us permission for Mut‘ah.
[3415] 15 - (...) ‘Ātā’ said: “Jābir bin ‘Abdullāh came for ‘Umrah and we went to him where he was staying, and the people asked him about various things. Then they mentioned Mut‘ah and he said: ‘Yes, we engaged in Mut‘ah at the time of the Messenger of Allāh صل الله عليه وسلم, Abū Bakr and ‘Umar.”

[3416] 16 - (...) Jābir bin ‘Abdullāh said: “We used to engage in Mut‘ah in exchange for a handful of dates or flour, for several days, at the time of the Messenger of Allāh صل الله عليه وسلم and Abū Bakr, until ‘Umar forbade it in the case of ‘Amr bin Ḥuraith.”

[3417] 17 - (...) It was narrated that Abū Nadrah said: “I was with Jābir bin ‘Abdullāh when someone came to him and said: ‘Ibn ‘Abbâs and Ibn Az-Zubair disagreed concerning the two Mut‘ah.’[1] Jābir said: ‘We did them both at the time of the Messenger of Allāh صل الله عليه وسلم, then ‘Umar forbade us to do them, and we did not do them again.”

[3418] 18 - (1406) It was narrated from Iyâs bin Salamah that his father said: “During the year of Awtâs, the Messenger of Allah ﷺ granted a concession allowing Mut'ah three,\(^1\) then he forbade it.”

[3419] 19 - (1406) It was narrated from Ar-Rabî‘ bin Sabrah Al-Juhanî that his father said: “The Messenger of Allah ﷺ gave us permission for Mut'ah, so I went with another man to a woman of Banû ‘Amir, who was like a young long-necked camel, and we proposed to her. She said: ‘What will you give me?’ I said: ‘My Ridâ’.’ My companion said: ‘My Ridâ’.’ My companion’s Ridâ’ was better than mine, but I was younger than him. When she looked at my companion’s Ridâ’ she liked it, and when she looked at me she liked me. Then she said: ‘You and your Ridâ’ are sufficient for me.’ I stayed with her for three (days), then the Messenger of Allah ﷺ said: ‘Whoever has any of these women with him, with whom he has engaged in Mut'ah, he should let her go.’”

\(^1\) Times or days.
It was narrated from Ar-Rabi' bin Sabrah that his father went out with the Messenger of Allah to conquer Makkah. He said: "We stayed there for fifteen - thirty between night and day - and the Messenger of Allah gave us permission to engage in Mut'ah marriages with women. I went out with a man from among my people, and I had an advantage over him in terms of good looks, as he was almost ugly. Each of us had a Burd. But my Burd was worn out whereas the Burd of my cousin was quite new. When we reached the lower part of Makkah, or the upper part, we were met by a girl like a long-necked young camel. We said: 'Will you let one of us engage in Mut'ah with you?' She said: 'What will you give me?' Each of us spread out his Burd and she started looking at the two men, and my companion saw her turning away from him. He said: 'This man's cloak is worn out but my cloak is quite new.' She said: 'There is nothing wrong with his cloak,' (she said this) three times or two times. Then I engaged in Mut'ah with her, and I did not come out until the Messenger of Allah forbade it."

Ar-Rabi' bin Sabrah Al-Juhani narrated that his father said: "We went out with the
Messenger of Allah ﷺ to Makkah during the Year of the Conquest...” and he mentioned a Hadith like that of Bishr (no. 3420), but he added: “Can that be possible?” And in (the report) it says: “He said: ‘This man’s Burd is old and worn out.’”

[3422] 21 - (...) Ar-Rabi’ bin Sabrah Al-Juhanî narrated that his father told him that he was with the Messenger of Allah ﷺ and he said: “O people, I had given you permission to engage in Mut’ah marriages with women, but now Allah has forbidden that until the Day of Resurrection, so whoever has any of them with him, he should let her go, and do not take back anything that you gave to them.”

[3423] (...) It was narrated from ‘Abdul-‘Azîz bin ‘Umar, with this chain. He said: “I saw the Messenger of Allah ﷺ standing between the Corner and the door, saying...” a Hadith like that of Ibn Numair (no. 3422).

[3424] 22 - (...) It was narrated from ‘Abdul-Malik bin Sabrah Al-Juhanî, from his father, that...
his grandfather said: "The Messenger of Allah permitted us to engage in *Mut'ah* during the Year of the Conquest, when we entered Makkah, then we did not leave Makkah before he forbade us to do that."

[3425] 23 - (...) It was narrated from Sabrah bin Ma'bad that during the year of the conquest of Makkah, the Prophet of Allah permitted his Companions to engage in *Mut'ah* marriage with women. He said: "I went out with a companion of mine from Banû Sulaim, and we found a girl from Banû 'Amir who was like a long-necked young camel. We proposed marriage to her, and showed her our *Burd*, and she started looking. She found me more handsome than my companion, but she saw that my companion's *Burd* was better than mine. She thought for a while, then she chose me over my companion. They were with us for three days, then the Messenger of Allah ordered us to part company with them."

[3426] 24 - (...) It was narrated from Ar-Rabi' bin Sabrah, from his father, that the Prophet forbade *Mut'ah* marriage.
It was narrated from Ar-Rabî’ bin Sabrah, from his father, that on the day of the conquest of Makkah, the Messenger of Allâh forbade Mut’ah marriage with women.

It was narrated from Ar-Rabî’ bin Sabrah Al-Juhani that his father told him that the Messenger of Allâh forbade Mut’ah at the time of the Conquest, i.e., Mut’ah with women, and that his father had engaged in a Mut’ah marriage in exchange for two red Burd.

‘Urwah bin Az-Zubair narrated that ‘Abdullâh bin Az-Zubair stood up in Makkah and said: “Allâh has made some people’s hearts blind as He has made their eyes blind; they issue Fatwa in favor of Mut’ah.” He was referring to a man who called him and said: “You are uncouth and lacking in manners. By Allâh, Mut’ah was done during the time of the leader of the pious” - meaning the Messenger of Allâh. Ibn Az-Zubair said to him: “Just try to do it yourself. By Allâh, if you do it, I will stone you.”

Ibn Shihib said: “Khâlid bin Al-
Muhâjir bin Şaifullâh told me that while he was sitting with a man, another man came to him and asked him about Mut’ah, and he gave him permission for that. Ibn Abî ‘Amrah Al-Anşârî said to him: ‘Wait a minute!’ He said: ‘What is it? By Allah, I did that at the time of the leader of the pious.’ Ibn Abî ‘Amrah said: ‘It was permitted in the early days of Islam, in cases of necessity, like dead meat, blood and pork, then Allaâh completed His religion and forbade it.’

Ibn Shihâb said: “Rabl’ bin Sabrah Al-Juhâni told me that his father said: ‘At the time of the Prophet ﷺ, I engaged in Mut’ah with a woman from Banû ‘Amir, in return for two red Burd, then the Messenger of Allaâh ﷺ forbade Mut’ah to us.’”

Ibn Shihâb said: “And I heard Rabî’ bin Sabrah narrating that to ‘Umar bin ‘Abdul-Azîz when I was sitting there.”

[3430] 28 - (...) It was narrated that ‘Umar bin ‘Abdul-Azîz said: “Ar-Rabì’ bin Sabrah Al-Juhâni told me, from his father, that the Messenger of Allaâh ﷺ forbade Mut’ah, and said: ‘It is unlawful from this day of yours until the Day of Resurrection, and
whoever had given them something, he should not take it back.”

[3431] 29 - (1407) It was narrated from ‘Ali bin Abī Tālib that the Messenger of Allah forbade Mut’ah marriage with women on the Day of Khaibar, and (he forbade) the meat of domestic donkeys.

[3432] (...) It was narrated from Mālik with this chain, and he said: “He heard ‘Alī bin Abī Tālib say to so-and-so: ‘You are a man who has been led astray. The Messenger of Allah forbade...”” a Hadīth like that of Yahyā bin Yahyā, from Mālik (no. 3431).

[3433] 30 - (...) It was narrated from ‘Ali that the Prophet forbade Mut’ah marriage on the Day of Khaibar, and (he forbade) the meat of domestic donkeys.
It was narrated from 'Alî that he heard Ibn 'Abîs being lenient about *Mut'ah* marriage with women. He said: “Wait a minute, O Ibn 'Abîs! The Messenger of Allâh ﷺ forbade it on the Day of Khâibar and (he forbade) the meat of domestic donkeys.”

‘Alî bin Abî Ṭâlib said to Ibn 'Abîs: “The Messenger of Allâh ﷺ forbade *Mut'ah* marriage with women on the Day of Khâibar, and (he forbade) the meat of domestic donkeys.”

Chapter 4. The Prohibition Of Being Married To A Woman And Her Paternal Aunt Or Maternal Aunt At The Same Time

It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘One should not be married to a woman and her paternal aunt, or
a woman and her maternal aunt, at the same time.”

[3437] 34 - (...) It was narrated from Abū Hurairah that the Messenger of Allâh ﷺ forbade being married to four women at the same time: A woman and her paternal aunt, and a woman and her maternal aunt.

[3438] 35 - (...) It was narrated that Abū Hurairah said: “I heard the Messenger of Allâh ﷺ say: ‘Do not marry a paternal aunt when you are already married to her brother's daughter, and do not marry the sister's daughter when you are already married to the maternal aunt.’”

[3439] 36 - (...) Abū Hurairah said: “The Messenger of Allâh ﷺ forbade a man to be married to a woman and her paternal aunt, or to a woman and her maternal aunt.”

Ibn Shihâb said: “We think that the maternal aunt of her father
and the paternal aunt of her father come under the same ruling.”

[3440] 37 - (...) It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘A man should not be married to a woman and her paternal aunt or maternal aunt at the same time.’”

[3441] 38 - (...) Abû Hurairah said: “The Messenger of Allâh ﷺ said...” a similar Hadîth (as no. 3440).

[3442] 38 - (...) It was narrated from Abû Hurairah that the Prophet ﷺ said: “A man should not propose marriage to a woman to whom his brother has already proposed, and he should not outbid his brother. A man should not marry a woman if he is already married to her paternal aunt or maternal aunt. A woman should not ask for her sister to be divorced so as to deprive her of what is rightfully hers, and so that she may be married in her stead; rather she will have what Allâh has decreed for her.”
[3443] 39 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ forbade marrying a woman when one is already married to her paternal aunt or maternal aunt, (and he forbade) a woman asking for her sister to be divorced so as to deprive her of what is rightfully hers and take it for herself, for Allâh [the Mighty and Sublime] is her Sustainer."

[3444] 40 - (...) It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ forbade being married to a woman and her paternal aunt or maternal aunt at the same time."

[3445]... - (...) A similar report (as no. 3444) was narrated from 'Amr bin Dinâr with this chain.

Chapter 5. The Prohibition Of Marriage For One Who Is In Ihrâm, And It Is Disliked For Him To Propose Marriage

[3446] 41 - (1409) It was narrated from Nubaih bin Wahb

[3447] 41 - (1409) حَدَّثَنَا مُحَمَّدٌ بْنُ أَبِي عُوْذٍ حَرِيرَةُ، أَخُوُّ النَّبِيِّ ﷺ، عَنْ أَبِي بُكْرَى، عَنْ أَبِي سَعْيَةَ، عَنْ أَبِي عُسُرٍ، عَنْ أَبِي بُكْرَى، عَنْ رَسُولِ اللَّهِ ﷺ، عَنْ أَبِي مُهَرَّمٍ قَالَ، تَنَٰزَعَ رَسُولُ اللَّهِ ﷺ بَيْنَ الْمَرَأَةِ عَلَى عَمْهَا أوْ حَرِيرَةٍ، أَوْ، أَنْ، تَنَٰزَعَ الْمَرَأَةُ طَلَاقَ أَجْهَالًا، لِتَكْتَفَّيْنَ، مَا فِي صَحِیْحٍ فَهُمَا، فَإِنَّ اللَّهَ ﻋَزَّ وَجَلَّ رَازِقَهُمَا. [3448] 41 - (1409) حَدَّثَنَا [مُحَمَّدٌ] بْنُ عُثْمَانُ بْنُ عُثْمَانُ وَيْسَارُ، وَاخْتُبْرُ، وَنَافِعُ، وَالْلَّيْثُ، وَيْسَارُ، وَنَافِعُ، وَقَالُوا: أَخْبَرَنَا أَبُو أَبِي عُذْرٍ عَنْ شَعِيبٍ عَنِّي عَنْ عُسُر، عَنِّي عَنْ أَبِي مُهَرَّمٍ قَالَ، تَنَٰزَعَ رَسُولُ اللَّهِ ﷺ بَيْنَ الْمَرَأَةِ عَلَى عَمْهَا أوْ حَرِيرَةٍ، أَوْ، أَنْ، تَنَٰزَعَ الْمَرَأَةُ طَلَاقَ أَجْهَالًا، لِتَكْتَفَّيْنَ، مَا فِي صَحِیْحٍ فَهُمَا، فَإِنَّ اللَّهَ ﻋَزَّ وَجَلَّ رَازِقَهُمَا. [3449] 41 - (1409) حَدَّثَنَا [مُحَمَّدٌ] بْنُ عُثْمَانُ بْنُ عُثْمَانُ وَيْسَارُ، وَاخْتُبْرُ، وَنَافِعُ، وَقَالُوا: أَخْبَرَنَا أَبُو أَبِي عُذْرٍ عَنْ شَعِيبٍ عَنِّي عَنْ عُسُر، عَنِّي عَنْ أَبِي مُهَرَّمٍ قَالَ، تَنَٰزَعَ رَسُولُ اللَّهِ ﷺ بَيْنَ الْمَرَأَةِ عَلَى عَمْهَا أوْ حَرِيرَةٍ، أَوْ، أَنْ، تَنَٰزَعَ الْمَرَأَةُ طَلَاقَ أَجْهَالًا، لِتَكْتَفَّيْنَ، مَا فِي صَحِیْحٍ فَهُمَا، فَإِنَّ اللَّهَ ﻋَزَّ وَجَلَّ رَازِقَهُمَا. [34410] 41 - (1409) حَدَّثَنَا [مُحَمَّدٌ] بْنُ عُثْمَانُ بْنُ عُثْمَانُ وَيْسَارُ، وَاخْتُبْرُ، وَنَافِعُ، وَقَالُوا: أَخْبَرَنَا أَبُو أَبِي عُذْرٍ عَنْ شَعِيبٍ عَنِّي عَنْ عُسُر، عَنِّي عَنْ أَبِي مُهَرَّمٍ قَالَ، تَنَٰزَعَ رَسُولُ اللَّهِ ﷺ بَيْنَ الْمَرَأَةِ عَلَى عَمْهَا أوْ حَرِيرَةٍ، أَوْ، أَنْ، تَنَٰزَعَ الْمَرَأَةُ طَلَاقَ أَجْهَالًا، لِتَكْتَفَّيْنَ، مَا فِي صَحِیْحٍ فَهُمَا، فَإِنَّ اللَّهَ ﻋَزَّ وَجَلَّ رَازِقَهُمَا. [34411] 41 - (1409) حَدَّثَنَا [مُحَمَّدٌ] بْنُ عُثْمَانُ بْنُ عُثْمَانُ وَيْسَارُ، وَاخْتُبْرُ، وَنَافِعُ، وَقَالُوا: أَخْبَرَنَا أَبُو أَبِي عُذْرٍ عَنْ شَعِيبٍ عَنِّي عَنْ عُسُر، عَنِّي عَنْ أَبِي مُهَرَّمٍ قَالَ، تَنَٰزَعَ رَسُولُ اللَّهِ ﷺ بَيْنَ الْمَرَأَةِ عَلَى عَمْهَا أوْ حَرِيرَةٍ، أَوْ، أَنْ، تَنَٰزَعَ الْمَرَأَةُ طَلَاقَ أَجْهَالًا، لِتَكْتَفَّيْنَ، مَا فِي صَحِیْحٍ فَهُمَا، فَإِنَّ اللَّهَ ﻋَزَّ وَجَلَّ رَازِقَهُمَا. [34412] 41 - (1409) حَدَّثَنَا [مُحَمَّدٌ] بْنُ عُثْمَانُ بْنُ عُثْمَانُ وَيْسَارُ، وَاخْتُبْرُ، وَنَافِعُ، وَقَالُوا: أَخْبَرَنَا أَبُو أَبِي عُذْرٍ عَنْ شَعِيبٍ عَنِّي عَنْ عُسُر، عَنِّي عَنْ أَبِي مُهَرَّمٍ قَالَ، تَنَٰزَعَ رَسُولُ اللَّهِ ﷺ بَيْنَ الْمَرَأَةِ عَلَى عَمْهَا أوْ حَرِيرَةٍ، أَوْ، أَنْ، تَنَٰزَعَ الْمَرَأَةُ طَلَاقَ أَجْهَالًا، لِتَكْتَفَّيْنَ، مَا فِي صَحِیْحٍ فَهُمَا، فَإِنَّ اللَّهَ ﻋَزَّ وَجَلَّ رَازِقَهُمَا.
that ʿUmar bin ʿUbaidullāh wanted to marry Ṭalḥah bin ʿUmar to the daughter of Shaibah bin Jubair, and he sent for Abān bin ʿUṭmān, who was the Commander of Ḥajj, to attend the wedding. Abān said: “I heard ʿUṭmān bin ʿAffān say: ‘The Messenger of Allāh ﷺ said: The Muḥrim should not get married, have a marriage arranged for him, nor propose marriage.”’

[3447] 42 - (...) Nubaiḥ bin Wahb said: “ʿUmar bin ʿUbaidullāh bin Maʿmar, who had proposed the marriage of his son to the daughter of Shaibah bin ʿUṭmān, sent me to Abān bin ʿUṭmān who was in charge of the Hajj. He said: ‘I regard him as no more than a Bedouin, for; “The Muḥrim should not get married nor have a marriage arranged for him.”’ ʿUṭmān narrated that to us from the Messenger of Allāh ﷺ.”

[3448] 43 - (...) It was narrated from Nubaiḥ bin Wahb, from Abān bin ʿUṭmān, from ʿUṭmān bin ʿAffān, that the Messenger of Allāh ﷺ said: “The Muḥrim should not get married, have a marriage arranged for him, nor propose marriage.”
[3449] 44 - (…) It was narrated from Nubaih bin Wahb, from Abân bin ‘Uthmân, from ‘Uthmân, that the Prophet said: “The Muhrîm should not get married nor have a marriage arranged for him.”

[3450] 45 - (…) It was narrated from Nubaih bin Wahb, that ‘Umar bin ‘Ubaidullâh bin Ma’mar wanted to marry his son Tâlbah to the daughter of Shaibah bin Jubair during the Hajj. At that time Abân bin ‘Uthmân was the Commander of Hajj. He sent word to Abân saying: “I would like to arrange the marriage of Tâlbah bin ‘Umar and I would like you to attend.” Abân said to him: “I think you are no more than an ill-mannered ‘Iraqi. I heard ‘Uthmân bin ‘Affân say: ‘The Messenger of Allâh said: The Muhrîm should not get married.’”

[3451] 46 - (1410) It was
narrated from Abû Ash-Sha‘thâ’ that Ibn ‘Abbâs told him, that the Prophet ﷺ married Maimûnah while he was in Ihrâm.

Ibn Numair added: “I narrated that to Az-Zuhrî and he said: ‘Yazîd bin Al-Asamm told me that he married her when he was not in Ihrâm.’

[3452] 47 - (...) It was narrated that Ibn ‘Abbâs said: “The Messenger of Allâh ﷺ married Maimûnah when he was in Ihrâm.”

[3453] 48 - (1411) It was narrated from Yazîd bin Al-Asamm: “Maimûnah bint Al-Hârîth told me that the Messenger of Allâh ﷺ married her when he was not in Ihrâm.” He said: “She was my maternal aunt and the maternal aunt of Ibn ‘Abbâs.”
Chapter 6. The Prohibition Of Proposing Marriage When One's Brother Has Already Proposed, Unless He Gives Permission Or Gives Up The Idea

[3454] 49 - (1412) It was narrated from Ibn 'Umar that the Prophet ﷺ said: “Do not outbid one another, and do not propose marriage when someone else has already proposed.”

[3455] 50 - (…) It was narrated from Ibn 'Umar that the Prophet ﷺ said: “No man should outbid his brother, nor should he propose marriage when his brother has already proposed, unless he gives him permission.”

[3456] (…) It was narrated from 'Ubaidullah with this chain (a Hadith similar to no. 3455).

[3457] (…) It was narrated from Nafi' with this chain (a Hadith similar to no. 3455).
It was narrated from Abū Hurairah that the Prophet ṣallallāhu ʿalayhi wa sallam forbade a town-dweller to sell on behalf of a Bedouin, or artificially inflating prices, or a man to propose when his brother has already proposed, or outbidding one’s brother, or a woman to ask for her sister to be divorced so as to deprive her of what is rightfully hers and take it for herself.

Abū Hurairah said: “The Messenger of Allah ṣallallāhu ʿalayhi wa sallam said: ‘Do not artificially inflate prices; no man should outbid his brother, and no town-dweller should sell on behalf of a Bedouin, and no man should propose marriage when his brother has already proposed, and no woman should ask for her sister to be divorced so as to deprive her of what is rightfully hers and take it for herself.’”

A similar report (as no. 3459) was narrated from Az-Zuhri with this chain, except that in the Ḥadīth of Ma’mar it says: “And no man should outbid his brother.”
[3461] 54 - (...) It was narrated from Abū Hurairah that the Messenger of Allâh ﷺ said: “No Muslim should offer a higher price than his brother or propose marriage when another Muslim has already proposed marriage.”

[3462] 55 - (...) It was narrated from Abū Hurairah from the Prophet ﷺ (a Hadîth similar to no. 3461).

[3463] ... - (...) It was narrated from Shu‘bâh and others from Abū Hurairah from the Prophet ﷺ (a Hadîth similar to no. 3461), except that they said: “... offer a higher price than his brother, or propose marriage when his brother has already proposed.”

[3464] 56 - (1414) It was narrated from ‘Abdur-Rahmân bin Shumâsah that he heard ‘Uqbah bin ‘Amir on the Minbar saying: “The Messenger of Allâh ﷺ said: ‘The believer is the brother of another believer, and it is not permissible for a believer to outbid his brother or propose
Chapter 7. Prohibition And Invalidity Of Shighâr Marriage

[3465] (1415) It was narrated from Ibn ‘Umar that the Messenger of Allah ﷺ forbade Shighâr marriage.

Shighâr is when a man gives his daughter in marriage to another man in return for marrying the latter’s daughter, with no dowry given.

[3466] (as no. 3465) was narrated from Ibn ‘Umar from the Prophet ﷺ, except that in the Hadith of ‘Ubaidullâh it says: “I said to Nâfi’: ‘What is Shighâr?’”

[3467] It was narrated from Ibn ‘Umar that the Messenger of Allah ﷺ forbade Shighâr.

[3468] (It was narrated from Ibn ‘Umar that the Prophet ﷺ)
said: “There is no Shighâr in Islam.”

[3469] 61 - (1416) It was narrated that Abû Hurairah said: “The Messenger of Allâh forbade Shighâr.”

Ibn Numair added: “Shighâr is when a man says to another: ‘Give me your daughter in marriage and I will give you my daughter in marriage, or give me your sister in marriage and I will give you my sister in marriage.’”

[3470] (...) It was narrated from Ubaidullâh [who is the son of Umar] with this chain (a Hadîth similar to no. 3469), but he did not mention the addition of Ibn Numair.

Chapter 8. Fulfilling The Conditions Stipulated In The Marriage

[3472] 63 - (1418) It was narrated that 'Uqbah bin 'Amir said: "The Messenger of Allâh ﷺ said: 'The condition which most deserves to be fulfilled is that by means of which intimacy becomes permissible for you.'"

This is the wording of the Hadîth of Abû Bakr and Ibn Al-Muthanna, except that Ibn Al-Muthanna said: "conditions".

Chapter 9. Seeking Permission Of A Previously-Married Woman In Words, And Of A Virgin By Silence

[3473] 64 - (1419) Abû Hurairah narrated that the Messenger of Allâh ﷺ said: "A previously-married woman should not be married until she has been consulted, and a virgin should not be married until her permission has been sought." They said: "O Messenger of Allâh, what is her permission?" He said: "If she remains silent."
A Hadīth similar to that of Hishām (no. 3473) with its chain was narrated from Ibn Abī KaṭHIR. The wording of the Ahadīth of Hishām, Shaibān and Muʿāwiya bin Salām are all the same.

Zakwān, the freed slave of ‘Āishah, said: “I heard ‘Āishah say: ‘I asked the Messenger of Allah ™ about a virgin whose family arranges her marriage: ‘Should she be consulted or not?’ The Messenger of Allah ™ said to her: ‘Yes, she should be consulted.’” ‘Āishah said: ‘I said...”
to him: “She will feel too shy.”

The Messenger of Allah said:

“That is her permission, if she remains silent.”

[3476] 66 - (1421) It was narrated from Ibn ‘Abbâs that the Prophet said: “The previously-married woman has more right concerning herself than her guardian does, and the virgin should be asked for permission, and her permission is her silence.”

[3477] 67 - (...) It was narrated from Ibn ‘Abbâs that the Prophet said: “The previously-married woman has more right concerning herself than her guardian does, and the virgin should be consulted, and her permission is her silence.”

[3478] 68 - (...) Sufyân narrated it with this chain and he said: (The Prophet said:) “The
previously-married woman has more right concerning herself than her guardian does, and the father of a virgin should ask her permission, and her permission is her silence.” Or perhaps he said: “Her silence is her approval.”

Chapter 10. It Is Permissible For A Father To Arrange The Marriage Of A Young Virgin

[3479] 69 - (1422) It was narrated that ‘Aishah said: “The Messenger of Allah ﷺ married me when I was six years old and he lived with me when I was nine years old.”

She said: “We came to Al-Madinah and I fell sick for a month and my hair came down to my neck. Umm Rûmân came to me when I was on a swing and some of my friends were with me. She called me loudly and I went to her, and I did not know what she wanted of me. She took me by the hand and made me stand at the door. I said: ‘Hâh, Hâh (as if gasping for breath)’ until I had calmed down, then she took me into a house where there were some women of the Ansâr who said: ‘With good wishes, and blessings, and good fortune.’ She handed me over to them and they washed my hair and adorned me, and then suddenly the Messenger of Allah ﷺ was there, and they handed me over to him.”

ومقال: “الثَّبُثُ أُخْرُبُ بِنْفُسِهَا مِّنْ وَلِيِّهَا، والثَّبُثُ يُسَتَّأَذِّنُهَا أَنْحَاوًا فِي نَفْسِهَا، وَإِذْنَهَا صَمْتُهَا، وَرُبَّمَا قَالَ: وَصْمُهَا إِسْ غَرُّهَا.”

(المعجم 10) - (باب جوزا تزويج الأب البكر الصغرى) (التحفة 10)
It was narrated that ‘Aishah said: “The Prophet ﷺ married me when I was six years old, and consummated the marriage with me when I was nine years old.”

It was narrated from ‘Aishah that the Prophet ﷺ married her when she was seven years old and she was taken to him as a bride when she was nine years old, and she took her dolls with her. He died when she was eighteen years old.

It was narrated from ‘Aishah that: “The Messenger of Allah ﷺ married her when she was six years old and consummated the marriage with her when she was nine years old, and he died when she was eighteen years old.”
Chapter 11. It Is Recommended To Get Married And Arrange Marriages In Shawwâl, And It Is Recommended To Consummate The Marriage In That Month

[3483] 73 - (1423) It was narrated that 'Âishah said: “The Messenger of Allâh ﷺ married me in Shawwâl and consummated the marriage with me in Shawwâl, and which of the wives of the Messenger of Allâh ﷺ was dearer to him than me?” And 'Âishah liked for marriages with her women folk to be consummated in Shawwâl.

[3484] (…) Sufyân narrated with this chain (a Hadîth similar to no. 3485), but he did not mention what 'Âishah did (liked).

Chapter 12. It Is Recommended For The One Who Wants To Marry A Woman To Look At Her Face And Hands Before Proposing Marriage To Her

[3485] 74 - (1424) It was narrated that Abû Hurairah said: I was with the Prophet ﷺ when a man came to him and told him that he had gotten married to a woman from among the Ansâr. The Messenger of Allâh ﷺ said:
“Did you look at her?” He said: “No.” He said: “Go and look at her, for there is something in the eyes of the *Anṣār*.”

[3486] 75 - (...) It was narrated that Abū Hurairah said: “A man came to the Prophet ﷺ and said: ‘I have married a woman from among the *Anṣār*. The Prophet ﷺ said to him: ‘Did you look at her? For there is something in the eyes of the *Anṣār*.’ He said: ‘I looked at her.’ He said: ‘For how much did you marry her?’ He said: ‘For four *Uqiyah*.’ The Prophet ﷺ said to him: ‘For four *Uqiyah*? It is as if you are going to dig the silver out from the side of this mountain. We do not have anything to give you, but perhaps we will send you on an expedition and you will get something from it.’ And he sent an expedition to Banū ‘Abs, and he sent that man with them.”

Chapter 13. The Dowry. It Is Permissible For The Dowry To Be Teaching Qur’ān, A Ring Of Iron Or Anything Else, A Small Or Large Amount, And It Is Recommended For It To Be Five Hundred Dirham

[3487] 76 - (1425) It was
narrated that Sahi bin Sa'd As-Sâ'i'di said: "A woman came to the Messenger of Allah ﷺ and said: 'O Messenger of Allah ﷺ, I have come to give myself to you (in marriage).'. The Messenger of Allah ﷺ looked her up and down, then the Messenger of Allah ﷺ lowered his head. When the woman saw that he had not made any decision about her, she sat down. A man among his Companions stood up and said: 'O Messenger of Allah, if you have no need of her then marry her to me.' He said: 'Do you have anything?' He said: 'No, by Allah, O Messenger of Allah.' He said: 'Go to your family and see if you can find something.' So he went, then he came back and said: 'No, by Allah, O Messenger of Allah, not even a ring of iron, only this Iṣâr (lower garment) of mine' - Sahi said: 'He did not have a Rîdâ’ (upper garment) - 'and she may have half of it.' The Messenger of Allah ﷺ said: 'What will she do with your Iṣâr? If you wear it she will not have anything of it and if she wears it you will not have anything of it.' The man sat down, and after he had sat for a long time, he got up (to leave). The Messenger of Allah ﷺ saw him turning away, and he ordered that he be called to him. When he came, he said: 'What do you know of the Qur‘ān?' He said: 'I know Sūrah
such-and-such and Sūrah such-and-such’ - and he listed them. He said: ‘Do you recite them by heart?’ He said: ‘Yes.’ He said: ‘Go. You have been given her (in marriage) for what you know of the Qur'ān.’’’ This is the Ḥadīth of Ibn Abī Hāzīm (a narrator), and the Ḥadīth of Ya‘qūb (another narrator) is very similar in wording.

[3488] 77 - (...) This Ḥadīth was narrated from Sahl bin Sa‘d (a Ḥadīth similar to no. 3487); some of them added material to one another’s reports, but in the Ḥadīth there is an addition which says: “Go, for I have married her to you, so teach her Qur’ān.”

[3489] 78 - (1426) It was narrated that Abū Salamah bin ‘Abdur-Rahmān said: “I asked...


‘Aishah, the wife of the Prophet ᴧ ағ ၆:] ‘How much was the dowry of the Messenger of Allâh ᴧ ағ ၆:]?’ She said: ‘The dowry that he gave to his wives was twelve Uqiyah and a Nashsh.’ She said: ‘Do you know what a Nashsh is?’ I said: ‘No.’ She said: ‘Half an Uqiyah; and that (the whole amount) was equal to five hundred Dirham. That was the dowry of the Messenger of Allâh ᴧ ағ ၆:] to his wives.’”

[3490] 79 - (1427) It was narrated from Anas bin Mâlik that the Prophet ᴧ ағ ၆:] saw on ‘Abdur-Rahmân bin ‘Awf traces of Sufrah and he said: “What is this?” He said: “0 Messenger of Allâh, I got married to a woman for a date-stone’s weight of gold.” He said: “May Allâh bless you. Give a wedding feast, even if it is with a sheep.”
It was narrated from Anas bin Mâlik that 'Abdur-Râhmân bin 'Awf got married at the time of the Messenger of Allâh ﷺ, for a date-stone’s weight of gold. The Messenger of Allâh ﷺ said to him: “Give a feast, even if it is with a sheep.”

It was narrated from Anas that 'Abdur-Rahmân bin 'Awl married a woman for a date-stone’s weight of gold, and the Prophet ﷺ said to him: “Give a feast, even if it is with a sheep.”

It was narrated from Humaid with this chain (a Hadîth similar to no. 3492), except that in the Hadîth of Wahb it says: “'Abdur-Râhmân said: ‘I got married to a woman.”

Anas said: ‘Abdur-Rahmân bin ‘Awf said: “The Messenger of Allâh ﷺ saw on me the signs of happiness of a bridegroom. I said: ‘I have got married to a woman from among...”
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Chapter 14. The Virtue Of Manumitting One’s Slave Girl Then Marrying Her

[3495] 83 - (...) It was narrated from Anas bin Mâlik that ‘Abdur-Rahmân married a woman for a date-stone’s weight of gold.

[3496] (...) Shu’bah narrated it with this chain (a Hadîth similar to no. 3495), except that he said: “One of the sons of Abdur-Rahmân bin ‘Awf said: ‘Of gold.’”

[3497] 84 - (1365) It was narrated from Anas that the Messenger of Allâh launched a campaign against Khai bár. “We prayed Al-Ghadâh (Fajr) there when it was still dark, then the Prophet of Allâh rode and Abû Talhah rode, and I was seated behind Abû Talhâh (on his mount). The Prophet let

Chapter 14. The Virtue Of Manumitting One’s Slave Girl Then Marrying Her

Then Marrying Her

[3497] 84 - (1365) It was narrated from Anas that the Messenger of Allâh launched a campaign against Khai bár. “We prayed Al-Ghadâh (Fajr) there when it was still dark, then the Prophet of Allâh rode and Abû Talhah rode, and I was seated behind Abû Talhâh (on his mount). The Prophet let
his mount run through the narrow streets of Khaibar, and my knee was touching the thigh of the Prophet of Allah ﷺ. The Izār slipped from the thigh of the Prophet of Allah ﷺ and I could see the whiteness of the thigh of the Prophet of Allah ﷺ. When he entered the town, he said: 'Allāhu Akbar! Khaibar is destroyed! Then, when we descend in their courtyard (near to them), evil will be the morning for those who had been warned!'[1] He said it three times. The people had come out to their work and they said: 'Muhammad! [by Allah!]' - (one of the narrators) ‘Abdul-‘Azīz said: ‘Some of our companions said: ‘Muḥammad and the army!’ - "We seized Khaibar by force, and the prisoners were gathered together. Dihyah came to him and said: ‘O Messenger of Allāh, give me a woman from among the prisoners.’ He said: ‘Go and take a woman.’ He chose Ṣafiyah bint Ḥuyayy, then a man came to the Prophet of Allāh ﷺ and said: ‘O Prophet of Allāh, you have given Dihyah Ṣafiyah bint Ḥuyayy, the first lady of Quraizah and An-Nadir? She is fit only for you.’ He said: ‘Call him to bring her here.’ So he brought her, and when the Prophet ﷺ saw her, he said:

‘Take another woman from among the prisoners.’ And he set her free and married her.”

Thâbit said to him: “O Abû Ḥamzah, what dowry did he give her?” He said: “Herself; he set her free then married her. Then when he was on the road, Umm Sulaim prepared her for him and gave her to him at night, and the following morning the Prophet was a bridegroom, and he said: ‘Whoever has anything (of food) let him bring it.’ He spread out a cloth and men started bringing cottage cheese, dates and cooking fat. They made Hâis, and that was the wedding feast of the Messenger of Allâh.”

[3498] 85 - (...) It was narrated from Anas that the Prophet manumitted Ṣafiyyah and made her manumission her dowry. In the Hadîth of Mu'âdh from his father it says: “He married Ṣafiyyah and her manumission was her dowry.”
It was narrated that Abū Müsâ said: "The Messenger of Allah said concerning the one who frees his slave woman then marries her: 'He will have two rewards.'"

It was narrated that Anas said: "I was riding behind Abū Talhah on the Day of Khaibar, and my foot was touching the foot of the Messenger of Allah. We came to them (the people of Khaibar) when the sun had risen, and they had brought out their livestock and their axes, large baskets and hatchets. They said: 'Muḥammad and the army!' The Messenger of Allāh said: 'Khaibar is destroyed! When we descend in their courtyard (near to them), evil will be the morning for those who had been warned!' Allāh, [the Mighty and Sublime],
defeated them. There fell to the lot of Dihyah a beautiful slave woman, and the Messenger of Allah ﷺ bought her for seven slaves, then he gave her to Umm Sulaim to prepare her and adorn her for him” - he (the narrator) said: “I think he said: ‘And so that she could observe her Iddah in her house.’”

“That was Safiyyah bint Huyay. The Messenger of Allah ﷺ made her wedding feast dates, cottage cheese, and cooking fat. Shallow pits were dug in the ground and leather mats were placed in them, and cottage cheese and cooking fat were brought and the people ate their fill. The people said: ‘We do not know if he has married her or taken her as a concubine.’ They said: ‘If he veils her then she is his wife, and if he does not veil her then she is a concubine.’ When he wanted to ride, he veiled her, and she sat on the back of the camel, so they knew that he had married her. When they drew near Al-Madinah, the Messenger of Allah ﷺ sped up and we sped up too. The she-camel Al-Adbâ’ stumbled and the Messenger of Allah ﷺ fell, and she (Safiyyah) fell too, then he got up and screamed her. The women were looking on and they said: ‘May Allah keep the Jewess away from us!’”

I (the narrator) said: “O Abu
Hamzah, did the Messenger of Allah fall?” He said: “Yes, by Allah, he fell.”

Anas said: “And I attended the Walimah (wedding feast) of Zainab. The people ate their fill of bread and meat, and he used to send me to invite the people. When he had finished (eating), he got up and I followed him. Two men stayed behind, talking, and they did not leave. He went around to his wives and greeted each one of them, saying: ‘Peace be upon you, how are you, O members of the household?’ And they would say: ‘We are fine, O Messenger of Allah. How did you find your wife?’ And he said: ‘Fine.’ When he had finished, he went back and I went back with him. When he reached the door, those two men were still there, talking. When they saw that he had come back, they got up and left. By Allah, I do not know whether I told him or whether it was revealed to him that they had left. So he went back, and I went back with him, and when he put his foot on the threshold of the door he drew the curtain between myself and himself, and Allah [the Most High] revealed this verse:

"O you who believe! Enter not the Prophet’s houses, unless permission is given to you for a meal, (and then) not (so early as) to wait for its preparation. But when you are invited, enter, and
when you have taken your meal, disperse without sitting for a talk. Verily, such (behavior) annoys the Prophet, and he is shy of (asking) you (to go); but Allāh is not shy of (telling you) the truth. And when you ask (his wives) for anything you want, ask them from behind a screen, that is purer for your hearts and for their hearts. And it is not (right) for you that you should annoy Allāh’s Messenger, nor that you should ever marry his wives after him (his death). Verily, with Allāh that shall be an enormit.”¹

[3501] 88 - (1365) Anas said: “Saﬁyyah fell to the lot of Dihyah and they started praising her before the Messenger of Allāh ﷺ. They said: ‘We have never seen any captive like her.’ He sent word to Dihyah and gave him whatever he wanted, then he gave her to my mother, and said: ‘Prepare her.’ Then the Messenger of Allāh ﷺ left Khaibar, and when it was behind him, he halted and put up a tent for her. The next morning the Messenger of Allāh ﷺ said: ‘Whoever has any surplus provisions, let him bring it.’ Men started bringing surplus dates and surplus Sawīq until they made a pile of Hais. They started eating from that Hais and drinking from a cistern of rainwater that was beside them.” Anas said: “And that was the wedding feast of the

¹ Al-Ahzāb 33:53.
Messenger of Allah when he married her. Then we set out, and when we saw the walls of Al-Madinah we were excited and made our mounts go faster. The Messenger of Allah also made his mount go faster. Safiyyah was riding behind the Messenger of Allah and the mount of the Messenger of Allah stumbled and he fell, and she fell too. No one among the people looked at him or her until the Messenger of Allah got up and screened her. Then we came to him, and he said: ‘We are not hurt.’ Then we entered Al-Madinah, and the young ones among his wives came out to have a look at her, and they expressed joy at her fall.”

Chapter 15. The Marriage Of Zainab Bint Jahsh. The Revelation Of (The Verse Of) Hijâb, And Confirmation Of The Importance Of The Wedding Feast

[3502] 89 - (1428) It was narrated, and this is the Hadîth of Bahz, that, Anas said: “When the
‘Iddah of Zainab was over, the Messenger of Allâh ﷺ said to Zaid: ‘Make mention of me to her (for marriage).’ Zaid set out, and came to her when she was adding yeast to her dough. He said: When I saw her, I felt a great deal of respect for her, and I could not look at her, because the Messenger of Allâh ﷺ had mentioned her. So I turned my back on her and stepped backwards, and I said: “O Zainab, the Messenger of Allâh ﷺ has sent a proposal of marriage to you.” She said: “I will not do anything until I consult my Lord.” Then she went to her prayer place. Then Qur’ân was revealed, and the Messenger of Allâh ﷺ came and entered upon her without permission.”

He said: “And I remember the Messenger of Allâh ﷺ gave us bread and meat to eat when it was daylight, then the people left, but some men stayed behind in the house, talking after the meal. The Messenger of Allâh ﷺ went out and I followed him. He started going around to the apartments of his wives, greeting them, and they said: ‘O Messenger of Allâh, how did you find your wife?’ I do not know whether I told him that those people had left or he told me. He went and entered the house, and I went to enter with him, but he drew the curtain between myself
and himself, and the verse of Hijâb was revealed, and the people were exhorted with what they were exhorted.”

Ibn Râfi’ added in his Hadîth: “Enter not the Prophet’s houses, unless permission is given to you for a meal, (and then) not (so early as) to wait for its preparation” up to His saying: “Allâh is not shy of (telling you) the truth.”

[3503] 90 - (... It was narrated that Anas said: “I did not see the Messenger of Allâh ☪ give a wedding feast for any of his wives like the feast he gave for Zainab, for which he slaughtered a sheep.”

[3504] 91 - (... It was narrated that ‘Abdul-'Azîz bin Suhaib said: “I heard Anas bin Mâlik say: ‘The Messenger of Allâh ☪ did not give a wedding feast for any of his wives greater or better than the feast he gave for Zainab.” Thâbit Al-Bunânî said: “What did he give them?” He said: “He gave them bread and meat, until they had eaten their fill.”
It was narrated that Anas bin Mâlik said: “When the Prophet ﷺ married Zainab bint Jahsh, he invited the people and they ate, then they sat and talked. He made a move as if to stand up, but they did not get up. When he saw that, he got up, and when he got up, some of the people got up and left.”

‘Âsim and Ibn ‘Abdul-A’la added in their Hadîth: “Three men remained sitting, and when the Prophet ﷺ came to enter the apartment, they were still sitting there, then they got up and left. I went to go in as well, but he drew the curtain between myself and himself, and Allah, [the Mighty and Sublime] revealed: O you who believe! Enter not the Prophet’s houses, unless permission is given to you for a meal, (and then) not (so early as) to wait for its preparation. up to His saying: Verily, with Allah that shall be an enormity.”[1]

[3506] 93 - (...) Anas bin Mâlik said: "I am the most knowledgeable of the people concerning Hijâb. Ubayy bin Ka'b used to ask me about it." Anas said: "The day after the Messenger of Allah married Zainab bint Jahsh, whom he married in Al-Madinah, he invited the people to come and eat in the mid-morning. The Messenger of Allah sat and some men sat with him after the people had left. Then the Messenger of Allah got up and walked, and I walked with him, until he reached the door of ʿAishah's apartment. Then he thought that they had left, so he went back, and I went back with him, and they were still sitting there. Then he went back to ʿAishah's door a second time, and I went with him, then he went back and I went back, and they had left. Then he drew the curtain between myself and himself, and the verse of Ḥijâb was revealed."

[3507] 94 - (...) It was narrated that Anas bin Mâlik said: "The Messenger of Allah got married, then entered with his wife. My mother Umm Sulaim
made some Ḥais and put it in a stone vessel, then she said: ‘O Anas, take this to the Messenger of Allāh and say: “My mother has sent this to you, and she sends greetings of Salām to you,” and tell him she says: “This is a small gift to you from us, O Messenger of Allāh.”’ So I took it to the Messenger of Allāh and said: ‘My mother sends greetings of Salām to you and she says: “This is a small gift to you from us, O Messenger of Allāh.”’ He said: ‘Put it down.’ Then he said: ‘Go and invite so-and-so for me, and whomever you meet,’ and he mentioned some men by name. I invited those whom he had named, and whoever else I met.” He (the narrator) said: “I said to Anas: ‘How many were they?’ He said: ‘Around three hundred.’”

And the Messenger of Allāh said to me: “O Anas, bring the stone vessel.” They came in until they filled the courtyard and the apartment. The Messenger of Allāh said: “Let them make circles of ten, and let each man eat from what is nearest to him.” Groups came one after another and they all ate until they were full, then he said to me: “O Anas, clear it away.” I picked it up, and I do not know whether it held more when I put it down or when I picked it up. Some of them sat talking in the house of the Messenger of Allāh, and the
Messenger of Allâh ﷺ was sitting there, and his wife had her face turned towards the wall. They were bothering the Messenger of Allâh ﷺ, so the Messenger of Allâh ﷺ went out and greeted his wives, then he came back. When they saw that the Messenger of Allâh ﷺ had come back, they realized that they were bothering him. So they all rushed to the door and left. The Messenger of Allâh ﷺ came and hung up a curtain and went in, and I was sitting in the apartment. It was not long before he came out to me, and this verse had been revealed. The Messenger of Allâh ﷺ went out and recited it to the people: “O you who believe! Enter not the Prophet’s houses, unless permission is given to you for a meal, (and then) not (so early as) to wait for its preparation. But when you are invited, enter, and when you have taken your meal, disperse without sitting for a talk. Verily, such (behaviour) annoys the Prophet”[1]

Al-Ja’îd said: “Anas bin Mâlik said: ‘I was the first among the people to hear these verses, and the wives of the Prophet ﷺ observed Hijâb.’”

[3508] 95 - (...) It was narrated that Anas said: “When the Prophet ﷺ married Zainab, Umm Sulaim gave him a gift of some Hais in a stone vessel.”

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Anas said: "The Prophet ﷺ said: 'Go and invite for me whoever you meet of the Muslims.' So I invited for him whomever I met. They started coming in, eating, and leaving, and the Prophet ﷺ kept his hand on that food and prayed for blessing for it, saying whatever Allâh willed he should say. I did not leave anyone whom I met but I invited him, and they ate their fill and left, but a few of them stayed behind and chatted at length. The Prophet ﷺ felt too shy to say anything to them, so he went out and left them in the house. Then Allâh [Most High] revealed the words: "O you who believe! Enter not the Prophet's houses, unless permission is given to you for a meal, (and then) not (so early as) to wait for its preparation." - Qatâdah said: "Not waiting for the time for food." - "But when you are invited, enter" until he reached "that is purer for your hearts and for their hearts."[1]

Chapter 16. The Command To Accept Invitations

[3509] 96 - (1429) It was narrated that Ibn ‘Umar said: "The Messenger of Allâh ﷺ said: 'If one of you is invited to a feast, let him accept.'"

[3510] 97 - (...) It was narrated from Ibn ‘Umar that the Prophet ﷺ said: “If one of you is invited to a feast, let him accept.”

[3511] 98 - (...) It was narrated from Ibn ‘Umar that the Messenger of Allâh ﷺ said: “If one of you is invited to a wedding feast, let him accept.”

[3512] 99 - (...) It was narrated that Ibn ‘Umar said: “The Messenger of Allâh ﷺ said: ‘Accept the invitation when you are invited.’”

[3513] 100 - (...) It was narrated from Nâfi‘ that Ibn ‘Umar used to say, narrating from the Prophet ﷺ: “If one of you invites his brother, let him accept, whether it is for a wedding or something similar.”
[3514] 101 - (...) It was narrated that Ibn ‘Umar said: “The Messenger of Allah ﷺ said:
‘Whoever is invited to a wedding and the like, let him accept.’”

[3515] 102 - (...) It was narrated that ‘Abdullâh bin ‘Umar said:
“The Messenger of Allah ﷺ said: ‘Accept invitations if you are invited.’”

[3516] 103 - (...) It was narrated that Nâfi’ said: ‘I heard ‘Abdullâh bin ‘Umar say: ‘Accept this invitation if you are invited.’”

He said: “And ‘Abdullâh used to accept invitations to weddings and other events, and he would come even if he was fasting.”

[3517] 104 - (...) It was narrated from Ibn ‘Umar that the Prophet ﷺ said: “If you are invited to (a meal of) a sheep’s foot, accept it.”

[3514] 3514 101 1-101 ( ... ) و ح د ت ن ي إس ح د ت

[3515] 3515 102 2-102 ( ... ) ح د ت ن ي

[3516] 3516 103 3-103 ( ... ) و ح د ت ن ي

[3517] 3517 104 4-104 ( ... ) و ح د ت ن ي
It was narrated that Jâbir said: "The Messenger of Allâh ﷺ said: 'If one of you is invited to a feast, let him respond, then if he wishes he may eat and if he wishes he may refrain.'" And Ibn Al-Muthanna (a narrator) did not mention the words "to a feast."

A similar report (as no. 3518) was narrated from Abû Az-Zubair with this chain.

It was narrated that Abü Hurairah said: "The Messenger of Allâh ﷺ said: 'If one of you is invited let him respond; if he is fasting let him pray (for the people), and if he is not fasting let him eat.'"

It was narrated from Abû Hurairah that he used to say: "The worst of food is the food of a (wedding) feast to which the rich are invited and the poor are ignored. Whoever does not accept an invitation has disobeyed Allâh and His Messenger."
Sufyān said: "I said to Az-Zuhri: 'O Abū Bakr, what does this Hadīth mean - "The worst of food is the food of the rich?" He laughed and said: It is not: 'The worst of food is the food of the rich.'"

Sufyān said: "My father was rich, and this Hadīth troubled me when I heard it, so I asked Az-Zuhri about it. He said: ‘Abdur-Rahmān Al-A'raj told me that he heard Abū Hurairah say: "The worst of food is the food of a (wedding) feast..." then he quoted a Hadīth like that of Mālik (no. 3521)."

[3523] 109 - (...) It was narrated that Abū Hurairah said: “The worst of food is the food of a (wedding) feast...” a Hadīth like that of Mālik (no. 3521).

[3524] (...) A similar report (as no. 3521) was narrated from Abū Hurairah.

[3525] 110 - (...) It was narrated from Abū Hurairah that the Prophet ﷺ said: “The worst of food is the food of a feast from which those who come to it are
turned away and those who refuse to come are invited to it. Whoever does not accept an invitation has disobeyed Allah and His Messenger.”

Chapter 17. It Is Not Permissible For A Woman Who Has Been Thrice-Divorced To Return To The One Who Divorced Her Until She Marries Another Husband Who Has Intercourse With Her, Then Divorces Her, And She Completes The Iddah

[3526] 111 - (1433) It was narrated that 'Aishah said: “The wife of Rifâ’ah came to the Prophet and said: ‘I was married to Rifâ’ah, then he divorced me and made the divorce irrevocable. Then I married ‘Abdur-Rahmân bin Az-Zubair, and what he has is like the edge of a garment.’ The Messenger of Allah smiled and said: ‘Do you want to go back to Rifâ’ah? No, not until you taste his (‘Abdur-Rahmân’s) sweetness and he tastes your sweetness.”’

She said: “And Abû Bakr was with him, and Khâlid was at the door, waiting to be given permission to enter. He called out: ‘O Abû Bakr, do you not
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hear what this woman dares to say in the presence of the Messenger of Allâh ﷺ?

[3527] 112 - (...) ‘Urwah bin Az-Zubair narrated that ‘Aishah, the wife of the Prophet ﷺ, told him that Rifâ’ah Al-Quraizî divorced his wife and made the divorce irrevocable, then after that she married ‘Abdur-Rahmân bin Az-Zubair. She came to the Prophet ﷺ and said: ‘O Messenger of Allâh, I was married to Rifâ’ah, then he issued the last of three divorces to me. Then after that I married ‘Abdur-Rahmân bin Az-Zubair, and by Allâh all he has is like the edge (of a garment)’ - and she held up the edge of her Jilbâb. The Messenger of Allâh ﷺ smiled and said: ‘Perhaps you want to go back to Rifâ’ah? No, not until he (‘Abdur-Rahmân) tastes your sweetness and you taste his sweetness.’ Abû Bakr Aṣ-Ṣiddîq was sitting with the Messenger of Allâh ﷺ, and Khâlid bin Sa’eed bin Al-‘As was sitting at the door of the apartment, and had not been given permission to enter. Khâlid called out to Abû Bakr: ‘Will you not rebuke this woman for what she dares to say in the presence of the Messenger of Allâh ﷺ?’
[3528] 113 - (...) It was narrated from ‘Aishah that Rifâ’ah Al-Quraiz divorced his wife, then she married ‘Abdur-Rahmân bin Az-Zubair. She came to the Prophet ﷺ and said: ‘O Messenger of Allâh, Rifâ’ah issued the last of three divorces...’’’ a Hadîth like that of Yûnus (no. 3527).

[3529] 114 - (...) It was narrated from ‘Aishah that the Messenger of Allâh ﷺ was asked about a woman who got married to a man, then he divorced her, then another man married her, and divorced her before consummating the marriage - is it permissible for her to go back to her first husband? He said: ‘No, not until he (the second husband) has tasted her sweetness.’”

[3530] (...) It was narrated from Hîshâm with this chain (a Hadîth similar to no. 3529).

[3531] 115 - (...) It was narrated that ‘Aishah said: “A man divorced his wife three times, then another man married her and divorced her before consummating the marriage with her. Her first husband wanted
to remarry her, and the Prophet was asked about that. He said: ‘No, not until the second husband tastes of her sweetness what the first one tasted.”

[3532] (...) A similar report (as no. 3531) was narrated with this Ḥadīth from ‘Ubaidullâh.

Chapter 18. What It Is Recommended To Say When Having Intercourse

[3533] 116 - (1434) It was narrated that Ibn ‘Abbâs said: “The Messenger of Allah Ṣallallâhu ‘Alayhi wa Sallam said: ‘If one of you says, when he wants to have intercourse with his wife, “Bismillâh, Allâhumma! Jannibnâsh-Shaitân; wa jannibish-£ja4âna ma razaqtanâ,” then if it is decreed that they should have a child from that, the Shaitân will never harm him.”
Chapter 19. It Is Permissible
For A Man To Have
Intercourse With His Wife
From The Front Or From The
Back, Without Entering The
Behind

[3535] 117 - (1435) Jâbir said:
“The Jews used to say that if a
man had intercourse with a
woman from the back, in the
vagina, the child would have a
squint. Then the following was
revealed: ‘Your wives are a tilth
for you, so go to your tilth, when
or how you will...’”[1]

[3536] 118 - (...) It was narrated from Jâbir bin ‘Abdullâh that the Jews used to say: “If a man has intercourse with a woman in her vagina from the back, then she gets pregnant, her child will have a squint.” Then the following was revealed: “Your wives are a tilth for you, so go to your tilth, when or how you will…”[1]

[3537] 119 - (...) This Hadîth was narrated from Jâbir (a Hadîth similar to no. 3536). The Hadîth of An-Nu’mân from Az-Zuhrî adds: “...if he wishes, while she is lying on her front, and if he wishes while she is not lying on her front, so long as that is in only one opening.”

Chapter 20. It Is Unlawful For The Wife To Refuse To Come To Her Husband's Bed

[3538] 120 - (1436) It was narrated from Abü Zuhrah that the Prophet ﷺ said: "If a woman spends the night forsaking her husband's bed, the Angels will curse her until morning."

[3539] (...) Shu'bah narrated it with this chain (a Hadîth similar to no. 3538) and said: "...until she goes back."

[3540] 121 - (...) It was narrated that Abü Hurairah said: "The Messenger of Allâh ﷺ said: 'By the One in Whose Hand is my soul, there is no man who calls his wife to his bed and she refuses, but the One Who is in
heaven will be angry with her, until he is pleased with her.”

Chapter 21. The Prohibition Of Disclosing A Woman’s Secrets

[3541] 122 - (…) It was narrated that Abü Hurairah said: “The Messenger of Allâh ﷺ said: ‘If a man calls his wife to his bed and she does not come to him, and he spends the night angry with her, the Angels will curse her until morning.’”

[3542] 123 - (1437) Abû Sa’eed Al-Khudrî said: “The Messenger of Allâh ﷺ said: ‘One of the most evil people before Allâh on the Day of Resurrection will be a man who is intimate with his wife and she is intimate with him, then he publicizes her secrets.’”
Abū Sa'eed Al-Usu'drī said: “The Messenger of Allah ﷺ said: ‘The most serious breach of trust before Allah on the Day of Resurrection will be a man who is intimate with his wife and she is intimate with him, then he publicizes her secrets.”

Chapter 22. The Ruling On Coitus Interruptus (‘Azf)

It was narrated from Ibn Muḥairīz that he said: “Abū Ṣirmah and I entered upon Abū Sa'eed Al-Khudrī, and Abū Ṣirmah asked him: ‘Did you hear the Messenger of Allah ﷺ speak about ‘Azf?’ He said: ‘Yes. We went on a campaign with the Messenger of Allah ﷺ to Banū Al-Muṣṭaḥliq, and we captured some noble Arab women. We had been away from our wives for too long, but we also wanted the ransom, so we wanted to have intercourse with them then withdraw (coitus interruptus). Then we said: ‘How could we do...’”
this when the Messenger of Allah is among us, and we have not asked him?" So we asked the Messenger of Allah and he said: It does not matter if you do not do it, for Allah has not decreed that any soul will exist, until the Day of Resurrection, but it will come into being.”

[3545] 126 - (...) A Hadith similar to that of Rabi‘ah (no. 3554) was narrated from Muhammad bin Yahyâ bin Habbân with this chain, except that he said: “For Allah has decreed whom He is going to create until the Day of Resurrection.”

[3546] 127 - (...) It was narrated that Abû Sa‘eed Al-Khudrî said: “We captured some female prisoners and we engaged in coitus interruptus, then we asked the Messenger of Allah about that, and he said to us: ‘Do you do that? Do you do that? Do you do that? There is no soul that is to exist, until the Day of Resurrection, but it will come into being.”’

[3547] 128 - (...) It was narrated from Anas bin Sirîn, from Ma‘bad bin Sirîn, from Abû Sa‘eed Al-Khudrî. He (one of the narrators) said: “I said to him: ‘Did you hear
it from Abû Sa‘eed?’ He said: ‘Yes, from the Prophet ﷺ who said: It does not matter if you do not do it, for it is only the Divine Decree (that decides).’”

[3548] 129 - (...) A similar report (as no. 3546) was narrated from Anas bin Sirîn with this chain, except that in their Hadîth it says: “From the Prophet ﷺ who said concerning ‘Azî: ‘It does not matter if you do not do it, for it is only the Divine Decree (that decides).’”

According to the report of Bahz, Shu’bah said: “I said to him: ‘Did you hear it from Abû Sa‘eed?’ He said: ‘Yes.’”

[3549] 130 - (...) It was narrated from ‘Abdur-Rahmân bin Bîshr bin Mas‘ûd who attributed it to Abû Sa‘eed Al-Khudrî, who said: “The Prophet ﷺ was asked about ‘Azî and he said: ‘It does not matter if you do not do it, for it is only the Divine Decree (that decides).’”

(One of the narrators) Muhammad said: “The words: ‘It does not matter’ are more likely to mean that it is not allowed.”
Abü Sa'eed Al-Khudri said: “Mention of ‘Azl was made in the presence of the Prophet ﷺ and he said: ‘Why do you do that?’ They said: ‘A man may have a wife who is breast-feeding and he has intercourse with her, but he does not want her to become pregnant. And a man may have a slave woman and he has intercourse with her, but he does not want her to become pregnant.’ He said: ‘It does not matter if you do not do it, for it is only the Divine Decree (that decides).’”

Ibn ‘Awn said: “I narrated this to Al-Hasan, and he said: ‘By Allah, it is as if it is a rebuke.”

The Hadith of ‘Abdur-Rahmân bin Bishr (no. 3550) was narrated from 'Ibrâhîm, meaning, the Hadith about ‘Azl. He said: “It was to me that ‘Abdur-Rahmân bin Bishr narrated it.”

It was narrated that Mab’ad bin Sirîn said: “We said to Abü Sa’eed: ‘Did you hear the Messenger of Allah ﷺ mention anything about ‘Azl?’ He said:
‘Yes...’” and he quoted a Hadith like that of Ibn ‘Awn (no. 3550), as far as the words: “Divine Decree.”

[3553] 132 - (...) It was narrated that Abû Sa’eed Al-Khudrî said: “Mention of ‘Azî was made to the Messenger of Allâh ﷺ and he said: ‘Why would one of you do that?’ - but he did not say, one of you should not do that - ‘There is no soul that is meant to be created but Allâh will definitely create it.’”

[3554] 133 - (...) It was narrated that Abû Sa’eed Al-Khudrî said: “The Messenger of Allâh ﷺ was asked about ‘Azî and he said: ‘The child does not come from all the water; if Allâh wants to create something nothing can prevent it.’”

[3555] (...) A similar report (as no. 3554) was narrated from Abû Sa’eed Al-Khudrî, from the Prophet ﷺ.
134 - (1439) It was narrated from Jâbir that a man came to the Messenger of Allâh and said: “I have a slave woman who is our servant and brings water for us. I have intercourse with her, but I do not want her to become pregnant.” He said: “Withdraw from her ('An) if you wish, but what has been decreed for her will come to her.” Some time passed, then the man came to him and said that the slave woman had become pregnant. He said: “I told you that what had been decreed for her would come to her.”

135 - (...) It was narrated that Jâbir bin ‘Abdullâh said: “A man asked the Prophet: ‘I have a slave woman and I withdraw from her (’Azî).’ The Messenger of Allâh said: ‘That does not prevent anything that Allâh wills.’ The man came (a second time) and said: ‘O Messenger of Allâh, the slave woman whom I mentioned to you has become pregnant.’ The Messenger of Allâh said: ‘I am the slave of Allâh and His Messenger.’”
It was narrated that Jâbir bin 'Abdullâh said: “A man came to the Prophet ﷺ…” a Hadîth like that of Sufyân (no. 3557).

It was narrated that Jâbir said: “We used to engage in ‘Azl (and) the Qur’ân was being revealed.” Ishâq added: “Sufyân said: ‘If anything were to have forbidden it, we would have been forbidden it by the Qur’ân.’”

Jâbir said: “We used to engage in ‘Azl at the time of the Messenger of Allah ﷺ.”

It was narrated that Jâbir said: “We used to engage in ‘Azl at the time of the Messenger of Allâh ﷺ. News of that reached the Messenger of Allâh ﷺ and he did not forbid us to do it.”
Chapter 23. The Prohibition Of Intercourse With A Pregnant Captive Woman

[3562] 139 - (1441) It was narrated from Abū Ad-Dardâ’ that the Prophet ﷺ passed by a heavily pregnant (captive) woman, at the door of a tent and he said: “Perhaps he (the owner) wants to have intercourse with her?” They said: “Yes.” The Messenger of Allah ﷺ said: “I was thinking of cursing him with a curse that would go to his grave with him. How can he make him his heir when that is not permissible for him? How can he make him his slave when that is not permissible for him?”

[3563] (...) It was narrated from Shu’bah with this chain (a Hadîth similar to no. 3562).

Chapter 24. It Is Permissible To Have Intercourse With A Breastfeeding Woman (Ghîlah), And ‘Azî Is Disliked

[3564] 140 - (1442) It was narrated from Judámah bint Wahb Al-Asadiyyah that she heard the Messenger of Allâh ﷺ say: “I was thinking of forbidding...
intercourse with a breastfeeding woman, until it occurred to me that the Romans and Persians do that and it does not harm their children.”

[3565] 141 - (...) It was narrated from 'Aishah that Judâmah bint Wahb, the sister of 'Ukâshah, said: “I came to the Messenger of Allah along with some other people and he was saying: ‘I was thinking of forbidding intercourse with a breastfeeding woman, then I looked at the Romans and Persians; they have intercourse with their wives during the breastfeeding period and their children are not harmed by that at all.’ Then they asked him about 'Azl and the Messenger of Allah said: ‘It is a hidden form of burying alive.’” Ubaidullâh added in his Hadîth from Al-Muqri: This is a reference to (the verse): “And when the female (infant) buried alive is questioned.”[1]

It was narrated from 'Āishah that Judâmah bint Wahb Al-Asadiyyah said: “I heard the Messenger of Allâh ﷺ say:...” and he (the narrator) mentioned a Hadîth like that of Sa‘eed bin Abî Ayyûb (no. 3565) about ‘Azîl and Ghîlah.

[3566] 142 - (…) It was narrated from ‘Abdullâh bin Sa‘îd that Usâmah bin Zaid told his father Sa‘îd bin Abî Waqqâs that a man came to the Prophet ﷺ and said: “I withdraw (‘Azîl) from my wife.” The Messenger of Allâh ﷺ said to him: “Why do you do that?” The man said: “Out of compassion towards her child, or, her children.” The Messenger of Allâh ﷺ said: “If that was harmful, it would have harmed the Persians and Romans.”

Zuhair said in his report: “If it is because of that, then no (do not do it), for that does not harm the Persians and Romans.”

[3567] 143 - (1443) It was narrated from ‘Amîr bin Sa‘îd bin Abî Waqqâs that Usâmah bin Zaid told his father Sa‘îd bin Abî Waqqâs that a man came to the Prophet ﷺ and said: “I withdraw (‘Azîl) from my wife.” The Messenger of Allâh ﷺ said to him: “Why do you do that?” The man said: “Out of compassion towards her child, or, her children.” The Messenger of Allâh ﷺ said: “If that was harmful, it would have harmed the Persians and Romans.”

Zuhair said in his report: “If it is because of that, then no (do not do it), for that does not harm the Persians and Romans.”

[3569] 2 - (1444) It was narrated from ‘Amrah that ‘Aishah said: “The Messenger of Allâh ﷺ said to me: ‘What becomes unlawful through breastfeeding is that which becomes unlawful through birth.’”

[3568] 1 - (1444) It was narrated from ‘Amrah that ‘Aishah said: “The Messenger of Allâh ﷺ was with her, and she heard the voice of a man asking permission to enter Hafsah’s house. ‘Aishah said: “I said: ‘O Messenger of Allâh, there is a man asking permission to enter your house.’ The Messenger of Allâh ﷺ said: ‘I think it is so-and-so’ - Hafsah’s paternal uncle through breastfeeding. ‘Aishah said: ‘O Messenger of Allâh, if so-and-so’ - her paternal uncle through breastfeeding - were still alive, ‘could he enter upon me?’ The Messenger of Allâh ﷺ said: ‘Yes, for breastfeeding makes unlawful what birth makes unlawful.’”


[3569] 2 - (...) It was narrated from ‘Amrah that ‘Aishah said: “The Messenger of Allâh ﷺ said to me: ‘What becomes unlawful through breastfeeding is that which becomes unlawful through birth.’”
Chapter 2. The Prohibition That Results From Breastfeeding Is Related To The Issue Of The Male

3 - (1445) It was narrated from ‘Aishah that Aflah, the brother of Abü Al-Qu'ais, came and asked for permission to enter upon her, who was her paternal uncle through breastfeeding, after (the command of) Hijâb had been revealed. She said: “I refused to let him in, and when the Messenger of Allah t.w.o. came, I told him what I had done, and he told me to let him in.”

4 - (...) It was narrated that ‘Aishah said: “My paternal uncle through breastfeeding,
Aflah bin Abû Al-Qu'ais, came to me...” and he mentioned a Hadîth similar to that of Mâlik (no. 3571) and added: “I said: ‘It is the woman who breastfed me, not the man.’ He said: ‘May your hands’ - or ‘your right hand - be rubbed with dust.’”

[3573] 5 - (...) It was narrated from ‘Urwh that ‘Aishah told him that Aflah, the brother of Abû Al-Qu'ais, came and asked for permission to enter upon her, after the (command of) Hijâb had been revealed. Abû Al-Qu'ais was ‘Aishah’s father through breastfeeding. ‘Aishah said: “I said: ‘By Allah, I will not give permission to Aflah until I seek permission from the Messenger of Allah ﷺ, for Abû Al-Qu'ais is not the one who breastfed me, rather his wife breastfed me.’” ‘Aishah said: “When the Messenger of Allah ﷺ came in, I said: ‘O Messenger of Allah, Ahab, the brother of Abû Al-Qu'ais, came to me and asked permission to enter upon me, but I did not want to give him permission until I asked your permission.’ The Prophet ﷺ said: ‘Give him permission.’”

‘Urwh said: “Because of that, ‘Aishah used to say: ‘Regard as unlawful through breastfeeding that which you regard as unlawful through lineage.’”
It was narrated from Az-Zuhri with this chain: "Affâh, the brother of Abû Al-Qu‘ais, came and asked permission to enter upon her..." a similar Hadith (as no. 3572), in which it says: "He is your paternal uncle, may your right hand be rubbed with dust." Abû Al-Qu‘ais was the husband of the woman who breastfed ‘Aishah.

It was narrated that ‘Aishah said: "My paternal uncle through breastfeeding came and asked permission to enter upon me, and I refused to give him permission until I consulted the Messenger of Allâh ﷺ. When the Messenger of Allâh ﷺ came, I said: 'My paternal uncle through breastfeeding came and asked for permission to enter upon me, but I refused to give him permission.' The Messenger of Allâh ﷺ said: 'Let your uncle enter upon you.' I said: 'But it is the woman who breastfed me; the man did not breastfeed me.' He said: 'He is your uncle, let him enter upon you.'"

Hishâm narrated with this chain that the brother of Abû Qu‘ais asked for permission to enter upon her... a similar report (as no. 3575).

A similar report (as no. 3575) was narrated from
Hishâm, with this chain, except that he said: “Abû Al-Qu’ais asked for permission to enter upon her.”

[3578] 8 - (...) It was narrated from Ibn Juraij from ‘Aţâ’, who said: “Urwah bin Az-Zubair informed me that ‘Aishah told him: ‘My paternal uncle through breastfeeding, Abû Al-Ja’d, asked for permission to enter upon me, and I refused.”’ - Hishâm said to me: “In fact it was Abû Al-Qu’ais.” - “When the Prophet ç came, I told him about that and he said: ‘Why didn’t you let him in, may your right hand - or your hand - be rubbed with dust?’”

[3579] 9 - (...) It was narrated from ‘Aīshah that her paternal uncle through breastfeeding, who was called Aflâh, asked for permission to enter upon her, and she did not give him permission to enter until she had put on Hijâb. She told the Messenger of Allâh ﷺ, and he said to her: “Do not observe Hijâb before him, for what becomes unlawful through breastfeeding is that which becomes unlawful through lineage.”

[3580] 10 - (...) It was narrated that ‘Aīshah said: “Aflâh bin Qu’ais asked for permission to enter upon me, and I refused to let him in. He sent word saying:
‘I am your paternal uncle, my brother’s wife breastfed you.’ But she refused to let him in. Then the Messenger of Allâh ﷺ came, and she told him about that, and he said: ‘Let him enter upon you, for he is your paternal uncle.’

Chapter 3. The Daughter Of One’s Brother Through Breastfeeding Is Forbidden In Marriage

[3581] 11 - (1446) It was narrated that ‘Ali said: “I said: ‘O Messenger of Allâh, why do you insist on choosing a wife from among the Quraish and you ignore us?’ He said: ‘Have you anything to suggest?’ I said: ‘Yes, the daughter of Hamzah.’ The Messenger of Allâh ﷺ said: ‘She is not permissible for me (to marry), for she is the daughter of my brother through breastfeeding.’”

[3582] (...) A similar report (as no. 3581) was narrated from Al-A‘mash with this chain.
[3583] 12 - (1447) It was narrated from Ibn 'Abbâs that it was suggested that the Prophet marry the daughter of Hamzah. He said: "She is not permissible for me (to marry), for she is the daughter of my brother through breastfeeding, and what becomes unlawful through breastfeeding is that which becomes unlawful through ties of kinship."

[3584] 13 - (...) The same report (no. 3583) was narrated from Qatâdah with the chain of Hammâm, except that the Hadîth of Shu'bah ends with the words "...the daughter of my brother through breastfeeding." In the Hadîth of Sa'eed it says: "Verily what becomes unlawful through breastfeeding is that which becomes unlawful through blood ties."

about the daughter of Hamzah?'
Or it was said: ‘Why don’t you propose marriage to the daughter of Hamzah bin ‘Abdul-Muttalib?’
He said: ‘Hamzah is my brother through breastfeeding.’

Chapter 4. The Prohibition Of Marriage To One’s Stepdaughter And The Sister Of One’s Wife

[3586] 15 - (1449) It was narrated that Umm Ḥabībah bint Abī Sufyān said: “The Messenger of Allah entered upon me and I said to him: ‘What about my sister, the daughter of Abū Sufyān?’ He said: ‘What should I do?’ I said: ‘Marry her.’ He said: ‘Would you like that?’ I said: ‘I am not your only wife, and I would like my sister to share with me in this goodness.’ He said: ‘She is not permissible for me (to marry).’ I said: ‘I have been told that you proposed marriage to Durrāh bint Abī Salamah.’ He said: ‘The daughter of Umm Salamah?’ I said: ‘Yes.’ He said: ‘Even if she was not my stepdaughter under my care, she
would not be permissible for me (to marry); her father and I were both breastfed by Thuwaibah. Do not offer your daughters or sisters to me in marriage."

[3587] (...) A similar report (as no. 3586) was narrated from Hishâm bin ‘Urwah with this chain.

[3588] 16 - (...) Umm Ḥabībah, the wife of the Prophet ﷺ, narrated that she said to the Messenger of Allâh ﷺ: "O Messenger of Allâh, marry my sister ‘Azzah." The Messenger of Allâh ﷺ said: "Would you like that?" She said: "Yes, O Messenger of Allâh. I am not your only wife, and I would like my sister to share with me in the goodness." The Messenger of Allâh ﷺ said: "That is not permissible for me." I said: "O Messenger of Allâh, we have been told that you want to marry Durrah bint Abî Salamah." He said: "The daughter of Abû Salamah?" She said: "Yes." The Messenger of Allâh ﷺ said: "Even if she were not my stepdaughter under my care, she would not be permissible for me (to marry), for she is the
daughter of my brother through breastfeeding. Her father Abû Salamah and I were both breastfed by Thuwaibah. Do not offer your daughters or sisters to me in marriage.”

[3589] (...) A similar Ḥadîth (as no. 3588) was narrated from Az-Zuhri with the chain of Ibn Abî Habibah, but none of them mentioned ‘Azzah by name except Yazid bin Abî Habibah.

Chapter 5. One Or Two Sucks

[3590] 17 - (1450) It was narrated that ‘Aishah said: “The Messenger of Allâh ﷺ said: ‘One or two sucks do not make anything forbidden.””
It was narrated that Umm Al-Fadl said: "A Bedouin entered upon the Prophet of Allah when he was in my house, and said: 'O Prophet of Allah, I have a wife and I took another wife. My first wife claims that she breastfed my new wife once or twice.' The Prophet of Allah said: 'One or two sucks do not make anything forbidden.'" 'Amr said in his report: "It was narrated from 'Abdullah bin Al-Harîth bin Nawfal.'

It was narrated from Umm Al-Fadl that a man from Banû 'Amir bin Sa'â'ah said: "O Prophet of Allah, does a single breastfeeding make anything forbidden?" He said: "No."
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[3593] 20 - (...)

Umm Al-Fadl narrated that the Prophet of Allah ﷺ said: “One or two breastfeeding, or one or two sucks, do not make anything forbidden.”

[3594] 21 - (...)

It was narrated from Ibn ‘Abî ‘Arûbah, with this chain (a Hadîth similar to no. 3593). As for Ishâq, he said, as in the report of Ibn Bishr: “...or two breastfeeding or two sucks.” As for Ibn Abî Shaibah, he said: “...and two breastfeeding and two sucks.”

[3595] 22 - (...)

It was narrated from Umm Al-Fadl that the Prophet ﷺ said: “One or two sucks do not make anything forbidden.”

[3596] 23 - (...)

It was narrated from Umm Al-Fadl that a man asked the Prophet ﷺ: “Does one
suck make anything forbidden?"
He said: "No."

Chapter 6. Becoming Mahram
Is Established By Five Breastfeedings

[3597] 24 - (1452) It was narrated that 'Aishah said: "Among the things that were revealed of the Qur'ân was that ten definite breastfeedings make a person a Mahram, then that was abrogated and replaced with five definite breastfeedings, and the Messenger of Allâh ﷺ passed away when this was among the things that were recited of the Qur'ân."

[3598] 25 - (...) It was narrated from 'Amrah that she heard 'Aishah say - when she was mentioning what kind of breastfeeding makes a person a Mahram - Ten definite breastfeedings were revealed in the Qur'ân, then five definite breastfeedings were revealed too.

[3599] (...) 'Amrah narrated that she heard 'Aishah say... a similar report (as no. 3597).
Chapter 7. Breastfeeding An Adult

[3600] 26 - (1453) It was narrated that ‘Āishah said: “Sa‘lah bint Suhail came to the Prophet ﷺ and said: ‘O Messenger of Allāh, I see (signs of displeasure) on the face of Abū Hudhaifah when Sālim - who was his ally[1] - comes in. The Prophet ﷺ said: ‘Breastfeed him.’ She said: ‘How can I breastfeed him? He is a grown man.’ The Messenger of Allāh ﷺ smiled and said: ‘I know that he is a grown man.”’

‘Amr added in his Hadīth: “He was one of those who had been present at Badr.” In the report of Ibn Abī ‘Umar: “The Messenger of Allāh ﷺ laughed.”

[3601] 27 - (...) It was narrated from ‘Āishah that Sālim, the freed slave of Abū Ḥudhaifah,

[1] Sālim bin ‘Ubaid bin Rabī’ah was adopted by Abū Ḥudhaifah, as was the custom of the Arabs, and he was brought up under the care of Abū Ḥudhaifah and his wife as if he was their son. When the verse: “Call them (adopted sons) by (the names of) their fathers.” [Al-Ahzāb 33:5] was revealed, the idea of adoption was abolished and it became hard on them to prevent him from entering upon them because he was like a son to them. So Sa‘lah asked him about that.
was with Abū Hudhaifah and his family in their house. She—meaning the daughter of Suhail (his wife of Abū Hudhaifah)—came to the Prophet and said: "Sālim has attained what men attain (puberty) and he understands what they understand. He enters upon us and I think that Abū Hudhaifah feels some (discomfort) in his heart because of that." The Prophet said to her: "Breastfeed him and he will be unlawful for you, and what Abū Hudhaifah feels in his heart will disappear." She came back to him and said: "I breastfed him, and what Abū Hudhaifah felt in his heart has disappeared."

[3602] 28 - (…) It was narrated from ‘Aishah that Sahlah bint Suhail bin ‘Amr came to the Prophet and said: "O Messenger of Allah, Sālim—meaning Sālim, the freed slave of Abū Hudhaifah—is with us in our house, and he has attained what men attain and knows what men know." He said: "Breastfeed him and he will be unlawful for you." He (Ibn Abī Mulaikah, a narrator) said: "For a year or so I did not narrate this out of fear, then I met Al-Qāsim and said to him: 'You told me a Hadīth that I have not narrated yet.' He said: 'What is it?' And I told him. He
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said: ‘Narrate from me that ‘Aishah told me that.”

[3603] 29 - (...) It was narrated that Zainab bint Umm Salamah said: Umm Salamah said to ‘Aishah: ‘There enters upon you a slave boy who is close to puberty, and I would not like him to enter upon me. ‘Aishah said: Do you not have a good example in the Messenger of Allah? She said: The wife of Abū Hudhaifah said: “O Messenger of Allah, Sâlim enters upon me and he is a man, and there is some (discomfort) in the heart of Abū Hudhaifah about that.” The Messenger of Allah said: “Breastfeed him so that he may enter upon you.”

[3604] 30 - (...) Zainab bint Abi Salamah said: I heard Umm Salamah, the wife of the Prophet say to ‘Aishah: By Allah, I do not like a boy who has passed the age of breastfeeding to see me. She said: Why? Sahlah bint Sa’d came to the Messenger of Allah and...
and said: “O Messenger of Allah, by Allah, I see some (discomfort) in the face of Abû Hudhaifah when Sâlim comes in.” The Messenger of Allah said: “Breastfeed him.” She said: “He has a beard.” He said: “Breastfeed him, and that which is in the face of Abû Hudhaifah will disappear.” She said: “By Allah, I did not see it in the face of Abû Hudhaifah (after that).”

Zainab bint Abî Salamah narrated that her mother Umm Salamah, the wife of the Prophet, used to say: “The other wives of the Prophet used to refuse to admit anyone on the basis of that breastfeeding (of a grown-up). They said to ‘Âishah, ‘By Allah, we think that this is a concession which the Messenger of Allah granted only in the case of Sâlim. No one will enter upon us or see us on the basis of this type of breastfeeding.’”
Chapter 8. Breastfeeding Is Because Of Hunger (Meaning, During Infancy)

(المجاعه) (النحلة) (32) [3606] 32 - (1455) It was narrated that Masrūq said: “Aīshah said: The Messenger of Allah entered upon me and there was a man sitting in my house. He felt upset because of that and I saw signs of anger in his face. I said: “O Messenger of Allah, he is my brother through breastfeeding.” He said: “Consider who are your brothers through breastfeeding, for breastfeeding is only through hunger.”

(المجاعه) (النحلة) (37) [3607] (...) A similar Hadith (as no. 3606) was narrated from Ash'ath bin Abī Ash-Sha'thâ' with the chain of Abū Al-Aḥwaṣ.

[1] Meaning, verify what really happened and whether the breastfeeding met the conditions such as there having been five full feedings within the first two years of life, etc.
Chapter 9. It Is Permissible To Have Intercourse With A Female Captive After It Is Established That She Is Not Pregnant, And If She Has A Husband Then Her Marriage Is Annulled When She Is Captured

[3608] 33 - (1456) It was narrated from Abû Sa‘eed Al-Khûdri that on the Day of Hunain, the Messenger of Allâh ﷺ sent an army to Awtâs, where they met the enemy, fought them and prevailed over them. They captured some female prisoners, and it was as if the Companions of the Messenger of Allâh ﷺ felt reluctant to have intercourse with them because of their idolator husbands. Then Allâh, the Mighty and Sublime, revealed: “Also (forbidden are) women already married, except those (slaves) whom your right hands possess”,[1] meaning, they are permissible for you once their ’Iddah has ended.

[3609] 34 - (...) Abū Sa‘eed Al-Khudrī narrated that on the Day of Hunain the Prophet of Allāh sent out a party... a Hadīth like that of Yazīd bin Zuray’, (no. 3608) except that he said: “Except those whom your right hands possess” for they are permissible for you. And he did not mention: “When their ‘Iddah is over.”

[3610] (...) A similar report (as no. 3609) was narrated from Qatādah with this chain.

[3611] 35 - (...) It was narrated that Abū Sa‘eed said: ‘They captured some female prisoners on the Day of Awtās, who had husbands, so they were worried, then this verse was revealed: “Also (forbidden are) women already married, except those (slaves) whom your right hands possess...’[1]

[3612] (...) A similar report (as no. 3611) was narrated from Qatādah with this chain.

Chapter 10. The Child Belongs To (The Owner Of) The Bed And Suspicion Must Be Avoided

[3613] 36 - (1457) It was narrated that 'Aishah said: “Sa'd bin Abi Waqqâs and 'Abd bin Zam‘ah disputed concerning a boy. Sa’d said: ‘O Messenger of Allâh, this is the son of my brother, ‘Utbah bin Abi Waqqâs, who stated to me that he is his child. See how he resembles him.’ ‘Abd bin Zam‘ah said: ‘This is my brother, O Messenger of Allâh, he was born on my father’s bed of his slave woman.’ The Messenger of Allâh looked to see who he resembled, and he saw a clear resemblance to ‘Utbah. But he said: ‘He is yours, O ‘Abd. The child is for the (owner of the) bed and the fornicator gets the ‘Uqjar. Observe Hijâb from him, O Sawdah bint Zam‘ah.” She said: “And he never saw Sawdah.” Muhammed bin Rumh did not mention the words: “O ‘Abd.”

[3614] (...) A similar report (as no. 3613) was narrated from Azz-Zuhri with this chain, except that Ma’mar and Ibn ‘Uuyaynah said in their Hadith: “The child is for the

[1] “The stone” and they say that its meaning is “nothing.”
(owner of the) bed,” and they did not mention “and the fornicator gets the Hajar.”

[3615] 37 - (1458) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: “The child is for the (owner of the) bed and the fornicator gets the Hajar.”

[3616] (...) A Hadîth like that of Ma'mar (no. 3615) was narrated from Abû Hurairah from the Prophet ﷺ.
Chapter 11. Detecting Relationships From Physical Features

[3617] 38 - (1459) It was narrated from ‘Āishah that she said: “The Messenger of Allâh ﷺ entered upon me one day happily, with his face shining. He said: ‘Did you not see that Mujazziz looked at Zaid bin Ḥârithah and Usâmah bin Zaid just now, and he said: These feet belong to one another.’”

[3618] 39 - (...) It was narrated that ‘Āishah said: “The Messenger of Allâh ﷺ entered upon me happy one day and said: ‘O ‘Āishah, did you not see that Mujazziz Al-Mudlaji entered upon me and he saw Usâmah and Zaid with a piece of velvet cloth over them that was covering their heads, but their feet were showing, and he said: These feet belong to one another.’”

[3619] 40 - (...) It was narrated that ‘Āishah said: “A Qā’if (one who detects family resemblance) entered when the Messenger of Allâh ﷺ was present, and Usâmah bin Zaid and Zaid bin
Hārithah were lying down. He said: ‘These feet belong to one another.’ The Prophet was pleased by this and liked it, and he told ‘Āishah about it.’

[3620] (...) A similar Hadīth (as no. 3619) was narrated from Az-Zuhrī with this chain, and in the Hadīth of Yūnus it adds: “And Mujazziz was a Qāʿif.”

Chapter 12. How Long A Virgin And A Previously-Married Woman Are Entitled To Have The Husband Stay With Them After Marriage

[3621] 41 - (1460) It was narrated from Umm Salamah that when the Messenger of Allah married Umm Salamah, he stayed with her for three days, and he said: “There is no lack of esteem on the part of your husband towards you. If you wish, I will stay with you for seven days, but if I stay with you for seven days, then I will have to stay with each of my wives for seven days.”
[3622] 42 - (...) It was narrated from Abū Bakr bin `Abdur-Rahmān that when the Messenger of Allāh ﷺ married Umm Salamah, the following morning he said to her: “There is no lack of esteem on the part of your husband towards you. If you wish, I will stay with you for seven days, or if you wish I will stay with you for three, then I will visit (each of you) in turn.” She said: “Make it three.”

[3623] (...) It was narrated from Abū Bakr bin `Abdur-Rahmān that when the Messenger of Allāh ﷺ married Umm Salamah, he went to stay with her, then he wanted to leave and she took hold of his garment. The Messenger of Allāh ﷺ said: “If you wish, I will stay longer and count it. For a virgin seven days, and for a previously-married woman, three.”

[3624] (...) A similar report (as no. 3623) was narrated from `Abdur-Rahmān bin Ḥumaid with this chain.

[3625] 43 - (...) It was narrated from Abū Bakr bin `Abdur-Rahmān bin Al-Ḥarīth bin Hishām, from Umm Salamah. He (ﷺ) said that the Messenger of Allāh ﷺ married her, and he mentioned some things, including this: He said: “If you wish, I will stay with
you (to Umm Salamah) for seven days, and then spend seven days with each of my wives, for if I spend seven days with you I will spend seven days with each of my wives.”

[3626] 44 - (1461) It was narrated that Anas bin Mâlik said: “If (a man) marries a virgin in addition to a previously-married woman, he should stay with her for seven days, and if he marries a previously-married woman in addition to a virgin, he should stay with her for three.” Khâlid (a narrator) said: “If I were to say that he attributed it to the Prophet ﷺ I would be speaking the truth, but he said: ‘That is the Sunnah.’”

Chapter 13. Dividing One’s Time Among Wives; The Sunnah Is For Each One To Have One Night And One Day

[3627] 45 - (...) It was narrated that Anas said: “It is Sunnah to stay with a virgin for seven days.” Khâlid (a narrator) said: “If you wish, I will say that he attributed it to the Prophet ﷺ.”

[3628] 46 - (1462) It was narrated that Anas said: “The Prophet ﷺ had nine wives, and when he divided his time among...
them, he did not come back to the first one until the ninth day. Every night they used to gather in the house of the one whose night it was. He was in 'Aishah's house, and Zainab came and he reached out his hand towards her. 'Aishah said: 'This is Zainab, and the Prophet withdrew his hand.' They argued and raised their voices, and the Iqâmah was called for prayer. Abû Bakr came past at that point and heard their voices, so he said: 'Come out for the prayer, O Messenger of Allah, and throw dust in their mouths.' The Prophet came out, and 'Aishah said: 'Now the Prophet will finish his prayer and come, and Abû Bakr will come and do such-and-such to me.' When the Prophet had finished his prayer, Abû Bakr came to her and spoke sternly to her, and said: 'Do you behave like this?"

Chapter 14. It Is Permissible For A Wife To Give Her Turn To A Co-Wife

[3629] 47 - (1463) It was narrated that 'Aishah said: "I never saw a woman whose position I wished I could be in more than Sawdah bint Zam'ah, a woman of strong character." When she grew old, she gave her day with the Messenger of Allah to 'Aishah. She said: "O Messenger of Allah, I

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{(1463) - (1463)} حَدَّثَنَا رَهْمَةُ ابْنُ حُزَيْبٍ حَدَّثَنَا حُجَيْرُ عَنْ هِسَامِ بْنِ عُزْوَةَ عَنْ أَبِيَهُ عَنْ عَائِشَةَ قَالَتْ مَا رَأِيتِ اِثْرَاءَةٍ أَخْبَى إِلَيْنَا أَنْ أُكُونَ فِي مِسْلَاجِهَا مِنْ سَوَاءٍ بِحَلَّ زَعْمَةٍ مِنْ اِثْرَاءَةٍ فِيهَا جَدَّةً قَالَتْ فَلِمَا كَرِيْرُ جَعَلْتَ
have given my day with you to ‘Aīshah.” So the Messenger of Allâh ﷺ gave ‘Aīshah two days, her day, and Sawdah’s day.

[3630] 48 - (1464) It was narrated from Hishâm with this chain, that when Sawdah grew old... a Hadîth like that of Jarîr (no. 3629). In the Hadîth of Sharîk it adds: “She was the first woman whom he married after me.”

[3631] 49 - (1464) It was narrated that ‘Aīshah said: “I used to feel jealous of the women who offered themselves (in marriage) to the Messenger of Allâh ﷺ, and I would say: ‘Would a woman offer herself?’ When Allâh, the Most High, revealed the words: “You can postpone (the turn of) whom you will of them (your wives), and you may receive whom you will. And whomsoever you desire of those whom you have set aside (her turn temporarily), ...[,1] I said: ‘By Allâh, I see that your

Lord is quick to respond to your wishes.’’

[3632] 50 - (...) It was narrated from ‘Aishah that she used to say: “Wouldn’t a woman feel too shy to offer herself to a man?” Until Allâh [the Mighty and Sublime] revealed: “You can postpone (the turn of) whom you will of them (your wives), and you may receive whom you will”[1] Then she said: “Your Lord is quick to respond to your wishes.’’

[3633] 51 - (1465) ‘Atâ’ said: “We attended the funeral of Maimûnah, the wife of the Prophet ﷺ, in Sarif with Ibn ‘Abbâs. Ibn ‘Abbâs said: ‘This is the wife of the Prophet ﷺ, so when you lift her, do not shake her nor disturb her; be gentle with her. The Messenger of Allâh ﷺ had nine wives, and he used to divide his time between eight of them, and he did not allot a share of his time to one of them. The one to whom he did not allot a share of his time was Saîyyah bint Huyayy bin Akhtab.’’

[3634] 52 - (...) It was narrated from Ibn Juraij with this chain (a Hadîth similar to no. 3633), and

he added: ‘Âtâ’ said: “...She was the last of them to die, and she died in Al-Madînah.”

Chapter 15. It Is Recommended To Marry One Who Is Religiously Committed

[3635] 53 - (1466) It was narrated from Abû Hurairah that the Prophet ﷺ said: “Women are married for four things: Their wealth, their lineage, their beauty and their religion. Choose the one with religion, may your hands be rubbed with dust.”  

[3636] 54 - (715) Jâbir bin ‘Abdullâh said: “I married a woman at the time of the Messenger of Allâh ﷺ, and I met the Prophet ﷺ and he said: ‘O Jâbir, have you gotten married?’ I said: ‘Yes.’ He said: ‘A virgin or a previously-married woman?’ I said: ‘A previously-married woman.’ He said: ‘Why not a virgin so you could play with her?’ I said: ‘O Messenger of Allâh, I have sisters, and I was afraid that she might cause trouble between myself and them.’ He said: ‘That’s fine then. A woman is...’

married for her religion, her wealth or her beauty. Choose the one with religion, may your hands be rubbed with dust.”

Chapter 16. It Is Recommended To Marry Virgins

[3637] 55 - (…) It was narrated that Jābir, bin ‘Abdullâh said: “I married a woman and the Messenger of Allâh ḳ said to me: ‘Have you gotten married?’ I said: ‘Yes.’ He said: ‘A virgin or a previously-married woman?’ I said: ‘A previously-married woman.’ He said: ‘What about virgins and playing with them?’”

Shu‘bah said: “I mentioned this to ‘Amr bin Dinâr and he said: ‘I heard it from Jâbir, but he said: ‘Why not a young virgin, so you could play with her and she could play with you?’”

[3638] 56 - (…) It was narrated from Jâbir bin ‘Abdullâh, that ‘Abdullâh (his father) died and left behind nine - or seven - daughters, and I married a previously-married woman. The Messenger of Allâh ḳ said to me: “O Jâbir, have you gotten married?” I said: “Yes.” He said: “A virgin or a previously-married woman?” I said: “A previously-
married woman, O Messenger of Allah.” He said: “Why not a young virgin whom you could play with, and she could play with you?” - or he said: “Whom you could make laugh, and she could make you laugh?” - I said to him: “‘Abdullâh died and left behind nine - or seven - daughters, and I did not like to bring to them one who was like them. I wanted to bring a woman who could look after them and take care of them.” He said: “Then may Allâh bless you,” or he said good words to me.

[3639] (...) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh ﷺ said to me: ‘Did you get married, O Jâbir?’”... and he quoted the Hadîth (similar to no. 3638) as far as the words: “A woman who would look after them and comb their hair.” He said: “You have done well,” and he did not mention the words that come after that.

[3640] 57 - (...) It was narrated that Jâbir bin ‘Abdullâh said: "We were with the Messenger of Allâh ﷺ on a campaign, and when we were heading back I urged my camel on because it was slow. A rider behind me caught up with me and prodded
my camel with an ‘Anazah[1] that he had with him, and my camel moved forward like the best camel you have ever seen. I turned around and there was the Messenger of Allâh ﷺ. He said: ‘Why are you in such a hurry, O Jâbir?’ I said: ‘O Messenger of Allâh, I have recently got married.’ He said: ‘Did you marry a virgin or a previously-married woman?’ I said: ‘A previously-married woman.’ He said: ‘Why not a young virgin who you could play with and she could play with you?’”

“When we came to Al-Madinah, we wanted to enter but he said: ‘Slow down so we can enter at night, so that the women whose hair is disheveled may comb their hair, and the women whose husbands have been away may shave their pubes.’ And he said: ‘When you arrive, be smart, be smart.’”[2]

[3641] (... It was narrated that Jâbir bin ‘Abdullâh said: “I went out on a campaign with the Messenger of Allâh ﷺ and my camel held me back. The Messenger of Allâh ﷺ came to me and said: ‘O Jâbir.’ I said: ‘Yes.’ He said: ‘What is the matter with you?’ I said: ‘My camel is holding me back; it is tired and I fell behind.’ He dismounted and


[2] Be smart: This may mean either “be smart and have intercourse with your wife (for the purpose of having children)” or “be smart and do not rush to have intercourse with your wife until you are sure that she is not menstruating etc.”
prodded it with a crooked stick, then he said: 'Ride.' So I rode, and I remember that I had to restrain it from passing the Messenger of Allah. He said: 'Have you gotten married?' I said: 'Yes.' He said: 'A virgin or a previously-married woman?' I said: 'A previously-married woman.' He said: 'Why not a girl whom you could play with and she could play with you?' I said: 'I have sisters, and I wanted to marry a woman who could keep them together and comb their hair and take care of them.' He said: 'You are going home, and when you arrive, be smart, be smart.' Then he said: 'Will you sell your camel?' I said: 'Yes.' So he bought it from me for an Uqiyah, then the Messenger of Allah arrived and I arrived in the morning. I came to the Masjid and found him at the door of the Masjid. He said: 'Have you just arrived now?' I said: 'Yes.' He said: 'Leave your camel and go inside and pray two Rak'ah.' So I went inside and prayed, then I came back. He told Bilâl to weigh out an Uqiyah for me and Bilâl did that, and added a little more. Then I left, then when I was on my way he said: 'Call Jâbir for me.' I was called and I said: 'Now he will return the camel to me, and there was nothing I disliked more than it.' He said: 'Take your camel, and keep its price for yourself.'
It was narrated that Jâbir bin ‘Abdullâh said:

“We were on a journey with the Messenger of Allâh ﷺ and I was on a camel that lagged behind the people. The Messenger of Allâh ﷺ struck it,” or prodded it - I think he said, “with something that he had with him. After that it started going ahead of the people and I was struggling to restrain it. The Messenger of Allâh ﷺ said: ‘Will you sell it to me for such-and-such, may Allâh forgive you?’ I said: ‘It is yours, O Prophet of Allâh.’ He said: ‘Will you sell it to me for such-and-such, may Allâh forgive you?’ I said: ‘It is yours, O Prophet of Allâh.’ He said to me: ‘Did you get married after your father died?’ I said: ‘Yes.’ He said: ‘A previously-married woman or a virgin?’ I said: ‘A previously-married woman.’ He said: ‘Why didn’t you marry a virgin who could make you laugh and you could make her laugh, and she could play with you and you could play with her?’”

Abû Na‘drah said: “That was a phrase that the Muslims used to say: ‘Do such and such, may Allâh forgive you.’”

Chapter 17. Advice With Regard To Women
that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘Woman was created from a rib, it will never become straight for you in any way. If you wish to benefit from her then you may benefit from her, along with her crookedness, but if you try to straighten her you will break her, and breaking her is divorcing her.’”

[3644] 60 - (…) It was narrated from Abû Hurairah that the Prophet ﷺ said: “Whoever believes in Allâh and the Last Day, if he witnesses something let him speak good or else keep silent. Deal kindly with women, for woman was created from a rib, and the most crooked part of a rib is its upper part. If you try to straighten it you will break it, and if you leave it alone it will remain crooked. Deal (kindly) with women.”

[3645] 61 - (1467) It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘No believing man should hate a believing woman. If he dislikes one of her characteristics, he may be pleased with another.’”
A similar report (as no. 3645) was narrated from Abû Hurairah from the Prophet ﷺ.

Chapter 18. Were It Not For ٮَٰٓ, No Female Would Ever Betray Her Husband

[3647] 62 - (1468) It was narrated from Abû Hurairah that the Messenger of Allahﷺ said: “Were it not for ٮَٰٓ, no female would ever have betrayed her husband.”

[3648] 63 - (...) It was narrated that Hammâm bin Munabbih said: This is what Abû Hurairah narrated from the Messenger of Allahﷺ. He mentioned a number of Ahadith, including the following: “The Messenger of Allahﷺ said: ‘Were it not for the Children of Israel, no food would go bad and no meat would turn rotten, and were it not for ٮَٰٓ no female would ever betray her husband.’”
Chapter 19. The Best Temporary Joy Of This World Is The Righteous Woman

[3649] 64 - (1469) It was narrated from 'Abdullâh bin 'Amr that the Messenger of Allâh ﷺ said: “This world is no more than temporary joys, and there is no temporary joy of this world that is better than the righteous wife.”

Chapter 20. Advice With Regard To Women

[3650] 65 - (1470) It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘Woman is like a rib. If you try to straighten her you will break her, but if you leave her alone you will benefit from her even though there is some crookedness in her.”

[3651] (...) A similar report (as no. 3650) was narrated from the nephew of Az-Zuhrî, from his paternal uncle, with this chain.
Chapter 1. The Prohibition Of Divorcing A Menstruating Woman Without Her Consent; If A Man Breaks This Rule It Still Counts As A Divorce, And He Should Be Ordered To Take Her Back

[3652] (1471) It was narrated from Ibn 'Umar that he divorced his wife while she was menstruating, at the time of the Messenger of Allâh ﷺ. 'Umar bin Al-Khaṭṭâb asked the Messenger of Allâh ﷺ about that and the Messenger of Allâh ﷺ said to him: “Tell him to take her back, then wait until she has become pure, then menstruated again, then become pure again. Then if he wishes he may keep her, or if he wishes he may divorce her before he has intercourse with her. That is the 'Iddah (prescribed periods) for which Allâh has enjoined the divorce of women.”

[3653] (...) It was narrated from ‘Abdullâh that he divorced one of his wives while she was menstruating, with a single divorce. The Messenger ﷺ
of Allâh ordered him to take her back and keep her until she had become pure then menstruated again in his house. Then he should wait until she became pure again, then if he wished he could divorce her when she became pure, before having intercourse with her. That is the 'Iddah (prescribed periods) for which Allâh has enjoined the divorce of women.

Ibn Rumh added in his report: “When ‘Abdullâh was asked about that, he said to one of them: ‘But if you have divorced your wife once or twice, the Messenger of Allâh told me to do that (i.e., take her back), but if you have divorced her three times, then she becomes unlawful to you until she marries another husband; and you have disobeyed Allâh with regard to His commands about divorcing your wife.’”

Muslim said: Al-Laith did well with his saying: “A single divorce (a narrator).”

[3654] 2 - (....) It was narrated that Ibn ‘Umar said: “I divorced my wife at the time of the Messenger of Allâh while she was menstruating. ‘Umar mentioned that to the Messenger of Allâh and he said: ‘Tell him to take her back, then let him wait until she becomes pure, then menstruates again, then when she becomes pure then menstruates again in his house. Then he should wait until she became pure again, then if he wished he could divorce her when she became pure, before having intercourse with her. That is the ‘Iddah (prescribed periods) for which Allâh has enjoined the divorce of women.”
pure again, let him divorce her before having intercourse with her, or let him keep her. That is the 'Iddah (prescribed periods) for which Allâh has enjoined the divorce of women.'

‘Ubaidullâh said: ‘I said to Nâfi: ‘What happened to that divorce?’ He said: ‘It was one divorce that was counted as such.’

[3655] (…) A similar report (as no. 3654) was narrated from ‘Ubaidullâh with this chain, but he did not mention what ‘Ubaidullâh said to Nâfi‘.

[3656] 3 - (…) It was narrated from Nâfi‘ that Ibn ‘Umar divorced his wife while she was menstruating, and ‘Umar asked the Prophet about that. He (ﷺ) ordered him to take her back, then wait until she had menstruated again, then wait until she became pure, then he could divorce her before having intercourse with her. That is the ‘Iddah (prescribed periods) for which Allâh has enjoined the divorce of women. He said: “When Ibn ‘Umar was asked about a man who divorces his wife while she is menstruating, he
would say: ‘If you have divorced her once or twice, the Messenger of Allah ﷺ told him to take her back, then wait until she menstruated again, then wait until she became pure, then divorce her before having intercourse with her. If you divorced her three times, then you have disobeyed your Lord with regard to the manner in which He commanded you to divorce your wife, and the divorce is irrevocable.’”

[3657] 4 - (...) ‘Abdullâh bin ‘Umar said: “I divorced my wife while she was menstruating. ‘Umar mentioned that to the Prophet ﷺ and the Messenger of Allah ﷺ got angry and said: ‘Tell him to take her back until she has menstruated again, a menses other than that in which he divorced her. Then if he wants to divorce her, let him divorce her when she is pure of menses and before he has intercourse with her. That is divorce at the time prescribed by Allah.’” ‘Abdullâh had divorced her once, and that was counted as one divorce. And ‘Abdullâh took her back as the Messenger of Allah ﷺ commanded him.

[3658] (...) It was narrated from Az-Zuhrî with this chain (a Hadîth similar to no. 3657), except that he
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said: "...Ibn ‘Umar said: ‘So I took her back, and that was counted as one divorce that I had given her.’"

[3659] 5 - (...) It was narrated from Ibn ‘Umar that he divorced his wife while she was menstruating. ‘Umar mentioned that to the Prophet ﷺ who said: “Tell him to take her back, then divorce her when she is pure or pregnant.”

[3660] 6 - (...) It was narrated from Ibn ‘Umar that he divorced his wife while she was menstruating. ‘Umar asked the Messenger of Allah ﷺ about that and he said: “Tell him to take her back until she becomes pure, then menstruates again, then becomes pure, then he may divorce her after that or keep her.”

[3661] 7 - (...) It was narrated that Ibn Sirin said: For twenty years those whom I trust narrated...
to me that Ibn 'Umar divorced his wife thrice while she was menstruating and he was told to take her back. I did not doubt them, but I did not hear the Hadith from anyone else either, until I met Abū Ghallāb, Yūnus bin Jubair Al-Bāhilī, who was very reliable. He told me that he asked Ibn 'Umar, who told him that he had divorced his wife with one divorce while she was menstruating, and he was commanded to take her back. He said: I said: "Was that counted as a divorce?" He said: 'Of course; it must be counted even if he failed and acted foolishly.'

[3662] (…) A similar report (as no. 3661) was narrated from Ayyūb with this chain, except that he said: "'Umar asked the Prophet ﷺ and he told him…"

[3663] 8 - (…) It was narrated from Ayyūb with this chain (a Hadith similar to no. 3661), and he said in the Hadith: "'Umar asked the Prophet ﷺ about that, and he told him to take her back, until he could divorce her when she was pure, without having had intercourse with her. And he said: 'Divorce her at the beginning of her 'Iddah.'"

[1] These are the words of Ibn ‘Umar himself, referring to himself in the third person, as is clear in subsequent narrations.
It was narrated that Yûnus bin Jubair said: “I said to Ibn ‘Umar: ‘A man divorced his wife while she was menstruating.’ He said: ‘Do you know ‘Abdullâh bin ‘Umar? He divorced his wife while she was menstruating, and ‘Umar went to the Prophet and asked him (about that), and he told him to take her back, so that she might start her ‘Iddah.’” He said: “I said to him: ‘If a man divorces his wife while she is menstruating, does that count as a divorce?’ He said: ‘Of course; it must be counted even if he failed and acted foolishly.’”

Ibn ‘Umar said: “I divorced my wife while she was menstruating, and ‘Umar went to the Prophet and told him about that. The Prophet said: ‘Let him take her back, then when she becomes pure, if he wishes he may divorce her.’ He (the narrator) said: “I said to Ibn ‘Umar: ‘Was that counted (as a divorce)?’ He said: ‘Why wouldn’t it be? It must be counted even if he failed and acted foolishly.’”

[1] Meaning, her ‘Iddah’ starts when he divorces her while she is not menstruating.
[3666] 11 - (...) It was narrated that Anas bin Sirin said: “I asked Ibn ‘Umar about his wife whom he divorced. He said: ‘I divorced her while she was menstruating, and I told ‘Umar about that, and he told the Prophet ﷺ, who said: ‘Tell him to take her back, then when she becomes pure, he may divorce her when she is pure.’ He said: ‘So I took her back, then I divorced her when she was pure.’ I said: ‘Was that divorce that you gave her while she was menstruating counted as such?’ He said: ‘Why wouldn’t I count it? It must be counted even if I failed and acted foolishly.’”

[3667] 12 - (...) It was narrated from Anas bin Sirin that he heard Ibn ‘Umar said: “I divorced my wife while she was menstruating. ‘Umar went to the Prophet ﷺ and told him about that, and he said: ‘Tell him to take her back, then when she becomes pure, let him divorce her.’ I said to Ibn ‘Umar: ‘Did you count that divorce as such?’ He said: ‘Of course.’”

[3668] (...) Shu‘bah narrated with this chain (a Hadīth similar to no. 3667), except that in their Hadīth it says: “...Let him take her back.” And in their Hadīth (it...
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say): He said: “I said to him: ‘Did you count it as such?’ He said: ‘Of course.’”

[3669] 13 - (...) Ibn Tawüs narrated from his father that he heard Ibn ‘Umar being asked about a man who divorced his wife while she was menstruating. He said: “Do you know ‘Abdullâh bin ‘Umar?” He said: “Yes.” He said: “He divorced his wife while she was menstruating, and ‘Umar went to the Prophet and told him the news. He told him to take her back.” He (Ibn Tawüs) said: “I did not hear him - his father - say any more than that.”

[3670] 14 - (...) Abû Az-Zubair narrated that he heard ‘Abdur-Rahmân bin Ayman, the freed slave of ‘Azzah, asking Ibn ‘Umar, and Abû Az-Zubair heard that: “What do you think of a man who divorces his wife when she is menstruating?” He said: “Ibn ‘Umar divorced his wife while she was menstruating, at the time of the Messenger of Allah.” ‘Umar asked the Messenger of Allah (about it), saying: ‘‘Abdullâh bin ‘Umar has divorced his wife when she is menstruating.’ The Prophet said to him: ‘Let him take her back.’ So he took her back. And
he said: ‘When she becomes pure, let him divorce her or let him keep her.’

Ibn ‘Umar said: “And the Prophet recited the words: O Prophet! When you divorce women, divorce them at their ‘Iddah (prescribed periods).”[1]

[3671] (...) A similar story (as no. 3670) was narrated from Ibn ‘Umar.

[3672] (...) Abū Az-Zubair narrated that he heard ‘Abdur-Rahmān bin Ayman, the freed slave of ‘Urwah, asking Ibn ‘Umar, when Abū Az-Zubair was listening... a Hadīth like that of Hajjâj (no. 3670), with some additions.

Muslim said: He made a mistake when he said “...the freed slave of ‘Urwah”; he was the freed slave of ‘Azzah.

Chapter 2. Threefold Divorce

[3673] 15 - (1472) It was narrated that Ibn ‘Abbâs said: “During the time of the Messenger of Allâh, Abû Bakr and the first two years of ‘Umar’s Khilâfah, a threefold divorce was counted

as one. Then ‘Umar bin Al-Khaṭṭāb said: ‘People have become hasty in a matter in which they should take their time. I am thinking of holding them to it.’ So he made it binding upon them.”

[3674] 16 - (...) Ibn Tawûs narrated from his father that Abû As-Šahbâ’ said to Ibn ‘Abbâs: “Do you know that the threefold divorce was regarded as one at the time of the Messenger of Allâh ﷺ and Abû Bakr, and for three years of ‘Umar’s leadership?” He said: “Yes.”

[3675] 17 - (...) It was narrated from Tawûs that Abû As-Šahbâ’ said to Ibn ‘Abbâs: “Tell us of something interesting that you know. Wasn’t the threefold divorce counted as one at the time of the Messenger of Allâh ﷺ and Abû Bakr?” He said: “That was so, then at the time of ‘Umar the people began to issue divorces frequently, so he made it binding upon them.”
Chapter 3. Expiation Must Be Offered By One Who Declares His Wife To Be Unlawful For Him But Does Not Intend Divorce Thereby

[3676] 18 - (1473) It was narrated from Ibn ‘Abbâs that he used to say concerning declaring one’s wife to be unlawful: “It is an oath for which expiation must be offered.”

Ibn ‘Abbâs said: “Indeed in the Messenger of Alläh you have a good example to follow for him...”[1]

[3677] 19 - (...) Sa’eed bin Jubair narrated that he heard Ibn ‘Abbâs say: “If a man declares his wife to be unlawful for him, this is an oath for which expiation must be offered.” And he said: “Indeed in the Messenger of Alläh you have a good example to follow for him...”[2]

‘Aishah narrated that the Prophet used to stay with Zainab bint Jahsh and drink honey in her house. She said: “Hafsah and I agreed that whichever of us the Prophet entered upon first, she should say: ‘I can smell Maghâfir on you; have you eaten Maghâfir?’ He entered upon one of them and she said that to him. He said: ‘No, I drank honey at the house of Zainab bint Jahsh, but I will never do it again.’ Then the following verses were revealed: “Why do you forbid (for yourself) that which Allah has allowed to you” up to the words, “If you two turn in repentance to Allh” - addressing ‘Aishah and Hafṣah - The phrase “And (remember) when the Prophet disclosed a matter in confidence to one of his wives” (in verse 3) refers to him saying: ‘No, I drank honey.’

[3679] 21 - (1474) ‘Aishah said: “The Messenger of Allâh liked sweets and honey, and when he had prayed ‘Asr, he would go around to his wives and get close to them. He entered upon Hafṣah and stayed there longer than he usually did. I

[A sweet resin with a bad smell which comes out of a tree or thorny shrub called ‘Urfūt.]

[3678] 20 - (1474) ‘Aishah narrated that the Prophet used to stay with Zainab bint Jahsh and drink honey in her house. She said: “Hafsah and I agreed that whichever of us the Prophet entered upon first, she should say: ‘I can smell Maghâfir on you; have you eaten Maghâfir?’ He entered upon one of them and she said that to him. He said: ‘No, I drank honey at the house of Zainab bint Jahsh, but I will never do it again.’ Then the following verses were revealed: “Why do you forbid (for yourself) that which Allah has allowed to you” up to the words, “If you two turn in repentance to Allh” - addressing ‘Aishah and Hafṣah - The phrase “And (remember) when the Prophet disclosed a matter in confidence to one of his wives” (in verse 3) refers to him saying: ‘No, I drank honey.’

[3679] 21 - (1474) ‘Aishah said: “The Messenger of Allâh liked sweets and honey, and when he had prayed ‘Asr, he would go around to his wives and get close to them. He entered upon Hafṣah and stayed there longer than he usually did. I

[1] A sweet resin with a bad smell which comes out of a tree or thorny shrub called ‘Urfūt.

asked about that and I was told that a woman from among her people had given her a small vessel of honey as a gift, and she had poured some for the Prophet to drink. I said: ‘By Allâh, we will play a trick on him.’ I mentioned that to Sawdah and said: ‘When he enters upon you, he will get close to you, so say to him: “O Messenger of Allâh, have you eaten *Maghâfîr?”* He will say to you: “No.” So say to him: “What is this smell?” - for the Messenger of Allâh hated to have any smell coming from him - He will tell you: “Hafsa poured me a drink of honey.” Say to him: “The bees must have sipped the nectar of Al-Urfût.” I will say that to him too, and you say it as well, O Safiyyah.” Then he entered upon Sawdah.” She said: “Sawdah used to say: ‘By the One besides Whom there is none worthy of worship, I nearly decided to tell him what you had told me to say, when he was at the door, but I was afraid of you.’ When the Messenger of Allâh drew close, she said: ‘O Messenger of Allâh, have you eaten *Maghâfîr?”* He said: ‘No.’ She said: ‘Then what is this smell?’ He said: ‘Hafsa poured me a drink of honey.’ She said: ‘The bees must have sipped the nectar of Al-Urfût.’ When he entered upon me, I said the same thing, then he entered upon Safiyyah and she said the same thing. When he
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entered upon Hafṣah she said: ‘O Messenger of Allāh, shall I pour you some?’ He said: ‘I have no need of it.’”

“Sawdah said: ‘Subhān-Allāh, we have deprived him of it.’ I said to her: ‘Be quiet!’”

[3680] (...) A similar report (as no. 3679) was narrated from Hishām bin ‘Urwah with this chain.

Chapter 4. Giving One’s Wife
The Choice Does Not Count As A Divorce, Unless It Is Intended As Such

[3681] 22 - (1475) ‘Āishah said: “When the Messenger of Allāh was commanded to give his wives the choice, he started with me. He said: ’I am going to tell you something, and you must not hasten to decide until you consult your parents.’ He knew that my parents would never tell me to leave him. Then he said: ‘Allāh [the Mighty and Sublime] says: O Prophet! Say to your wives: “If you desire the life of this world, and its glitter, then come! I will make a provision for you and set you free in a handsome manner (divorce). But if you desire Allāh..."
and His Messenger, and the Home of the Hereafter, then verily, Allah has prepared for Al-Muhsinât (good-doers) amongst you an enormous reward.”[1]

She said: I told him: ‘Why would I need to consult my parents about this? For surely I desire Allah and His Messenger and the Home of the Hereafter.’ Then the wives of the Messenger of Allah all did the same as I had done.”

[3682] 23 - (1476) It was narrated that ‘Aishah said: “The Messenger of Allah used to ask us for permission - if it was the day of one of us - after the verse “You can postpone (the turn of) whom you will of them (your wives), and you may receive whom you will.”[2] was revealed. Mu‘adhah said to her: ‘What did you say to the Messenger of Allah when he asked you for permission?’ She said: ‘If it had been up to me I would not have shown preference to anyone over myself.”

A similar report (as no. 3682) was narrated by ‘Āsim.

It was narrated that Masrūq said: “‘Aīshah said: ‘The Messenger of Allah ﷺ gave us the choice but we did not count it as a divorce.’”

It was narrated that Masrūq said: “I would not care if I gave my wife the choice once or a hundred times or a thousand times, after she has chosen me. I asked ‘Aīshah and she said: ‘The Messenger of Allah ﷺ gave us the choice - was that a divorce?’”

It was narrated from ‘Aīshah that the Messenger of Allah ﷺ gave his wives the choice, and that was not a divorce.

It was narrated that ‘Aīshah said: “The Messenger of Allah ﷺ gave us the choice and
we chose him, and he did not count that as a divorce.”

[3688] 28 - (…) It was narrated that ‘Āishah said: “The Messenger of Allāh ﷺ gave us the choice and we chose him, and he did not count that as anything against us.”

[3689] (…) A similar report (as no. 3688) was narrated from ‘Āishah.

[3690] 29 - (1478) It was narrated that Jābir bin ‘Abdullāh said: “Abū Bakr came in, seeking permission to enter upon the Messenger of Allāh ﷺ, and he found the people sitting at his door, and they were not given permission to enter. Permission was given to Abū Bakr and he entered. Then ‘Umar came and asked for permission, and
permission was granted. He found the Messenger of Allâh ﷺ sitting silently, with his wives around him. He said: ‘I am going to say something to you which will make the Prophet ﷺ smile.’ He said: ‘O Messenger of Allâh, if you had seen the daughter of Khârijah asking me for (more) maintenance, and I got up and poked her on the neck.’ The Messenger of Allâh ﷺ smiled and said: ‘They are around me, as you can see, asking me for (more) maintenance.’ Abû Bakr got up and poked ‘Aishah on the neck, and ‘Umar got up and poked Hafṣah on the neck, and both of them said: ‘Are you asking the Messenger of Allâh ﷺ for that which he does not have?’ They said: ‘By Allâh, we will never ask the Messenger of Allâh ﷺ for something that he does not have.’ Then he (ﷺ) stayed away from them for a month or twenty-nine days, then this verse was revealed to him: O Prophet! Say to your wives: “If you desire the life of this world, and its glitter, then come! I will make a provision for you and set you free in a handsome manner (divorce). But if you desire Allâh and His Messenger, and the Home of the Hereafter, then verily, Allâh has prepared for Al-Musinâtt[1] (good doers) amongst you an enormous reward.” He started with ‘Aishah.

He said: ‘O ‘Aishah, I want to suggest something to you, but I want you not to rush to answer until you consult your parents.’ She said: ‘What is it, O Messenger of Allâh?’ He recited this verse to her and she said: ‘Do I need to consult my parents (concerning you), O Messenger of Allâh? No, I choose Allâh and His Messenger and the Home of the Hereafter. But I ask you not to tell any of your wives what I have said.’ He said: ‘None of them will ask, but I will tell her. Allâh did not send me to make things hard for people in the hope that they would make mistakes, rather He sent me to teach and make things easy.’


[3691] 30 - (1479) ‘Abdullâh bin ‘Abbâs narrated: “Umar bin Al-Khattâb told me: ‘When the Prophet of Allâh ﷺ stayed away from his wives, I entered the Masjid and saw the people striking the ground with pebbles and saying: “The Messenger of Allâh ﷺ has divorced his wives.” That was before Hijâb had been enjoined upon them.’ Umar said:

[1] Vowing to stay away from one's wife for a certain period of time.

'I said: “I must find out about this today.” So I entered upon 'Aishah and said: “O daughter of Abū Bakr, have you gone so far that you annoy the Messenger of Allah?” She said: “What have I to do with you, O son of Al-Khaṭṭāb? You should pay attention to your own daughter.”

So I entered upon Ḥafṣah bint 'Umar and said to her: “O Ḥafṣah, have you gone so far that you annoy the Messenger of Allah? By Allah you know that the Messenger of Allah does not love you, and were it not for me the Messenger of Allah would have divorced you.” She began to weep bitterly, and I said to her: “Where is the Messenger of Allah?” She said: “He is in his store room in the loft.”

I went in and I saw Rabâh, the slave of the Messenger of Allah, sitting at the threshold of the loft, with his legs dangling on the hollow wood of the tree trunk on which the Messenger of Allah used to climb up and down. I called out: “O Rabâh, ask the Messenger of Allah for permission for me to enter.” Rabâh looked into the room, then he looked at me and did not say anything. Then I said: “O Rabâh, ask the Messenger of Allah for permission for me to enter.” Rabâh looked into the room, then he looked at me and
did not say anything. Then I raised my voice and said: “O Rabâh! Ask for the Messenger of Allâhﷺ for permission for me to enter, for I think that the Messenger of Allâhﷺ thinks that I have come because of Hafṣah, but by Allâh, if the Messenger of Allâhﷺ tells me to strike her neck, I will certainly do it.” I raised my voice, then he gestured to me to climb up. I entered upon the Messenger of Allâhﷺ and found him lying on a reed mat. I sat down, and he drew his Izâr up over him. He was not wearing anything else and I could see that the reed mat had left marks on his side. I looked around the store room of the Messenger of Allâhﷺ and all I saw was a handful of barley, about a Sā', and an equal amount of Qaraz[1] in the corner of the room, and I saw a half-tanned piece of leather hanging up. My eyes filled with tears and he said: “Why are you weeping, 0 son of Al-Iattâb?” I said: “0 Prophet of Allâh, why shouldn’t I weep when this reed mat has left marks on your side, and this is your store room, and all I see in it is what I see, when this Caesar and this Kisra are living lives of plenty, but you are the Messenger of Allâhﷺ and His chosen one, and this is your store

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[1] Leaves of mimosa flava used for dyeing.
room?" He said: "O son of Al-Khaṭṭāb, does it not please you that the Hereafter is for us and this world is for them?" I said: "Yes." And when I entered upon him I saw signs of anger on his face. I said: "O Messenger of Allāh, why are you so upset about these women? If you divorce them, Allāh is with you, and the Angels and Jibrīl and Mikā’īl, and myself and Abū Bakr and the believers will be with you." Seldom did I speak words - praise be to Allāh - but I hoped that Allah would confirm what I said. Then this verse, the verse of choice, was revealed: "It may be if he divorced you (all) that his Lord will give him instead of you, wives better than you...",[1] "...But if you help one another against him, then verily, Allāh is his Maulā (Lord, or Master, or Protector), and Jibrīl (Gabriel), and the righteous among the believers; and furthermore, the Angels are his helpers".[2] ‘Aʾishah bint Abī Bakr and Ḥafṣah had helped one another against the other wives of the Prophet ﷺ.

I said: "O Messenger of Allāh, have you divorced them?" He said: "No," I said: "O Messenger of Allāh, I entered the Masjid and the Muslims were striking the ground with the pebbles and


saying that the Messenger of Allah has divorced his wives. Shall I go down and tell them that you have not divorced them?” He said: “Yes, if you wish.” I kept on talking to him until the signs of anger disappeared from his face, and until he began to smile, and he had the most handsome teeth of any people. Then the Prophet of Allah went down and I went down clinging to the tree trunk, while the Messenger of Allah went down as if he was walking on the ground, not holding on with his hand. I said: “O Messenger of Allah, you were in that room for twenty-nine days.”

He said: “The month may be twenty-nine days.” I stood at the door of the Masjid and called out at the top of my voice: “The Messenger of Allah has not divorced his wives, and this verse has been revealed: When there comes to them some matter touching (public) safety or fear, they make it known (among the people); if only they had referred it to the Messenger or to those charged with authority among them, the proper investigators would have understood it from them (directly)…”[1] I understood this matter, and Allah [the Mighty and Sublime] revealed the verse of choice.

[3692] 31 - (...)

‘Abdullâh bin ‘Abbâs narrated: “For one year I

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wanted to ask 'Umar bin Al-
Khathab about a verse, but I
could not ask him out of respect
for him, until he went out for Hajj,
and I went with him. When he
came back, while we were partway
along the road, he went aside to an
Arak tree to relieve himself. I
waited until he had finished, then I
walked with him and said: 'O
Commander of the Believers, who
are the two wives who helped one
another against the Messenger of
Allah؟' He said: 'That was
Hafsah and 'Aishah.' I said to him:
'By Allah, I wanted to ask you
about that for a year but I could
not, out of respect for you.' He
said: 'Do not do that. If you think
that I have any knowledge, then
ask me about it, and if I know I will
tell you.'

And 'Umar said: 'By Allah, during
the Jâhiliah we had no regard for
woman, until Allah revealed what
He revealed concerning them, and
allotted to them what He allotted to
them. While I was thinking about
some matter, my wife said to me: I
wish that you had done such-and-
such. I said to her: What does it
have to do with you? Why are you
worried about what I want to do?
She said to me: How strange it is, O
son of Al-aflab, that you do not
want me to argue with you! Your
daughter argues with the Messenger
of Allah until he spends the
whole day angry.'

"Umar said: 'I picked up my
Ridâ’ (cloak) and came out of my house, and I went to Ḥafṣah. I said to her: “O my daughter, do you argue with the Messenger of Allâh ﷺ until he spends the whole day angry?” Ḥafṣah said: “By Allâh, we argue with him.” I said: “I am warning you of the punishment of Allâh and the wrath of His Messenger. Do not be misled by this one is amazed with her beauty, and the love of the Messenger of Allâh ﷺ for her.”

Then I went and entered upon Umm Salamah, because I was related to her, and I spoke to her. Umm Salamah said to me: “How strange it is, O son of Al-hattâb, that you interfere with everything to such an extent that now you want to intervene between the Messenger of Allâh ﷺ and his wives.” That astonished me so much that my anger subsided, and I left. I had a friend among the Ansâr; if I was absent he would bring me the news, and if he was absent, I would bring him the news. At that time we were worried about one of the kings of Ghassân, as we had been told that he wanted to attack us, and our hearts were filled with that (worry).

“The Ansârî came and knocked at the door, saying: “Open up, open up!” I said: “Has the Ghassânî come?” He said: “It is worse than that. The Messenger of Allâh ﷺ has decided to stay away from his wives.” I said:
"May the noses of Hafṣah and 'Aishah be rubbed with dust!"

Then I picked up my garment and went out. I came and found the Messenger of Allāh ﷺ was in his loft, to which he climbed up via a ladder made of date palm. A black slave of the Messenger of Allāh ﷺ was at the top of the ladder, and I said: "This is 'Umar." I was given permission (to enter) and I told the Messenger of Allāh ﷺ what had happened. When I reached the words of Umm Salamah the Messenger of Allāh ﷺ smiled. He was lying on a reed mat with nothing between him and it, and beneath his head was a pillow of leather, stuffed with palm fibers. At his feet was a pile of Qaraz and by his head there was a hide hanging. I saw the marks of the reed mat on the side of the Messenger of Allāh ﷺ, and I wept. He said: "Why are you weeping?" I said: "O Messenger of Allāh, Kisra and Caesar are living the lives they live, but you are the Messenger of Allāh ﷺ." The Messenger of Allāh ﷺ said: "Does it not please you that this world is for them and the Hereafter is for you?"

[3693] 32 - (...) It was narrated that Ḥabīb b. ‘Abbās said: I came with ‘Umar, then when we were in Marr Az-Zahrān... and he quoted the complete Hadīth, like the Hadīth of Sulaimān bin Bilāl (no. 3692), except that he said: "I said: ‘What about the two women?’ He..."
said: ‘Hafṣah and Umm Salamah.’”
And he added: “And I came to the
apartments and in every house
there was some weeping.” And he
also added: “He had vowed to stay
away from them for a month, then
when it was the twenty-ninth day,
he came to them.”

[3694] 33 - (...) Ibn ‘Abbâs said:
“I wanted to ask ‘Umar about the
two women who helped one
another at the time of the
Messenger of Allah ﷺ, but for
one year I could not find any
opportunity, until I accompanied
him to Makkah. When he was in
Marr Az-Zahrân, he went to
relieve himself, and he said:
‘Bring me a jug of water.’ So I
brought it to him, and when he
had relieved himself and came
back, I went to pour water for
him, then I remembered and said
to him: ‘O Commander of the
Believers, who were the two
women?’ And I did not finish
what I was saying before he said:
‘Aīshah and Hafṣah.’”

[3695] 34 - (...) It was narrated
that Ibn ‘Abbâs said: “I was eager
to ask ‘Umar about the two wives
of the Prophet ﷺ concerning
whom Allâh, the Most High said:
"If you two turn in repentance to Allâh, (it will be better for you), your hearts are indeed so inclined..."[1] until ‘Umar went for Hajj and I went with him. When we were partway there, ‘Umar turned aside, and I turned aside with him, bringing the jug. He relieved himself, then he came to me and I poured water onto his hands, and he performed Wudu’.

I said: ‘O Commander of the Believers, who are the two wives of the Prophet ﷺ, about whom Allâh the Mighty and Sublime said: “If you two turn in repentance to Allâh, (it will be better for you), your hearts are indeed so inclined...”[2] ‘Umar said: ‘How strange of you, O Ibn ‘Abbâs!’” - Az-Zuhri (a narrator) said: “By Allâh, he did not like the question, but he did not conceal anything” - “He said: ‘They were Hafsah and ‘Aishah.’ Then he started to narrate the Hadîth and said: ‘We people of the Quraysh were a people who dominated women, but when we came to Al-Madinah we found a people who were dominated by their women, and our women started to learn from their women. My house was among Banû Umayyah bin Zaid in Al-‘Awâlî. One day I got angry with my wife, and she argued with me. I did not like her to argue with me. But she said: “Do you not like me to argue


with you? By Allâh, the wives of the Prophet argue with him, and one of them will forsake him all day until night comes.” I went and entered upon Hâfshah, and I said: “Do you argue with the Messenger of Allâh?” She said: “Yes.” I said: “Does any one of you forsake him all day until night comes?” She said: “Yes.” I said: “Any one of you who does that is doomed and lost. Does any one of you feel assured that Allâh will not be angry with her because of the anger of His Messenger, for then she will be doomed? Do not argue with the Messenger of Allâh and do not ask him for anything. Ask me for whatever you want. And do not be misled by the fact that your neighbor is more beautiful than you and more beloved to the Messenger of Allâh than you” - referring to ‘Aishah.

“And ‘Umar said: ‘I had a neighbor among the Anâr. We used to take turns going down to the Messenger of Allâh. He would go down one day and I would go down the next. He would bring me the news of the Revelation and other things, and I would do likewise. We were saying that Ghassân were shoeing their horses to attack us. My friend went to visit, then he came to me at night and knocked on my door, then he called out to me. I went out to him and he said: “Something terrible has
happened!” I said: “What? Have the Ghassân come?” He said: “No, it is more terrible than that, and worse. The Prophet has divorced his wives.” I said: “Hafṣah is doomed and lost. I thought that this would happen.” Then when I had prayed Subh, I got dressed, then I went down and entered upon Hafṣah, who was weeping. I said: “Has the Messenger of Allāh divorced you?” She said: “I do not know. He has secluded himself in this loft.” I went to a black slave of his, and I said: “Ask for permission for ‘Umar to enter.” He went in, then he came out to me and said: “I mentioned you to him but he did not say anything.”

“I went away and came to the Minbar, where I sat down. By it was a group of people, some of whom were weeping. I sat for a little while, then I could not bear it any longer, so I went to the slave and said: “Ask for permission for ‘Umar to enter.” He went in. Then he came out to me. He said: “I mentioned you to him but he did not say anything.” I turned to leave. Then the slave called me, and he said: “Go in, he has given you permission.” So I went in and greeted the Messenger of Allāh with Salām. He was resting on a reed mat that had left marks on his side. I said: “O Messenger of Allāh, have you divorced your...
wives?” He looked up at me and said: “No.” I said: “Allāhu Akbar! If you had seen us, O Messenger of Allāh, we the Quraish, were a people who dominated women, but when we came to Al-Madinah we found a people who were dominated by their women, and our women started to learn from their women. I got angry with my wife one day, and she started to argue with me. I did not like her to argue with me, but she said: “Do you not like me to argue with you? By Allāh, the wives of the Prophet argue with him, and one of them will forsake him all day until night comes.” I said: “Any one of them who does that is doomed and lost. Does one of them feel assured that Allāh will not be angry with her because of the anger of His Messenger, then she will be doomed?” The Messenger of Allāh smiled. I said: “O Messenger of Allāh, I entered upon Hafsah and I said: ‘Do not be misled by the fact that your neighbor is more beautiful than you and more beloved to the Messenger of Allāh than you.’” The Messenger of Allāh smiled again.”

“I said: “O Messenger of Allāh, may I talk to you freely?” He said: “Yes.” So I sat down and looked around the room, and by Allāh, I did not see anything in it to please the eye except three...
hides. I said: “Pray to Allah, O Messenger of Allah, to make life prosperous for your Ummah, for He has made life prosperous for the Persians and Romans, but they do not worship Allah, the Mighty and Sublime.” He sat up straight and said: “Are you doubting, O son of Al-Khaṭṭāb? Their good things have been granted to them in this world.” I said: “Pray for forgiveness for me, O Messenger of Allah.” He had sworn that he would not enter upon them for a month, because he was so annoyed with them, until Allah [the Mighty and Sublime] rebuked him.”

[3696] 35 - (1475) Az-Zuhrī said: ‘Urwah told me that ‘Āishah said: “When twenty-nine nights had passed, the Messenger of Allah entered upon me; he started with me. I said: ‘O Messenger of Allah, you swore that you would not enter upon us for a month, but now you have entered on the twenty-ninth day; I have been counting them.’ He said: ‘The month may be twenty-nine days.’ Then he said: ‘O ‘Āishah, I am going to tell you something, but you do not have to hasten to decide until you consult your parents.’

“Then he recited to me the verse: O Prophet! Say to your wives: If you desire the life of this world, and its glitter, then come! I will make a provision for you
and set you free in a handsome manner (divorce). But if you desire Allāh and His Messenger, and the Home of the Hereafter, then verily, Allāh has prepared for Al-Muhsināt (good-doers) amongst you an enormous reward.”[1] ‘Aishah said: “He knew, by Allāh, that my parents would never tell me to leave him. I said: ‘Do I need to consult my parents about this? I desire Allāh and His Messenger and the Home of the Hereafter.’”

Ma’mar said: “Ayyūb told me that ‘Aihah said: ‘Do not tell your wives that I have chosen you.’ The Prophet ﷺ said to her: ‘Allāh has sent me to convey (the message); He did not send me to make things hard for people in the hope that they would make mistakes.’”

Chapter 6. The Woman Who Has Been Irrevocably Divorced Is Not Entitled To Maintenance

[3697] 36 - (1480) It was narrated from Fātimah bint Qais that Abū ‘Amr bin Ḥafs divorced her irrevocably when he was absent. He sent some barley to her via his agent, and she was angry with that.

He said: “By Allāh, you are not entitled to anything from us.” She came to the Messenger of Allāh ﷺ and told him about that, and he said: “You are not

entitled to maintenance from him." He told her to observe her 'Iddah in the house of Umm Sharik, then he said: "She is a woman whom my Companions visit. Observe your 'Iddah in the house of Ibn Umm Maktum, for he is a blind man and you can take off your garments. And when your 'Iddah is over, let me know."

She said: "When my 'Iddah ended, I told him that Mu'awiyah bin Abi Sufyân and Abú Jahm had proposed marriage to me. The Messenger of Allâh ﷺ said: 'As for Abú Jahm, his stick never leaves his shoulder. [ ] As for Mu'awiyah, he is very poor and has no wealth. Marry Usâmah bin Zaid.' I did not like that, but he said: 'Marry Usâmah bin Zaid.' So I married him, and Allâh caused it to be good and I was envied for that."

[3698] 37 - (...) It was narrated from Fâtimah bint Qais that her husband divorced her at the time of the Prophet ﷺ, and the maintenance he gave her was very little. When she saw that she said: "By Allâh, I am going to tell the Messenger of Allâh ﷺ. If I am entitled to maintenance I will take what is enough for me, and if I am not entitled to maintenance I will not take anything from him." She said: "I told the Messenger of Allâh ﷺ about that and he said:

‘You are not entitled to maintenance or accommodation.’

[3699] (...) It was narrated that Abû Salamah said: “I asked Fâtimah bint Qais, and she told me that her Makhzûmi husband divorced her and refused to give her any maintenance. She went to the Messenger of Allah ﷺ and told him, and the Messenger of Allah ﷺ said: ‘You are not entitled to any maintenance. Go and stay with Ibn Umm Maktûm, for he is a blind man and you can take off your garments there.’”

[3700] 38 - (...) Abû Salamah narrated that Fâtimah bint Qais, the sister of Ad-Ḍahhâk bin Qais, told him, that Abû Ḥafṣ bin Al-Mughîrah Al-Makhzûmi divorced her three times, then he went to Yemen. His people said to her: “You are not entitled to maintenance from us.” Khâlid bin Al-Walîd came with a group of people to the Messenger of Allah ﷺ in the house of Maimûnâh and said: “Abû Ḥafṣ has divorced his wife three times; is she entitled to
maintenance?" The Messenger of Allah ﷺ said: "She is not entitled to maintenance, but she has to observe the 'Iddah.'" And he sent word to her, saying: "Do not be hasty in making a decision concerning yourself (without consulting me)." He told her to move to (the house of) Umm Sharik, then he sent word saying: "Umm Sharik is visited by the first MuhâjirIn. Go to Ibn Umm Maktûm, the blind man, for if you take off your Khimâr (head cover) he will not see you." So she went and stayed there, and when her 'Iddah' was over, the Messenger of Allah ﷺ married her to Usâmah bin Zaid bin Hârithah.

[3701] 39 - (…) Abû Salamah narrated that he wrote down what Fâtimah bint Qais said: "I was married to a man from Banû Makhzûm, and he divorced me irrevocably. I sent word to his people asking for maintenance..." and they quoted a Hadîth like that of Yaḥyâ bin Abû Kathîr from Abû Salamah (no. 3700), except that in the Hadîth of Muḥammad bin 'Amr (a narrator) it says: "Do not hasten to make a decision without letting us know."
Fātimah bint Qais narrated that she was married to Abū ‘Amr bin Ḥafṣ bin Al-Mughīrah, and he issued the last of three divorces to her. She said that she came to the Messenger of Allāh to consult him about leaving her house, and he told her to go to Ibn Umm Maktūm, the blind man. Marwān refused to believe him about a divorced woman leaving her house, and ‘Urwah said: “‘Aishah objected to that regarding Fātimah bint Qais.”

A similar report (as no. 3702) was narrated from Shihāb with this chain, as well of the comment of ‘Urwah about ‘Aishah’s objection to Fātimah bint Qais.

[1] Meaning, later after the death of the Prophet, when she heard that Fātimah narrated this about a woman observing her 'Iddah in other than her husband’s house.
It was narrated from 'Ubaidullâh bin 'Abdullâh bin 'Utbah that Abû 'Amr bin Hâfûz bin Al-Mughîrah set out with 'Ali bin Abî Talib for Yemen, and he sent word to his wife Fâtimah bint Qais with her final divorce, and told Al-Hâriih bin Hishâm and 'Ayyâsh bin Abî Rabî'ah to give her some maintenance. They said to her: “By Allâh, you will not have any maintenance unless you are pregnant.” She came to the Prophet ﷺ and told him what they had said, and he said: “There is no maintenance for you.” She asked him for permission to move, and he gave her permission. She said: “Where, 0 Messenger of Allâh?” He said: “To Ibn Umm Maktûm.” He was blind, so she could take off her garments in his house and he would not see her. When her 'Iddah was over, the Prophet ﷺ married her to Usâmah bin Zaid. Marwân sent Qabişah bin Dhuwaib to her to ask her about this Hadîth, and she narrated it to him. Marwân said: “We have only heard this Hadîth from a woman, so we will follow what we are certain of, which is what we found the people following.” When news of what Marwân said reached Fâtimah she said: “Between you and I is the Qur’ân. Allâh, Most High, says: ‘...And turn them
not out of their (husband’s) homes...”[1] She said: “This is for one whose divorce is revocable, so what new thing will Allâh bring to pass after the third (irrevocable divorce)? How can you say that she is not entitled to maintenance if she is not pregnant? On what grounds do you detain her?”

[3705] 42 - (...) It was narrated that Ash-Sha’bî said: “I entered upon Fâtimah bint Qais, and I asked her about the ruling of the Messenger of Allâh concerning her. She said: ‘My husband divorced me irrevocably, and I referred my dispute with him about maintenance and accommodation to the Messenger of Allâh. He did not grant me any accommodation nor maintenance, and he told me to observe my ‘Iddah in the house of Ibn Umm Maktûm.”

[3706] (...) It was narrated from Ash-Sha’bî that he said: “I entered upon Fâtimah bint Qais...” a Hadîth like that of Zuhair from Hushaim (no. 3705).

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[3707] 43 - (...) Ash-Sha'bi said: "We entered upon Fātimah bint Qais and she offered us fresh dates and Sāwiq. We asked her about the woman who has been thrice divorced - where should she observe her 'Iddah? She said: 'My husband divorced me three times, and the Prophet ﷺ gave me permission to observe my 'Iddah among my family.'"

[3708] 44 - (...) It was narrated from Ash-Sha'bi, from Fātimah bint Qais, that concerning a woman who has been thrice divorced, the Prophet ﷺ said: "She is not entitled to accommodation nor maintenance."

[3709] 45 - (...) It was narrated from Ash-Sha'bi that Fātimah bint Qais said: "My husband divorced me three times, and I wanted to move. I went to the Prophet ﷺ and he said: 'Move to the house of your cousin 'Amr bin Umm Maktūm, and observe your 'Iddah there.'"
[3710] 46 - (...) It was narrated that Abû Ishâq said: “I was with Al-Aswad bin Yazid, sitting in the grand Masjid, and Ash-Sha’bî was with us. Ash-Sha’bî narrated the Hadîth of Fâtimah bint Qais, that the Messenger of Allâh did not grant to her any accommodation nor maintenance. Then Al-Aswad took a handful of pebbles and threw them at him, and said: ‘Woe to you for narrating such a thing. ‘Umar said: We will not leave the Book of Allâh and the Sunnah of our Prophet for the words of a woman when we do not know whether she remembered or forgot. She is entitled to accommodation and maintenance. And he recited the verse: “...And turn them not out of their (husband’s) homes nor shall they (themselves) leave, except in case they are guilty of some open Fâhishah...”'[2]

[3711] (...) A Hadîth similar to that of Abû Ahmad from ‘Ammâr bin Ruzaïq (no. 3710) was narrated from Abû Ishâq with this chain.

[1] Meaning the grand Masjid of Al-Kûfah, for Abû Ishâq, Al-Aswad, and Ash-Sha’bî were all in Al-Kûfah.

47 - (....) It was narrated that Abū Bakr bin Abī Al-Jahm bin Suḥaib Al-‘Adawī said: “I heard Fāṭimah bint Qais say that her husband divorced her thrice, and the Messenger of Allāh ﷺ did not grant her any accommodation or maintenance. She said: ‘The Messenger of Allāh ﷺ said to me: “When your ‘Iddah is over, let me know.” So she let him know, and Mu‘āwiya, Abū Jahm and Usâmah bin Zaid proposed to her. The Messenger of Allāh ﷺ said: “As for Mu‘āwiya, he is a poor man who has no wealth. As for Abū Jahm, he is a man who beats women. But (choose) Usâmah bin Zaid.” She gestured with her hand like this, (as if expressing disapproval), saying said: “Usâmah!? Usâmah!?” But the Messenger of Allāh ﷺ said to her: “Obedience to Allāh and obedience to His Messenger is better for you.” She said: ‘So I married him and I was envied.”

48 - (....) It was narrated that Abū Bakr bin Abī Al-Jahm said: “I heard Fāṭimah bint Qais say: ‘My husband Abū ‘Amr bin Hafs bin Al-Mughīrah sent ‘Ayāsh bin Abī Rabī‘ah to me with word of my divorce, and he sent with him five Sâ’s of dates and five Sâ’s of barley. I said: “Do I get no maintenance other than this? And am I not to observe my ‘Iddah in your home?” He said: “No.” She said:
“I got dressed and went to the Messenger of Allāh  ﷺ. He said: ‘How many times has he divorced you?’ I said: ‘Three.’ He said: ‘He is right, you are not entitled to maintenance. Observe your ‘Iddah in the house of your cousin ‘Amr bin Umm Maktûm, for he is blind and you can take off your garments there. When your ‘Iddah is over, let me know.’ Some men proposed to me, including Mu‘āwiyah and Abū Al-Jahm. The Prophet  ﷺ said to me: ‘Mu‘āwiyah is poor and destitute, and Abū Al-Jahm is harsh towards women’ - or ‘he beats women,’ or words to that effect – ‘but you should marry Usâmah bin Zaid.’”

[3714] 49 - (…) Abū Bakr bin Abī Al-Jahm said: “Abū Salamah bin ‘Abdur-Rahmān and I entered upon Fātimah bint Qais. We asked her and she said: ‘I was married to Abū ‘Amr bin Hafs bin Al-Mughirah. He went out on the campaign to Najrân...’” and he quoted a Hadīth like that of Ibn Mahdî (no. 3713), and added: “She said: ‘So I married him and Allāh honored me with Abū Zaid and Allāh blessed me with Abū Zaid.’”
50 - (...) Abû Bakr said: “Abû Salamah and I entered upon Fâtimah bint Qais during the time of Ibn Az-Zubair, and she told us that her husband had divorced her irrevocably...” a Hadîth like that of Sufyân (no. 3714).

51 - (...) It was narrated that Fâtimah bint Qais said: “My husband divorced me three times, and the Messenger of Allâh did not grant me any accommodation nor maintenance.”

52 - (1481) It was narrated from Hîshâm: “My father told me: ‘Yahyâ bin Sa’eed bin Al-‘Aş married the daughter of ‘Abdur-Rahmân bin Al-Ḥakam, then he divorced her and expelled her out of his house. ‘Urwah criticized them for that, and they said: ‘Fâtimah went out (of her husband’s house).’ ‘Urwah said: ‘I went to ‘Âishah and told her about that. She said: ‘There is nothing good for Fâtimah bint Qais in narrating this Hadîth.’”
53 - (1482) It was narrated that Fāṭimah bint Qais said: “I said: ‘O Messenger of Allah, my husband has divorced me three times, and I am afraid that someone may break in.’ So he told her to move.”

54 - (1481) It was narrated from ‘Āishah that she said: “There is nothing good for Fāṭimah in narrating this” (a Ḥadīth similar to no. 3717) - meaning, that she had no accommodation or maintenance.

[3720]... - (...) It was narrated from ‘Abdur-Rahmān bin Al-Qāsim that his father said: “‘Urwah bin Az-Zubair said to ‘Āishah: ‘Do you not see so-and-so the daughter of Al-Ḥakam? Her husband divorced her three times and she left.’ She said: ‘It is a bad thing that she has done.’ He said: ‘Have you not heard what Fāṭimah says?’ She said: ‘There is nothing good for her in mentioning that.’”

[1] The sequence is like this in the text.
Chapter 7. It Is Permissible For A Woman Who Is Observing ‘Iddah After An Irrevocable Divorce Or The Death Of Her Husband To Go Out During The Day If She Needs To

[3721] 55 - (1483) Jâbir bin ‘Abdullâh said: “My maternal aunt was divorced and she wanted to harvest her date palms. A man rebuked her for going out, so she went to the Prophet (inquiring about going out during ‘Iddah) and he said: ‘No, go and harvest your date palms, for perhaps you will give charity or do an act of kindness.’”

Chapter 8. The ‘Iddah Of A Woman Whose Husband Had Died, And The Like, Ends When She Gives Birth

[3722] 56 - (1484) ‘Ubaidullâh bin ‘Abdullâh bin ‘Utba bin Mas‘ûd narrated that his father wrote to ‘Umar bin ‘Abdullâh bin Al-Arqam Az-Zuhrî, telling him to go to Subai‘ah bint Al-Ḥârîth Al-Aslamiyyah to ask her about
her Hadîth, and what the Messenger of Allâh ﷺ said to her when she consulted him. ‘Umar bin ‘Abdullâh wrote back to ‘Abdullâh bin ‘Utba and told him that Subai’ah had said to him that she was married to Sa’d bin Khawlah, one of Banû ‘Amir bin Lu’ayy, who was one of those who had been present at (the Battle of) Badr. He died during the Farewell Pilgrimage while she was pregnant, and she gave birth shortly after he died. When her Nifâs ended, she adorned herself to receive offers of marriage. Abû As-Sanâbil bin Ba’kak - a man from Banû ‘Abd Ad-Dâr - entered upon her and said to her: “Why do I see you beautified? Perhaps you are hoping to get married? By Allâh, you will not get married until four months and ten days have passed!” Subai’ah said: “When he said that to me, I got dressed that evening and went to the Messenger of Allâh ﷺ and asked him about that. He advised me that my ‘Iddah had ended when I gave birth, and he told me to get married if I wanted to.” Ibn Shihâb said: “I do not see anything wrong with (a woman) getting married after she has given birth, even if she is still bleeding, but her husband should not come close to her until she becomes pure.”
Sulaiman bin Yasar narrated that Abu Salamah bin ‘Abdur-Rahman and Ibn ‘Abbâs met in the house of Abu Hurairah, and they were talking about a woman who gives birth a few days after her husband has died. Ibn ‘Abbâs said: “Her ‘Iddah is the longer of the two periods.” Abu Salamah said: “Her ‘Iddah is over.” They started to dispute about that. Then Abu Hurairah said: “I am with my nephew” - meaning Abu Salamah. So they sent Kuraib, the freed slave of Ibn ‘Abbâs, to Umm Salamah to ask her about that. He came to them and told them that Umm Salamah said: “Subai’ah Al-Aslamiyyah gave birth a few days after her husband died, and she mentioned that to the Messenger of Allah, who told her to get married.”

It was narrated from Yahya bin Sa’eed with this chain (a Hadith similar to no. 3723), except that Al-Laith said in his Hadith: “They sent word to Umm...”
Salamah,” and he did not mention Kuraib by name.

Chapter 9. The Obligation To Mourn During The 'Iddah Following The Death Of One's Husband, But It Is Forbidden To Mourn For More Than Three Days In Other Cases

[3725] 58 - (1486) It was narrated from Humaid bin Nâfi', from Zainab bint Abî Salamah, that she told him these three Ahâdîth. He said: “Zainab said: ‘I entered upon Umm Habîbah, the wife of the Prophet، when her father Abû Sufyân died. Umm Habîbah called for some perfume that had a yellowish color, Khaliq or something else, and she put some of it on a girl, then she wiped her cheeks with it and said: “By Allâh, I have no need of perfume, but I heard the Messenger of Allâh ﷺ saying on the Minbar: ‘It is not permissible for a women who believes in Allâh and the Last Day to mourn for more than three days for anyone who dies, except for a husband; four months and ten days.”
Zainab said:

"Then I entered upon Zainab bint Jahsh when her brother died. She called for some perfume and put on some of it, then she said: 'By Allâh, I have no need of perfume, but I heard the Messenger of Allâh saying on the Minbar: 'It is not permissible for a woman who believes in Allâh and the Last Day to mourn for more than three days for anyone who dies, except for a husband; four months and ten days.'"

Zainab said: "I heard my mother Umm Salamah say: A woman came to the Messenger of Allâh and said: 'O Messenger of Allâh, my daughter's husband has died, and she has trouble in her eye; can we apply kohl for her?' The Messenger of Allâh said: "No," two or three times, then he said: "It is only four months and ten days. During the Jâhiliyyah one of you would throw a piece of dung at the end of one year."

Humaid said: "I said to Zainab: 'What is this throwing a piece of dung at the end of one year?' Zainab said: 'If a woman's husband died, she would go into a hut and wear her worst clothes, and she would not put on perfume or anything until

one year had passed. Then an animal would be brought - a donkey or a sheep or a bird - she would rub her hands over it, and rarely did (such a woman) rub her hands over anything but it died. Then she would be given a piece of dung which she would throw, then she would go back to whatever she wanted to of perfume and other things.”

[3729] 59 - (1486) It was narrated that Ḥumaid bin Nāfi’ said: I heard Zainab, the daughter of Umm Salamah, say: A close relative of Umm Ḥabībah died, and she called for some yellow perfume and put it on her forearms, and she said: “I only did this because I heard the Messenger of Allāh ﷺ say: ‘It is not permissible for a woman who believes in Allāh and the Last Day to mourn for more than three days, except for a husband, four months and ten days.’”

[3730] (1487/1488) Zainab narrated it from her mother, and from Zainab the wife of the Prophet ﷺ or from one of the wives of the Prophet ﷺ (a Ḥadīth similar to no. 3729).

[3731] 60 - (1488) It was narrated that Ḥumaid bin Nāfi’ said: “I heard Zainab, the daughter of Umm Salamah, narrating from her mother, that a woman’s husband died, and they
were worried about her (diseased) eye. They came to the Prophet ﷺ and asked him for permission to use kohl, and the Messenger of Allah ﷺ said: ‘One of you used to stay in the worst part of her house, in her worst garments’ - or ‘in her worst garments in her house for a year, then if a dog passed by she would throw a piece of dung and then come out. Isn’t it only four months and ten days?”

[3732] (...) Both Ahadîth (no. 3729, 2730) were narrated from Humaid bin Nâfi', the Hadîth of Umm Salamah about kohl and the Hadîth of Umm Salamah and another of the wives of the Prophet ﷺ, except that he did not name her as Zainab, similar to the Hadîth of Muḥammad bin Ja'far.

[3733] 61 - (1486/1488) It was narrated from Humaid bin Nâfi' that he heard Zainab bint Ṭabârîn narrate that Umm Salamah and Umm Habîbah mentioned that a woman came to the Messenger of Allah ﷺ and told him that the husband of a daughter of hers had died, and she had a problem in her eye and wanted to use kohl. The Messenger of Allah ﷺ said: “One of you used to throw a piece of dung at the end of a year. It is only four months and ten days.”
It was narrated that Zainab bint Abi Salamah said: “When news of the death of Abü Sufyân came to Umm Habibah, on the third day she called for some yellowish perfume and wiped some of it on her forearms and cheeks, and said: ‘I have no need of this, but I heard the Prophet ﷺ say: It is not permissible for a woman who believes in Allâh and the Last Day, to mourn for more than three days, except for a husband, for whom she should mourn for four months and ten days.’”

It was narrated from Nâfi’ that Safiyyah bint Abi ‘Ubaid narrated to him from Hafṣah, or from ‘Aishah, or from them both, that the Messenger of Allâh ﷺ said: “It is not permissible for any woman who believes in Allâh and the Last Day, or who believes in Allâh and His Messenger, to mourn for more than three days for anyone, except for her husband.”

A Hadîth similar to that of Al-Laith (no. 3735) was narrated from Nâfi’ with this chain.
[3737] 64 - (...) It was narrated from Ṣafiyyah bint Abī ‘Ubaid that she heard Ḥafṣah bint ‘Umar, the wife of the Prophet ﷺ, narrating a Hadīth from the Prophet ﷺ that was similar to that of Al-Laith and Ibn Dīnār (no. 3735), and he added: “She should mourn for him for four months and ten days.”

[3738] (...) A Hadīth similar to theirs (i.e. Nāfi‘ and Al-Laith) was narrated from Ṣafiyyah bint Abī ‘Ubaid, from one of the wives of the Prophet ﷺ, from the Prophet ﷺ.

[3739] 65 - (1491) It was narrated from ‘Āishah that the Prophet ﷺ said: “It is not permissible for a woman who believes in Allāh and the Last Day to mourn for more than three days for anyone who dies, except for her husband.”

[3740] 66 - (938 [sic]) It was narrated from Umm ‘Atiyyah that the Messenger of Allāh ﷺ
said: “No woman should mourn for more than three days for anyone who dies, except for her husband; four months and ten days, when she should not wear any dyed clothes except a garment made of ‘Asb,\(^1\) and she should not put on kohl or perfume except in the case of purifying herself after menses, when she may use a little Qust or Azfār.”\(^2\)

[3741] (...) It was narrated from Hishâm with this chain (a Hadīth similar to no. 3740), and he said: “...As soon as her menses end, a little of Qust or Azfār.”

[3742] 67 - (...) It was narrated that Umm ‘Aṭiyyah said: “We were forbidden to mourn for more than three days for anyone who dies, except for a husband, four months and ten days, when we were not to put on kohl or perfume, or wear dyed garments. But a concession was granted to a woman when she purifies herself - when one of us washed herself (Ghusl) following menses - to use a little Qust or Azfār.”

\(^1\) A Yemeni Burd woven from a type of yarn, some of whose strands are dyed.

\(^2\) Two types of incense.
19. The Book Of Li’ân

[3743] 1 - (1492) Sahl bin Sa’d As-Sā‘idi narrated that ‘Uwaimir Al-Ajlâni came to ‘Âsim bin ‘Adiyy Al-Ansâri and said to him: “O ‘Âsim, what do you think, if a man finds a man with his wife, should he kill him and be killed by them in return? Or what should he do? O ‘Âsim, ask the Messenger of Allâh about that for me.” So ‘Âsim asked the Messenger of Allâh. The Messenger of Allâh did not like this question, and he criticized it so much that ‘Âsim felt very upset by what he heard from the Messenger of Allâh. When ‘Âsim went back to his family, ‘Uwaimir came to him and said: “O ‘Âsim, what did the Messenger of Allâh say to you?” ‘Âsim said to ‘Uwaimir: “You did not bring me any good. The Messenger of Allâh did not like the question that I asked him.” ‘Uwaimir said: “By Allâh, I will not rest until I ask him about it.” So ‘Uwaimir went to the Messenger of Allâh who was amidst the people, and he said: “O Messenger of Allâh, what do you think, if a man finds another man with his wife, should he kill
him and be killed by them in return? Or what should he do?"
The Messenger of Allah ﷺ said:
“(Verses) have been revealed concerning you and your wife, so
go and bring her.”
Sahl said: “They engaged in Li‘ân, and I was among the people
who were with the Messenger of
Allah ﷺ. When they had finished,
‘Uwaimir said: ‘O Messenger of
Allah, I would be a liar if I kept her
now.’ So he divorced her three
times before the Messenger of
Allah ﷺ could tell him to do
anything.”
Ibn Shihâb said: “Then that
became the practice of those who
engage in Li‘ân.”

[3744] 2 - (...) Sahl bin Sa‘d Al-
Anṣârî narrated that ‘Uwaimir
Al-Anṣârî, one of Banû Al-‘Ajlân,
came to ‘Asim bin ‘Adîyy... and
he quoted a Hadîth like that of
Mâlik (no. 3743). And he added
into the Hadîth: “...His leaving
her after that became the practice
of those who engage in Li‘ân.”
And he added: “Sahl said: ‘She
was pregnant, so her son was
named after her, then it became
the practice that he could inherit
from her and she could inherit
from him the shares decreed by
Allâh.”

[3745] 3 - (...) Ibn Juraij
narrated: “Ibn Shihâb told me
about the two who engage in
Li'ân and what is done in this case, based on the Hadîth of Sahl bin Sa'd, the brother of Banû Sâ'idah, according to which a man from among the Ansâr came to the Prophet and said: 'O Messenger of Allâh, what do you think of a man who finds another man with his wife?...’ and he mentioned the same Hadîth (no. 3743), and added: "So they engaged in Li'ân in the Masjid and I was present." And he said in the Hadîth: "Then he divorced her three times before the Messenger of Allâh could tell him to, and he divorced her in front of the Prophet. The Prophet said: ‘Every couple who engage in Li'ân are to be separated.’"

[3746] 4 - (1493) It was narrated that Sa'eed bin Jubair said: "I was asked about the couple who engage in Li'ân, during the governorship of Mu's'ab - should they be separated?" He said: "I did not know what to say, so I went to the house of Ibn 'Umar in Makkah and I said to the slave: 'Ask for permission for me to enter.' He said: ‘He is taking a nap.’ But he heard my voice and said: ‘Ibn Jubair?’ I said: ‘Yes.’ He said: ‘Come in, for by Allâh it can only be some need that has brought you at this hour.’ So I went in, and saw him resting on a blanket, reclining on a pillow that
was stuffed with palm fibers. I said: 'Abû 'Abdur-Rahmân, should a couple who engage in Li'ân be separated?' He said: 'Subhân-Allâh, yes. The first one to ask about this was so-and-so the son of so-and-so. He said: "O Messenger of Allâh, what do you think, if one of us finds his wife committing an immoral action, what should he do? If he speaks, he will be speaking of a serious matter, and if he keeps quiet, he will be keeping quiet about an equally serious matter." The Prophet [ ] remained silent and did not answer him. Then he came to him after that, and said: "I have been afflicted with what I asked you about." Then Allâh revealed these verses in Sûrat An-Nâr: "And for those who accuse their wives..."[1] He ( ) recited them to him, and exhorted and admonished him, and told him that the punishment in this world was lighter than the punishment in the Hereafter. He said: "No, by the One Who sent you with the truth, I am not lying about her." Then he ( ) called her and exhorted and admonished her, and told her that the punishment in this world was lighter than the punishment in the Hereafter. She said: "No, by the One Who sent you with the truth, he is lying." He told the

man to start (the process of Liʿān). So he testified four times, by Allāh, that he was telling the truth, and the fifth time that the curse of Allāh would be upon him if he was lying. Then he (ﷺ) told the woman to testify. She testified four times by Allāh that he was lying, and the fifth time that the wrath of Allāh would be upon her if he was telling the truth. Then he separated them."

[3747] (…) Saʿeed bin Jubair said: “At the time of Musʿab bin Az-Zubair, I was asked about the two who engaged in Liʿān, and I did not know what to say, so I went to ‘Abdullāh bin ‘Umar and I said: ‘Do you think that two who engage in Liʿān should be separated?…” then he mentioned a Hadīth like that of Ibn Numair (no. 3746).

[3748] 5 - (…) It was narrated that Ibn ‘Umar said: “The Messenger of Allāh ﷺ said to the two who engaged in Liʿān: ‘Your reckoning is with Allāh; one of you is lying. You have no rights over her.’ He said: ‘O Messenger of Allāh, my property (which I gave her)?’ He said: ‘You have no right to it. If you are telling the truth about her, it is in return for having been intimate with her, and if you are lying about her, they you have
even less right to it.” Zuhair said in his report: “Sufyân bin ‘Amr told us that he heard Sa‘eed bin Jubair say: ‘I heard Ibn ‘Umar say: The Messenger of Allâh ﷺ said...’”

[3749] 6 - (…) It was narrated that Ibn ‘Umar said: “The Messenger of Allâh ﷺ separated two members of Banû Al-'Ajlân and said: ‘Allâh knows that one of you is lying; will either of you repent?’”

[3750] (...) Sa‘eed bin Jubair said: “I asked Ibn ‘Umar about Li‘ân,” and he narrated a similar Hadîth (as no. 3749) from the Messenger of Allâh ﷺ.

[3751] 7 - (…) It was narrated that Sa‘eed bin Jubair said: “Mus‘ab did not separate the two who engaged in Li‘ân.” Sa‘eed said: “I mentioned that to ‘Abdullâh bin ‘Umar and he said: ‘The Prophet of Allâh ﷺ separated the couple from Banû Al-'Ajlân.””
It was narrated from Ibn 'Umar that a man engaged in Li‘ân with his wife at the time of the Messenger of Allah ﷺ, and the Messenger of Allah ﷺ separated them and attributed the child to his mother.

It was narrated that Ibn 'Umar said: "The Messenger of Allah ﷺ asked a man of the Ansâr and his wife to engage in Li‘ân, and he separated them."

It was narrated from ‘Ubaidullâh with this chain (a Hadîth similar to no. 3753).

It was narrated that ‘Abdullâh said: "We were in the Masjid on the night of Friday when a man from among the Ansâr came and said: ‘If a man finds another man with
his wife and speaks of it, you will flog him, and if he kills him you will kill him, but if he keeps quiet, he will be suppressing his rage. By Allah, I am going to ask the Messenger of Allah about it.’ The next day, he went to the Messenger of Allah and asked him, saying: ‘If a man finds another man with his wife and speaks of it, you will flog him, and if he kills him you will kill him, but if he keeps quiet, he will be suppressing his rage.’ The Messenger of Allah said: ‘O Allah, guide us to the ruling,’ and he started to supplicate. Then the verse of Li’ân was revealed: “And for those who accuse their wives, but have no witnesses except themselves...”[1] Then that man was put to that test before the people. He and his wife came to the Messenger of Allah and engaged in Li’ân. The man testified four times by Allah that he was telling the truth, then the fifth time he swore that the curse of Allah would be upon him if he was lying. Then she started to testify, and the Prophet said to her: ‘Stop.’ But she insisted and carried on engaging in Li’ân. When they left, he said: ‘Perhaps she will give birth to a curly-haired black child.’ And she did give birth to a curly-haired black child.”

A similar report (as no. 3755) was narrated from Al-A’marsh with this chain.

It was narrated that Muhammad said: “I asked Anas bin Mâlik (about Li’ân) as I saw that he had knowledge of it. He said: ‘Hilâl bin Umayyah accused his wife (of committing Zinâ) with Sheik bin Sahmâ’, who was the brother of Al-Barâ’ bin Mâlik on his mother’s side. He was the first man to engage in Li’ân in Islam.’ He said: ‘He engaged in Li’ân with her and the Messenger of Allah said: “Watch her. If she brings forth a child who is white with straight hair and something wrong with his eyes, then he belongs to Hilâl bin Umayyah, and if she gives birth to a child who has dark eyelids, curly hair and lean calves, then he belongs to Sharîk bin Sahmâ’.”’ He said: ‘I was told that she gave birth to a child who had dark eyelids, curly hair and lean calves.’”

It was narrated that Ibn ‘Abbâs said: “Mention of Li’ân was made in the presence of the Messenger of Allah. ‘Asim bin ‘Adiyy said something about that, then he
left. A man from among his people came to him and complained that he had found a man with his wife. ‘Asim said: ‘I am being tested with what I said.’ He took him to the Messenger of Allah and told him what he had found his wife doing. That man was sallow and lean, with straight hair, and the one whom he claimed to have found with his wife had fleshy calves and was dark and bulky. The Messenger of Allah said: ‘O Allah, make it clear.’ Then she gave birth to a child who resembled the one who her husband said he found with her. The Messenger of Allah made them engage in Li‘ân.” A man said to Ibn ‘Abbâs in that gathering: “Was she the one about whom the Messenger of Allah said: ‘If I were to have stoned anyone without evidence, I would have stoned this woman?’ Ibn ‘Abbâs said: ‘No, that was a woman who continued to be a bad woman after becoming Muslim.’”

[3759] (...) It was narrated that Ibn ‘Abbâs said: “Mention of the two who engage in Li‘ân was made in the presence of the Messenger of Allah...” a Hadith like that of Al-Laith (no. 3758), and he added, after saying bulky, “with very curly hair.”
It was narrated that Al-Qâsim bin Muḥammad said: ‘ʿAbdullâh bin Shaddâd said: ‘Mention of the two who engage in Liʿān was made in the presence of Ibn ʿAbbâs, and Ibn Shaddâd said: ‘Are they the two of whom the Prophet ﷺ said: ‘If I were to stone anyone without proof, I would stone her?’ Ibn ʿAbbâs said: ‘No, that was a woman who was infamous for her immoral conduct.’

[3760] 13 - (1498) It was narrated from Abû Hurairah that Saʿd bin ʿUbâdah Al-Anṣârī said: “O Messenger of Allâh, do you think that if a man finds another man with his wife, he should kill him?” The Messenger of Allâh ﷺ said, “No.” Saʿd said: “(But) he would (do that), by the One Who honored you with the truth!” The Messenger of Allâh ﷺ said: “Listen (you people) to what your leader says.”
It was narrated from Abû Hurairah that Sa'd bin 'Ubâdah said: “O Messenger of Allah, if I find a man with my wife, should I let him be until I bring four witnesses?” He said: “Yes.”

It was narrated that Abû Hurairah said: ‘Sa’d bin ‘Ubâdah said: ‘O Messenger of Allah, if I find a man with my wife, should I not touch him until I bring four witnesses?’ The Messenger of Allah ﷺ said: ‘Yes.’ He said: ‘No, by the One who sent you with the truth! I would hasten to him with my sword before that.’ The Messenger of Allah ﷺ said: ‘Listen (you people) to what your leader says. He is jealous, but I am more jealous than him, and Allah is more jealous than me.’

It was narrated that Al-Mughirah bin Shu’bah said: “Sa’d bin ‘Ubâdah said: ‘If I saw a man with my wife, I would strike him with my sword, and not with the flat side of it.’ News of that reached the Messenger of Allah ﷺ and he
said: 'Are you surprised at the jealousy of Sa'd? By Allah, I am more jealous than him, and Allah is more jealous than me. It is because of His jealousy that Allah forbade immoral deeds, both open and secret. There is no person who is more jealous than Allah, and there is no person to whom warnings are more beloved than Allah. Because of that, Allah sent the Messengers as bearers of glad tidings and warnings. There is no person to whom praise is more beloved than Allah. Because of that Allah made the promise of Paradise.'

A similar report (as no. 3764) was narrated from 'Abdul-Malik bin 'Umair with this chain.

It was narrated that Abû Hurairah said: 'A man from Banû Fazârah came to the Prophet and said: 'My wife has given birth to a black boy.' The Prophet said: 'Do you have camels?' He said: 'Yes.' He said: 'What are their colors?' He said: 'Red.' He said: 'Are there any dusky ones among them?"
them?' He said: ‘There are dusky ones among them.’ He said: ‘Where does that come from?’ He said: ‘Perhaps it is an inherited trait.’ He said: ‘And perhaps this is an inherited trait.’"

[3767] 19 - (...) A Hadith similar to that of Ibn ‘Uaynah (no. 3766) was narrated from Az-Zuhri with this chain, except that according to the Hadith of Ma’mar he said: “O Messenger of Allah, my wife has given birth to a black boy,” as if hinting that it was not his. And at the end of the Hadith he said: “And he did not allow him to deny the child.”

[3768] 20 - (...) It was narrated from Abû Hurairah that a Bedouin came to the Messenger of Allah and said: “O Messenger of Allah, my wife has given birth to a black boy, and I am shocked and am not...
The Prophet ﷺ said to him: “Do you have camels?” He said: “Yes.” He said: “What are their colors?” He said: “Red.” He said: “Are there any dusky ones among them?” He said: “Yes.” The Messenger of Allah ﷺ said: “How is that?” He said: “Perhaps, O Messenger of Allah, that it is an inherited trait.” The Messenger of Allah ﷺ said: “Perhaps this is also an inherited trait.”

[3769] (...) It was narrated that Abū Hurairah narrated a similar report (as no. 3766) from the Messenger of Allah ﷺ.
Chapter: One Who Frees His Share Of A Slave

[3770] 1 - (1501) It was narrated that Ibn ‘Umar said: “The Messenger of Allah ﷺ said: ‘If a person frees his share of a slave, and has enough money to pay the full price of the slave, a fair price should be worked out for the slave, and his partners should be given their shares. Then he should free the slave, otherwise he has freed only what he has freed.’”

[3771] (...) A Hadith similar to that of Mâlik from Nâfi‘ (no. 3770) was narrated from Nâfi‘ from Ibn ‘Umar.
Chapter 1. A Slave Working To Pay Off The Other Half

[3772] 2 - (1502) It was narrated from Abū Hurairah, that the Prophet said concerning a slave who is owned by two men, one of whom manumits (his share): “He is responsible (for manumitting the other share).”

[3773] 3 - (1503) It was narrated from Abū Hurairah that the Prophet said: “Whoever manumits his share of a slave, let him manumit him completely with his own wealth if he has wealth, and if he does not have wealth, let the slave work for his manumission, without being overburdened.”
Chapter 2. Al-Walâ' (Right Of Inheritance) Belongs To The One Who Manumits The Slave

[3776] 5 - (1504) It was narrated from ‘Aishah that she wanted to buy a slave woman and manumit her, and her masters said: “We will sell her on condition that the right of inheritance (Al-Walâ’) remains ours.” She mentioned that to the Messenger of Allâh ﷺ and he said: “Do not let that stop you, for the right of inheritance belongs to the one who manumits (the slave).”
It was narrated from ‘Urwah that ‘Aishah told him that Barirah came to her seeking her help with her contract of manumission, as she had not paid off anything stipulated in her contract of manumission. ‘Aishah said to her: “Go back to your masters, and if they like, I will pay off your contract of manumission on your behalf, and the right of inheritance (Al-Walâ’) will be mine, then I will do it.” Barirah mentioned that to her masters, but they refused and said: “If she wishes to do that for you, seeking reward with Allâh, then let her do it, but the right of inheritance will be ours.” She (‘Aishah) mentioned that to the Messenger of Allâh ﷺ and the Messenger of Allâh ﷺ said to her: “Buy her and manumit her, for the right of inheritance belongs to the one who manumits (the slave).” Then the Messenger of Allâh ﷺ stood up and said: “What is the matter with people who stipulate conditions that are not in the Book of Allâh? Whoever stipulates a condition that is not in the Book of Allâh has no right, even if he stipulates a hundred times. The conditions stipulated by Allâh are more valid and carry more weight.”

It was narrated from ‘Aishah, the wife of the Prophet ﷺ, that she said: “Barirah came to me and said: ‘O
‘A'ishah, I have made a contract of manumission with my masters, for nine Uqiyahs, one Uqiyah each year...’” a Hadith like that of Al-Laith (no. 3777). And he added: “He (ﷺ) said: ‘Do not let that stop you; buy her and manumit her.’” And he (a narrator) said in the Hadith: “Then the Messenger of Allah stood up before the people and praised and glorified Allah, then he said: ‘To proceed.’

[3779] 8 - (...) It was narrated that ‘A'ishah said: “Barirah entered upon me and said: ‘My masters have made a contract of manumission for me, in return for nine Uqiyah over (a period of) nine years, one Uqiyah each year; help me.’ I said to her: ‘If your masters wish, I will prepare it for them in one payment, and I will manumit you, and the right of inheritance will be mine, (only) then I will do it.’ She mentioned that to her masters, but they insisted that the right of inheritance would be theirs. She came to me and told me that, and I scolded her. She said: ‘Then it is not possible.’ The Messenger of Allah heard and he asked me, and I told him about that. He said: ‘Buy her and manumit her, even if they stipulated that the right of inheritance would be theirs, for the right of inheritance belongs to..."
the one who manumits (the slave).’ So I did that. Then the Messenger of Allâh addressed the people in the evening. He praised and glorified Allâh as He deserves, then he said: ‘What is the matter with people who stipulate conditions that are not in the Book of Allâh? There is no condition that is not in the Book of Allâh but it is invalid, even if there are one hundred conditions. The Book of Allâh is more deserving of being followed and the conditions of Allâh are more binding. What is the matter with some men among you who say: “Manumit so-and-so and the right of inheritance will be mine;” rather the right of inheritance belongs to the one who manumits (the slave).’”

[3780] 9 - (...) A Hadîth similar to that of Abû Usâmah (no. 3779) was narrated from Hîshâm bin ‘Urwah with this chain, except that in the Hadîth of Jarîr it says: “...Her husband was a slave, and the Messenger of Allâh gave her the choice, and she chose herself. If he had been a free man, he would not have given her the choice.”

[3781] 10 - (...) It was narrated that ‘Âïshah said: “Three rulings were given concerning Barîrâh.
Her masters wanted to sell her but they stipulated that the right of inheritance would be theirs. I mentioned that to the Prophet and he said: ‘Buy her and manumit her, for the right of inheritance belongs to the one who manumits (the slave).’ She said: ‘Then she was manumitted, and the Messenger of Allâh gave her the choice, and she chose herself. And the people used to give her charity and she would give us gifts. I mentioned that to the Prophet and he said: ‘It is charity for her, but it is a gift for you, so eat it.’”

[3782] 11 - (…) It was narrated from ‘Aïshah that she bought Barîrah from some people among the Ansâr, and they stipulated that the right of inheritance would be theirs. The Messenger of Allâh said: ‘The right of inheritance belongs to the one who bestows the favor (manumits the slave).’ And the Messenger of Allâh gave her the choice, as her husband was a slave. And she gave some meat to ‘Aïshah as a gift, and the Messenger of Allâh said: ‘Why don’t you cook some of this meat for us?’ ‘Aïshah said: ‘It was given in charity to Barîrah.’ He said: ‘It

11 The choice to be with her husband, who is still a slave or to leave him and be free.
is charity for her and a gift for us."

\[3783\] 12 - (...) It was narrated from ‘Aishah that she wanted to buy Barirah in order to manumit her, but they (her owners) stipulated conditions about the right of inheritance. She mentioned that to the Messenger of Allah \(\text{ﷺ} \) and he said: “Buy her and manumit her, for the right of inheritance belongs to the one who manumits (the slave).” Some meat was given to the Messenger of Allah \(\text{ﷺ} \) as a gift, and they said to the Prophet \(\text{ﷺ} \): “This was given in charity to Barirah.” He said: “It is charity for her but it is a gift for us.” And she was given the choice.

‘Abdur-Rahman (a narrator) said: “Her husband was a free man.” Shu‘bah said: “Then I asked him about her husband, and he said: ‘I do not know.’”

\[3784\] (...) Shu‘bah narrated a similar report (as no. 3783) with this chain.

\[3785\] 13 - (...) It was narrated from ‘Urwah that ‘Aishah said: “The husband of Barirah was a slave.”
It was narrated from ‘Aishah, the wife of the Prophet ﷺ, that she said: “Three rulings were established concerning Barirah: She was given the choice about her husband when she was manumitted; some meat was given to her and the Messenger of Allâh ﷺ entered upon me when the earthen pot was on the fire. He called for some food, and some bread, and ordinary condiments were brought to him. He said: ‘Do I not see an earthen pot on the fire with meat in it?’ They said: ‘Yes, O Messenger of Allâh; that is meat that was given in charity to Barirah and we did not want to give some to you.’ He said: ‘It is charity for her but it is a gift from her to us.’” And the Prophet ﷺ said concerning her: ‘The right of inheritance belongs to the one who manumits (the slave).’”

It was narrated that Abû Hurairah said: “‘Aishah wanted to buy Barirah and manumit her, but her masters insisted that the right of inheritance should be theirs. She mentioned that to the Messenger of Allâh ﷺ and he said: ‘Do not let that stop you, for the right of inheritance belongs to the one who manumits (the slave).’”
Chapter 3. The Prohibition Of Selling Or Giving Away The \Walâ’

[3788] 16 - (1506) It was narrated from Ibn ‘Umar that the Messenger of Allâh ﷺ forbade selling or giving away the \Walâ’.

Ibrâhîm said:[1] “I heard Muslim ibn Al-Hajjâj say: ‘All people depend on ‘Abdullâh bin Dînâr in this \Hadîth.’”

[3789] (...) A similar report (as no. 3788) was narrated from ‘Abdullâh bin Dînâr, from Ibn ‘Umar, from the Prophet ﷺ, except that in the \Hadîth of Ath-Thaqafî from ‘Ubaidullâh, it mentions selling only and does not mention giving away.

[1] That is, Ibrâhîm ibn Muhammad bin Sufyân, one of those who reports this book from Imâm Muslim. The meaning of the statement of Imâm Muslim is that it has only been reported by ‘Abdullâh bin Dînâr.
Chapter 4. The Prohibition Of A Manumitted Slave Taking Anyone As A Mawla[1] Except The One Who Manumitted Him

[3790] 17 - (1507) Jâbir bin ‘Abdullâh said: “The Prophet dictated the blood money to be paid by each tribe, then he dictated: ‘It is not permissible for a Muslim to become the Mawla of a slave who has been manumitted by a Muslim man, without his permission.’ Then I was told that in his Sahîfah (a letter), he cursed the one who did that.”

[3791] 18 - (1508) It was narrated from Abû Hurairah that the Messenger of Allâh said: “Whoever takes people as Mawla without the permission of the those who set him free, upon him

[1] The word Mawla refers to the one who manumits a slave, who has the right to inherit from the ex-slave. Changing one’s Mawla means giving the right of inheritance to the new Mawla.
will be the curse of Allâh and the Angels, and no Sarf nor 'Adl will be accepted from him.”

[3792] 19 - (...) It was narrated from Abû Hurairah that the Prophet ﷺ said: “Whoever takes people as his Mawla without the permission of those who set him free, upon him will be the curse of Allâh, the Angels and all the people, and on the Day of Resurrection, no 'Adl nor Sarf will be accepted from him.”

[3793] (...) It was narrated from Al-A‘mash with this chain (a Hadath similar to no. 3792), except that he said: “Whoever takes people other than those who set him free as Mawla without their permission...”

[3794] 20 - (1370) It was narrated from Ibrâhîm At-Taimî that his father said: ‘Ali bin Abî Ṭâlib addressed us and said: ‘Whoever claims that we have something that we recite apart from the Book of Allâh and this Sahîfah’ - a document that was hanging from the sheath of his sword - ‘is lying. In it are the ages of camels and rulings concerning injuries, and in it the Prophet ﷺ said: “Al-Madinah is sacred, the
area between ‘Ayr and Thawr. Whoever introduces any Hadath or gives refuge to a Muḥdith, upon him will be the curse of Allāh, the Angels and all the people, and on the Day of Resurrection Allāh will not accept any Sarf nor ‘Adl from him. Protection granted by one Muslim is binding upon all of them, and may be given by the humblest of them. Whoever claims to belong to someone other than his father or to belong to someone other than his Mawla, upon him be the curse of Allāh, the Angels and all the people, and on the Day of Resurrection Allāh will not accept any Sarf nor ‘Adl from him.”

Chapter 5. The Virtue Of Manumitting Slaves

[3795] 21 - (1509) It was narrated from Abū Hurairah that the Prophet ﷺ said: “Whoever frees a believing slave, Allāh will ransom each of his limbs from the Fire for each of his (the slave’s) limbs.”

[3796] 22 - (…) It was narrated from Abū Hurairah that the Messenger of Allāh ﷺ said: “Whoever frees a believing slave,
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Allāh will ransom each of his limbs from the Fire for each of his (the slave’s) limbs, even his private part for his private part.”

[3797] 23 - (...) It was narrated that Abū Hurairah said: “I heard the Messenger of Allāh ﷺ say: ‘Whoever frees a believing slave, Allāh will ransom each of his limbs from the Fire for each of his (the slave’s) limbs, until He ransoms his private part for his private part.’”

[3798] 24 - (...) It was narrated from Sa’eed bin Marjānāh - the companion of ‘Alī bin Ḥusain - who said: “I heard Abū Hurairah say: ‘The Messenger of Allāh ﷺ said: ‘Any Muslim who frees another Muslim, Allāh will save each of his limbs from the Fire for each of his (the slave’s) limbs.’” He said: “When I heard this Hadīth from Abū Hurairah, I went and mentioned it to ‘Alī bin Al-Ḥusain and he manumitted a slave of his for whom Ibn Ja’far
It was narrated that Abū Hurairah said:

"The Messenger of Allāh ﷺ said: 'No son can repay his father unless he finds him enslaved and buys him and manumits him.'"

Chapter 6. The Virtue Of Manumitting One’s Father

[3799] 25 - (1510) It was narrated that Abū Hurairah said: “The Messenger of Allāh ﷺ said: ‘No son can repay his father unless he finds him enslaved and buys him and manumits him.’”

[3800] (...) A similar report (as no. 3799) was narrated from Suhail with this chain.
21. The Book Of Financial Transactions

Chapters 1. The Invalidity Of Al-Mulâmasah\(^1\) And Al-Munâbadhah\(^2\) Transactions

[3801] 1 - (1511) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ forbade Mulâmasah and Munâbadhah transactions.

[3802] (...) A similar report (as no. 3801) was narrated from Abû Hurairah, from the Prophet ﷺ (with a different chain of narrators).

[3803] (...) A similar report (as no. 3801) was narrated from Abû Hurairah, from the Prophet ﷺ (with a different chain of narrators).

1. Al-Mulâmasah is a buy for prefixed price with closed eyes, or in darkness just by the first touch of hand.

2. Al-Munâbadhah is an agreement to barter one thing for another without seeing or checking either of them.
A similar report (as no. 3801) was narrated from Abū Hurairah, from the Prophet ﷺ.

It was narrated from Abū Hurairah that he said:

"Two kinds of transaction were forbidden: Mulâmasah and Munâbadhah. Mulâmasah is when each person touches (Yalmis) the garment of his companion without examining it further, and Munâbadhah is when each person throws (Yanbidh) his garment to the other, and neither of them examines the garment of the other."

Abū Sa’eed Al-Khudrî said: “The Messenger of Allah ﷺ forbade two kinds of sales and two kinds of dressing to us. He forbade Mulâmasah and Munâbadhah transactions. Mulâmasah is when a man touches the garment of another with his
hand, by night or by day, and he does not examine it any more than that. **Munâbadhah** is when a man throws his garment to another man, and the other man throws his garment to him, and this is how the transaction is done, without examining and without being pleased (with the item).”

[3807] (...) It was narrated from Ibn Shihâb (a Hadîth similar to no. 3806 with a different chain of narrators).

Chapter 2. The Invalidity Of **Hasâh** Transactions And Transactions Involving Ambiguity

[3808] 4 - (1513) It was narrated that Abû Hurairah said: “The Messenger of Allâh forbade **Hasâh** transactions[^1] and transactions involving ambiguity.

[^1]: Those that involve throwing stones, and based upon where they land a deal is finalized.
Chapter 3. The Prohibition Of Selling Habl Al-Habalah\(^1\)

[3809] 5 - (1514) It was narrated from ‘Abdullâh that the Messenger of Allâh forbade selling Habl Al-Habalah.

[3810] 6 - (1512) It was narrated that Ibn ‘Umar said: “During the Jâhiliyyah, people used to sell the meat of camels up to Habl Al-Habalah. Habl Al-Habalah means that the she-camel gives birth, then the one that she bore becomes pregnant. The Messenger of Allâh forbade that.”

Chapter 4. The Prohibition Of Urging A Buyer To Cancel A Purchase In Order To Sell Him One’s Own Goods And Urging A Seller To Cancel A Sale Already Agreed Upon So That One Can Buy The Goods Oneself; And The Prohibition Of Artificially Inflating Prices; And The Prohibition Of Letting Milk Accumulate In The Udder In Order To Deceive The Purchaser

[3811] 7 - (1412) It was narrated that:

\(^1\) Habl Al-Habalah means selling the offspring of the offspring that is still in the womb of the camel being sold.
narrated from Ibn ‘Umar that the Messenger of Allāh ﷺ said: “Do not urge a buyer to cancel a purchase in order to sell him your own goods.”

[3812] 8 - (...) It was narrated from Ibn ‘Umar that the Prophet ﷺ said: “No man should urge a buyer to cancel a purchase with his brother in order to sell him his own goods; or propose marriage to a woman to whom his brother has already proposed, unless he gives him permission.”

[3813] 9 - (1515) It was narrated from Abū Hurairah that the Messenger of Allāh ﷺ said: “No Muslim should urge a seller to cancel a sale to another Muslim that is already agreed upon so as to buy the goods himself.”

[3814] 10 - (...) It was narrated from Abū Hurairah that the Messenger of Allāh ﷺ forbade a man to urge someone to cancel a sale already agreed upon so that he can buy the goods himself.
It was narrated from Abū Hurrārah that the Messenger of Allāh ﷺ said: “Do not go out to intercept the riders for trade, do not urge a buyer to cancel a purchase already agreed upon in order to sell him your own goods, do not artificially inflate prices; no town-dweller should sell on behalf of a Bedouin; and do not let milk accumulate in the udders of camels and sheep. Whoever buys them after that, he has the choice between two things, after he milks them: if he likes, he may keep them, and if he likes, he may return them along with a ʿṢāʿī of dates.”

It was narrated from Abū Hurrārah that the Messenger of Allāh ﷺ forbade intercepting the riders, and he forbade town-dwellers to sell on behalf of Bedouin, (and he forbade) a woman to ask for the divorce of her sister, (and he forbade) artificial inflation of prices and allowing milk to accumulate in the udders,
he forbade) a man from urging a seller to cancel a sale already agreed upon with his brother, so as to buy the goods himself.

[3817] (...) Shu`bah narrated with this chain (a Hadîth similar to no. 3816) that - according to the Hadîth of Ghundar and Wahb, “it was forbidden;” and according to the Hadîth of Abdus-Samad; “The Messenger of Allâh forbid...” a Hadîth like that of Mu`âdh from Shu`bah.

[3818] 13 - (1516) It was narrated from Ibn `Umar that the Messenger of Allâh forbid artificial inflation of prices.

Chapter 5. The Prohibition Of Intercepting Traders

[3819] 14 - (1517) It was narrated from Ibn `Umar that the Messenger of Allâh forbade intercepting traders until they reach the markets with their goods. This is the wording of Ibn Numair.
[3820] (...) A Hadith like that of Ibn Numair (no. 3819) from ‘Ubaidullāh was narrated from Ibn ‘Umar from the Prophet ﷺ.

[3821] 15 - (1518) It was narrated from ‘Abdullāh from the Prophet ﷺ that he forbade intercepting people with their goods before they reached the market.

[3822] 16 - (1519) It was narrated that Abū Hurairah said: “The Messenger of Allāh ﷺ forbade intercepting incoming merchants.”

[3823] 17 - (...) Abū Hurairah said: “The Messenger of Allāh ﷺ said: ‘Do not intercept incoming merchants. Whoever intercepts them and buys from them, when the owner of the merchandise reaches the market, he has the choice.’”
Chapter 6. The Prohibition Of The Town-Dweller Selling On Behalf Of A Bedouin

[3824] 18 - (1520) It was narrated from Abū Hurairah that the Prophet ﷺ said: “No town-dweller should sell on behalf of a Bedouin.”

Zuhair said: “It was narrated from the Prophet ﷺ that he forbade town-dwellers to sell on behalf of Bedouins.”

[3825] 19 - (1521) It was narrated from Ibn Tawüs, from his father, from Ibn ‘Abbâs who said: “The Messenger of Allâh ﷺ forbade intercepting the riders, and for a town dweller to sell on behalf of a Bedouin.”

He said: “I said to Ibn ‘Abbâs: ‘What does it mean, “for a town dweller to sell on behalf of a Bedouin?”’ He said: ‘He should not act as a broker for him.’”

[3826] 20 - (1522) It was narrated that Jâbir said: “The Messenger of Allâh ﷺ said: ‘A town-dweller should not sell on behalf of a Bedouin. Let the people be, and Allâh will provide for them by means of one another.’”
[3827] (...) A similar report (as no. 3826) was narrated from Jâbir, from the Prophet ﷺ.

[3828] 21 - (1523) It was narrated that Anas bin Mâlik said: “We were forbidden that a town-dweller should sell on behalf of a Bedouin, even if he was his brother or father.”

[3829] 22 - (...) Anas bin Mâlik said: “We were forbidden that a town-dweller should sell for a Bedouin.”

Chapter 7. Ruling On Selling Al-Musarrâh (An Animal In Whose Udder Milk Has Been Allowed To Accumulate)

[3830] 23 - (1524) It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘Whoever buys a sheep in whose udder milk has been allowed to accumulate, let him take it and milk it. If he is pleased with its
milk, he may keep it, otherwise he may return it along with a ـاءٌ of dates.’”

[3831] 24 - (...) It was narrated from Abū Hurairah that the Messenger of Allah ﷺ said: “Whoever buys a sheep in whose udder milk has been allowed to accumulate, has the choice for three days: if he wishes he may keep it, or if he wishes he may return it along with a ـاءٌ of dates.”

[3832] 25 - (...) It was narrated from Abū Hurairah that the Prophet ﷺ said: “Whoever buys a sheep in whose udder milk has been allowed to accumulate has the choice for three days. If he returns it he should give a ـاءٌ of food along with it, but not wheat.”

[3833] 26 - (...) It was narrated that Abū Hurairah said: “The Messenger of Allah ﷺ said: ‘Whoever buys a sheep in whose udder milk has been allowed to accumulate has the choice of two things: If he wishes he may keep it, and if he wishes he may return it, along with a ـاءٌ of dates, but not wheat.’”
[3834] 27 - (...) It was narrated from Ayyüb with this chain (a Hadith similar to no. 3834), except that he said: "Whoever buys sheep has the choice..."

[3835] 28 - (...) It was narrated that Hammâm bin Munabbih said: "This is what Abû Hurairah narrated to us from the Messenger of Allâh ﷺ." He mentioned a number of Ahadîj, including the following: "The Messenger of Allâh ﷺ said: 'If one of you buys a milch-camel in whose udder milk has been allowed to accumulate, or a sheep in whose udder milk has been allowed to accumulate, he has the choice of two things after milking it: either keeping it or returning it along with a Sa' of dates.'"

Chapter 8. It Is Invalid To Sell Goods Before Taking Possession Of Them

[3836] 29 - (1525) It was narrated from Ibn 'Abbâs that the Messenger of Allâh ﷺ said: "Whoever buys some food, let him not sell it until he has received it in full."

Ibn 'Abbâs said: "I think that all things are like this (i.e. it applies to all transactions)."
[3837] (...) A similar report (as no. 3836) was narrated from 'Amr bin Dînâr with this chain.

[3838] 30 - (...) It was narrated that Ibn 'Abbâs said: “The Messenger of Allâh ﷺ said: ‘Whoever buys food, let him not sell it until he has taken possession of it.’”

Ibn 'Abbâs said: “I think that everything is like food.”

[3839] 31 - (...) It was narrated from Ibn Tâwüs, from his father, from Ibn 'Abbâs who said: “The Messenger of Allâh ﷺ said: ‘Whoever buys food, he should not sell it until he has measured it.’”

I said to Ibn ‘Abbâs: “Why?” He said: “Don’t you see that they are exchanging gold, but the delivery of food is delayed?”
[3840] 32 - (1526) It was narrated from Ibn 'Umar that the Messenger of Allah ﷺ said: "Whoever buys foodstuff should not sell it until he has received it in full."

[3841] 33 - (1527) It was narrated that Ibn 'Umar said: “At the time of the Messenger of Allah ﷺ we used to buy food, and someone would be sent to us to tell us to move it from the place where we had bought it to another place before we sell it.”

[3842] 34 - (1526) It was narrated from Ibn 'Umar that the Messenger of Allah ﷺ said: "Whoever buys food should not sell it until he has received it in full.”

[3843] (1527) He (i.e. Ibn 'Umar) said: “We used to buy food from the riders without measure, but the Messenger of Allah ﷺ forbade us to sell it until we had moved it from its place.”
[3844] 35 - (1526) It was narrated from 'Abdullâh bin 'Umar that the Messenger of Allah ﷺ said: "Whoever buys food, he should not sell it until he has received it in full and taken possession of it."

[3845] 36 - (...) It was narrated from ‘Abdullâh bin Dînâr that he heard Ibn ‘Umar say: "The Messenger of Allah ﷺ said: ‘Whoever buys food, he should not sell it until he takes possession of it.’"

[3846] 37 - (1527) It was narrated from Ibn ‘Umar that they would be beaten at the time of the Messenger of Allah ﷺ if they bought food without measure then sold it on the spot, unless they moved it.

[3847] 38 - (...) Sâlim bin ‘Abdullâh narrated that his father said: "I saw the people at the time of the Messenger of Allah ﷺ being beaten if they bought food without measure then sold it on the spot, unless they took it to their own places."
Ibn Shihâb said: “’Ubaydullâh bin ‘Abdullâh bin ‘Umar told me that his father used to buy food without measure then take it to his family.”

It was narrated from Abû Hurairah that the Messenger of Allah ﷺ said: “Whoever buys food, let him not sell it until he has measured it.”

Marwân said: “I have not done that.” Abû Hurairah said: “You have allowed selling Sakk. The Messenger of Allâh ﷺ forbade selling food until it has been received in full.” Then Marwân addressed the people and forbade such transactions.

Sulaimân said: “I saw the guards collecting them from the hands of the people.”

[1] Sakk: A letter from the ruler ordering that food and other items be given to the holder of the letter.
Jâbir bin ‘Abdullâh said: “The Messenger of Allah used to say: “When you buy foodstuff, do not sell it until you have received it in full.”

Chapter 9. The Prohibition Of Selling A Heap Of Dates The Weight Of Which Is Unknown

Jâbir bin ‘Abdullâh said: “The Messenger of Allah forbade selling a heap of dates, the weight of which is unknown, for a known weight of dates.”

(...) Jâbir bin ‘Abdullâh said: “The Messenger of Allah forbade...” a similar report (as Hadith no. 3851), except that he did not say “of dates” in the latter part of the Hadith.
Chapter 10. Affirming That Both Parties To A Transaction Have The Option (Of Canceling It) While They Are Still Together

[3853] 34 - (1531) It was narrated from Ibn ‘Umar that the Messenger of Allâh ﷺ said: “Each party to a transaction has the option (of canceling it) so long as they have not separated, except in the case of Bai‘Al-Khiyâr.”

[3854] (...) A Hadîth similar to that of Mâlik from Nâfi‘ (no. 3853) was narrated from Ibn ‘Umar, from the Prophet ﷺ.

[1] A transaction where both parties have chosen to agree upon a deal.
It was narrated from Ibn 'Umar that the Prophet ﷺ said: “When two men enter into a transaction, each one of them has the option (of canceling) so long as they have not parted and are still together. But if one of them gives the other the choice to decide, then they agree on a deal, then it becomes binding. If they part after that and neither of them canceled it, then the transaction becomes binding.”

Abdullâh bin 'Umar said: “The Messenger of Allah ﷺ said: ‘When two parties enter into a transaction, each of them has the option of (canceling) the sale, so long as they have not parted, but if they chose to agree on a deal, then it becomes binding.’”

Ibn Abî 'Umar added in his report: “'Nâfi' said: ‘If he entered into a transaction with a man and intended not to let him off, he would get up and walk away for a while, then come back to him.’”
It was narrated from 'Abdullâh bin Dinâr that he heard Ibn 'Umar say: “The Messenger of Allâh ﷺ said: ‘There is no deal between two parties until they part, unless they choose to agree on a deal.’”

Chapter 11. Honesty In Selling And Disclosure Of Defects

It was narrated from Ḥakîm bin Ḥizâm that the Prophet ﷺ said: “The two parties to a transaction have the option (of canceling it) until they part. If they are honest and disclose any defects, their transaction will be blessed, but if they lie and conceal defects the blessing will be erased.”
It was narrated that Abû At-Tayyâh said: “I heard ‘Abdullâh bin Al-Ḥârîth narrating from Ḥâkim bin Ḥizâm from the Prophet ﷺ...” a similar report (as no. 3858).

Muslim bin Al-Ḥâjjâj said: Ḥâkim bin Ḥizâm was born inside the Ka’bah and lived for one hundred and twenty years.

Chapter 12. One Who Is Deceived In Transactions

48 - (1533) Ibn ‘Umar said that a man told the Messenger of Allâh ﷺ that he was often deceived in transactions, and the Messenger of Allâh ﷺ said: “When you enter into a transaction, say: ‘There should be no deceit.’

So when he entered into a transaction he would say: “There should be no deceit.”

A similar report (as no. 3860) was narrated from ‘Abdullâh bin Dinâr with this chain, but it does not say in their Hadîth: “When he entered into a
Chapter 13. The Prohibition Of Selling Produce Before Its Goodness Appears

[3862] 49 - (1534) It was narrated from Ibn `Umar that the Messenger of Allah forbade selling produce until its goodness appears. He forbade it for the seller and the buyer.

[3863] (...) A similar report (as no. 3862) was narrated from Ibn `Umar, from the Prophet.

[3864] 50 - (1535) It was narrated from Ibn `Umar that the Messenger of Allah forbade selling the fruit of date palms until it began to develop color (turn yellow or red) and ears (of grain) until they turned white (having developed) and were free of blight. He forbade that to the seller and the buyer.
It was narrated that Ibn 'Umar said:

"The Messenger of Allah ﷺ said:

'Do not sell produce until its
goodness appears and there is no
longer any fear of blight.'"

He said: "Until its goodness
appears means when it turns red
or yellow."

(...) It was narrated from
Yahyā with this chain (a Hadīth
similar to no. 3865), up to (the
words); "until its goodness appears;"
and he did not mention what comes
after that.

A Hadīth like that of
'Abdul-Wahhāb (no. 3866) was
narrated from Ibn 'Umar, from
the Prophet ﷺ.

A Hadīth like that of
Mālik and 'Ubaidullāh (nos.
3862, 3863) was narrated from
Ibn 'Umar from the Prophet ﷺ.

It was narrated from 'Abdullāh bin Dīnār that he
heard Ibn 'Umar say: "The
Messenger of Allāh ﷺ said: 'Do
not sell produce until its goodness
appears.'"
It was narrated from 'Abdullâh bin Dînâr with this chain (a Hadîth similar to no 3869). In the Hadîth of Shu'bah it adds: "It was said to Ibn 'Umar: 'What does its goodness mean?' He said: 'When there is no more danger of blight.'"

It was narrated that Jâbir said: "The Messenger of Allah ﷺ forbade or forbade us - selling fruits until they became good."

Jâbir bin 'Abdullâh said: "The Messenger of Allah ﷺ forbade selling produce until its goodness appeared."
It was narrated that Abū Al-Bakhtarī said: "I asked Ibn 'Abbâs about selling the fruit of date palms. He said: 'The Messenger of Allâh ﷺ forbade selling the fruit of date palms until it (some of it) could be eaten, and until it was weighed.' I said: 'What does weighed mean?' A man who was with him said: 'Until it is estimated.'"

It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'Do not sell produce until its goodness appears.'"

Chapter 14. The Prohibition Of Selling Fresh Dates In Exchange For Dry Dates Except In The Case Of 'Arâyâ\[1\]

It was narrated from Ibn ‘Umar that the Prophet ﷺ forbade selling produce until it became ripe, and he forbade selling fresh dates for dry dates.

\[1\] ‘Arâyâ refers to a kind of sale in which the owner of dates that are still on the tree can sell them for dried dates by estimation.
Zaid bin Thâbit narrated that the Messenger of Allah granted a concession with regard to selling ‘Arâyâ.

Abü Hurairah said: “The Messenger of Allah said: ‘Do not sell produce until it becomes ripe, and do not sell fresh dates for dry dates.’”

Ibn Shihâb said: “Sâlim bin ‘Abdullâh bin ‘Umar narrated a similar report to me from his father from the Messenger of Allah.”

It was narrated from Sa‘eed bin Al-Mûsâyyab that the Messenger of Allah forbade Muzâbanah and Muhâqalah transactions. Muzânabah is when dates on the tree are sold for dry dates, and Muhâqalah is when crops in the field are sold for dry wheat, or land is leased out for wheat.
He said: "Sâlim bin ‘Abdullâh narrated to me that the Messenger of Allâh ﷺ said: ‘Do not sell produce until it becomes ripe, and do not sell fresh dates for dry dates.’ Sâlim said: ‘Abdullâh bin Zaid bin Thâbit told me that after that the Messenger of Allâh ﷺ granted a concession allowing the sale of ‘Arâyâ for fresh dates or dried dates, but he did not grant a concession in any other case.’“

[3879] 60 - (…) It was narrated from Zaid bin Thâbit that the Messenger of Allâh ﷺ granted a concession to the owner of ‘Arâyâ; allowing him to sell it for an estimated measure of dried dates.

[3880] 61 - (…) Zaid bin Thâbit narrated that the Messenger of Allâh ﷺ granted a concession with regard to ‘Arâyâ, by which the people of a household could eat fresh dates in return for an estimated measure of dried dates.
[3881] (...) Nâfi‘ narrated a similar report (as no. 3880).

[3882] 62 - (...) It was narrated from Yahyâ bin Sa‘eed with this chain (a Hadîth similar to no. 3880), except that he said: ‘Arâyâ refers to the produce of palm trees that is given to people, and they sell it for a similar measure of dried dates.

[3883] 63 - (...) It was narrated from ‘Abdullâh bin ‘Umar: “Zaid bin Thâbit told me that the Messenger of Allâh ﷺ granted a concession allowing the sale of ‘Arâyâ for a similar measure of dried dates.”

Yahyâ said: “‘Arâyâ is when a man buys the produce of date palms so that he can give his family fresh dates to eat, in return for an estimated measure of dried dates.”

[3884] 64 - (...) It was narrated from Zaid bin Thâbit that the Messenger of Allâh ﷺ granted a concession with regard to ‘Arâyâ, allowing it to be sold for a similar measure.
[3885] 65 - (…) It was narrated from ‘Ubaidullâh with this chain (a Hadîth similar to no. 3884).

[3886] 66 - (…) It was narrated from Nâfi‘ with this chain that the Messenger of Allâh ﷺ granted a concession allowing Arâyâ to be sold for a similar measure.

[3887] 67 - (1540) It was narrated from Bushair bin Yasâr from some of the Companions of the Messenger of Allâh ﷺ who were members of his family, including Sahl bin Abî UaThmah, that the Messenger of Allâh ﷺ forbade selling fresh dates for dried dates. He said: “That is Ribâ, that is Muzâbanah.” But he granted a concession allowing the sale of ‘Ariyyah, where the produce of one or two palm trees is assigned to a household in return for an estimated measure of dried dates, so that they can eat fresh dates.

[3888] 68 - (…) It was narrated from Bushair bin Yasâr, that the Companions of the Messenger of Allâh ﷺ said: “The Messenger of Allâh ﷺ granted a concession with regard to the sale of ‘Ariyyah for an estimated measure of dried dates.”
[3889] 69 - (...) Bushair bin Yasâr narrated from some Companions of the Messenger of Allâh ﷺ who were members of his family that the Messenger of Allâh ﷺ forbade... and he mentioned a Hadîth like that of Sulaimân bin Bilâl from Yahyâ (no. 3887), except that Ishâq and Ibn Al-Muthanna said Zabn instead of Ribâ, but Ibn Abî ‘Umar said Ribâ.

[3890] (...) A Hadîth like theirs (i.e. Ishâq and Ibn Al-Muthanna, no. 3889) was narrated from Sahl bin Abî Ḥathmah from the Prophet ﷺ.

[3891] 70 - (...) Râfî’ bin Khadij and Sahî bin Abî Ḥathmah narrated that the Messenger of Allâh ﷺ forbade Muzâbanah, selling fresh dates for dried dates, except for those who owned ‘Arâyâ - he gave them permission.
It was narrated from Abü Hurairah that the Messenger of Allah ﷺ granted a concession allowing the sale of Arâyâ for estimated amounts less than five Wasq, or up to five Wasq. Dâwûd was unsure and said: “Five or less than five?” He said: “Yes.”

It was narrated from Ibn ‘Umar that the Messenger of Allah ﷺ forbade Muzâbanah. Muzâbanah refers to selling fresh dates for dried dates by measure, and selling grapes for raisins by measure.

It was narrated from Nâfi’ that ‘Abdullâh told him that the Prophet ﷺ forbade Muzâbanah. Muzâbanah means selling the produce of palm trees for dried dates by measure, or selling grapes for raisins by measure, or selling crops for dried wheat by measure.

A similar report (as no. 3894) was narrated from ‘Ubaidullâh with this chain.
It was narrated that Ibn ‘Umar said: “The Messenger of Allâh forbade Muzâbanah. Muzâbanah means selling the produce of palm trees for dried dates by measure, or selling grapes for raisins by measure, or selling any kind of produce for an estimated measure of the same kind of produce.”

It was narrated from Ibn ‘Umar that the Messenger of Allâh forbade Muzâbanah. Muzâbanah means selling what is up on the palm trees for dried dates of a specified amount (by saying), “If there is more it is mine and if there is less then I owe you.”

Ayyûb narrated a similar report (as no. 3897) with this chain.

It was narrated that ‘Abdullâh said: “The Messenger of Allâh forbade Muzâbanah, selling the produce of one’s garden. If it is palm trees; for dried dates by measure, and if it is grapes; selling them for raisins by measure, and if it is unharvested produce; selling it for a measure of harvested produce. He forbade all of that.”
Chapter 15. One Who Sells Date Palms On Which There Are Dates

[3901] 77 - (1534) It was narrated from Ibn 'Umar that the Messenger of Allâh ﷺ said: "Whoever sells date palms that have been pollinated, the produce belongs to the seller, unless the buyer stipulates otherwise."

[3902] 78 - (…) It was narrated from Ibn 'Umar that the Messenger of Allâh ﷺ said: "Any palm trees which are purchased and they have been pollinated, the produce belongs to the one who pollinated them, unless the one who buys them stipulates otherwise."
[3903] 79 - (....) It was narrated from Ibn ‘Umar that the Prophet ﷺ said: “Any person who pollinates palm trees then sells them, the produce of the palm tree belongs to the one who pollinated it, unless the buyer stipulates otherwise.”

[3904] (....) A similar report (as no. 3903) was narrated from Nâfi‘ with this chain.

[3905] 80 - (....) It was narrated that ‘Abdullâh bin ‘Umar said: “I heard the Messenger of Allâh ﷺ say: ‘Whoever buys palm trees after they have been pollinated, their produce belongs to the seller, unless the buyer stipulates otherwise. Whoever buys a slave, his property belongs to the one who sold him, unless the buyer stipulates otherwise.’”

[3906] (....) A similar report (as no. 3905) was narrated from Az-Zuhrî with this chain.
Sālim bin ‘Abdullāh bin ‘Umar narrated that his father said: “I heard the Messenger of Allāh ﷺ say...” a similar report (as no. 3905).

Chapter 16. The Prohibition Of Muhâqalah And Muzâbanah, And Mukhâbarah; And Selling Produce Before Its Goodness Appears, And Mu‘âwamah; Which He Is Selling Years In Advance

It was narrated that Jâbir bin ‘Abdullāh said: “The Messenger of Allāh ﷺ forbade Muhâqalah, Muzâbanah and Mukhâbarah, and selling produce before its goodness appears; it should not be sold except for Dīnār and Dirham, except in the case of ‘Arâyà.”

Jâbir bin ‘Abdullāh said: “The Messenger of Allāh ﷺ forbade...” and he mentioned something similar (to Hadīth no. 3908).

(... Jâbir bin ‘Abdullāh said: “The Messenger of Allāh ﷺ forbade...” and he mentioned something similar (to Hadīth no. 3908).
It was narrated from Jâbir bin ‘Abdullâh that the Messenger of Allâh ﷺ forbade Mukhâbarah, Muhâqalah and Muzâbanah, and selling produce until it is fit to eat; it should not be sold except for Dirham and Dinâr, except in the case of ‘Arâyâ.

‘Aṭâ’ said: “Jâbir explained it to us and said: ‘Mukhâbarah refers to unused land which a man gives to another man who spends on it then (the owner) takes some of its produce in return. He said that Muzâbanah means selling fresh dates on the tree for dried dates by measure, and Muhâqalah refers to something similar with regard to crops, where standing crops are sold for grains by measure.’”

It was narrated from Jâbir bin ‘Abdullâh that the Messenger of Allâh ﷺ forbade Muţaqalah, Muzâbanah and Mukhâbarah, and buying palm trees until (their produce is) ripe. And ripening means that they turn red or yellow, or are fit to eat. Muhâqalah means selling the field for a known measure of food. Muzâbanah means selling the palm tree for some Wasq of dried dates. Mukhâbarah refers to a share, one-third or one-quarter and so on.

Zaid said: “I said to ‘Aṭâ’ bin
Abî Rabâh: ‘Did you hear Jâbir bin ‘Abdullâh narrate that from the Messenger of Allâh ﷺ?’ He said: ‘Yes.’

[3912] 84 - (...) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh ﷺ forbade Muzâbanah, Muhâqalah and Mukhâbarah, and selling produce until it is ripe (Tushqiţ).”

He said: “I said to Sa‘eed: ‘What does Tushqiţ mean?’ He said: ‘When they turn red or yellow and are fit to eat.’”

[3913] 85 - (...) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh ﷺ forbade Muhâqalah, Muzâbanah, Mu‘awamah and Mukhâbarah - one of them said: selling years ahead is Mu‘awamah - and exemption of something unspecified, but he granted a concession with regard to ‘Arâyâ.’”
[3914] (…) A similar report (as no. 3913) was narrated from Jâbir from the Prophet  except that he did not mention: “Selling years ahead is Mu‘âwamah.”

Chapter 17. Kirâ’ (Leasing Land) [1]

[3915] 86 - (…) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh forbade leasing out land, selling it years ahead and selling produce until it is good (i.e. ready to eat).”

[3916] 87 - (…) It was narrated from Jâbir bin ‘Abdullâh that the Messenger of Allâh forbade leasing out land.

[3917] 88 - (…) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh said: ‘Whoever has land, let him cultivate it, and if he does not cultivate it, he should let his brother cultivate it.’”

[1] Kirâ’: When the owner allows the land to be used in exchange for a certain portion of the produce. Some of the narrations that follow explain it explicitly.
89 - (…) It was narrated that Jâbir bin ‘Abdullâh said: “One of the Companions of the Messenger of Allâh had some surplus land, and the Messenger of Allâh said: ‘Whoever has surplus land, let him cultivate it or lend it to his brother, but if he insists, let him keep his land.’”

90 - (…) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh forbade taking rent or a share for land.”

91 - (…) It was narrated that Jâbir said: “The Messenger of Allâh said: ‘Whoever has land, let him cultivate it. If he cannot cultivate it, or is unable to do so, let him lend it to his Muslim brother, but he should not take rent for it.’”

92 - (…) Hammâm narrated: “Sulaimân bin Mûsâ asked ‘Aţâ’: ‘Did Jâbir bin ‘Abdullâh tell you that the Prophet said: ‘Whoever has
land, let him cultivate it or let his brother cultivate it, and he should not lease it out”? He said: “Yes.”

[3922] 93 - (...) It was narrated from Jâbir that the Prophet forbade Mukhâbarah.

[3923] 94 - (...) Jâbir bin 'Abdullâh said: “The Messenger of Allâh said: ‘Whoever has surplus land, let him cultivate it or let his brother cultivate it, and not sell it.’ I said to Sa’eed: Does ‘not sell it’ refer to leasing? He said: ‘Yes.’”

[3924] 95 - (...) It was narrated that Jâbir said: “We used to rent (Khâbir) land at the time of the Messenger of Allâh and we would get a share of the grain left in the ears after threshing and of such-and-such (a quantity). Then the Messenger of Allâh said: ‘Whoever has land (surplus) let him cultivate it or let his brother till it, otherwise, let him leave it.”

[3925] 96 - (...) Jâbir bin 'Abdullâh said: “At the time of the Messenger of Allâh we used to take land in return for one-third or one-quarter of that
which grew along the water channels. The Messenger of Allah addressed us concerning that and said: ‘Whoever has land, let him cultivate it. If he does not cultivate it, let him lend it to his brother. If he does not lend it to his brother, let him keep it.”

[3926] 97 - (...) It was narrated that Jâbir said: “I heard the Prophet say: ‘Whoever has land, let him donate it or lend it.”

[3927] 98 - (...) It was narrated from Al-A’mash with this chain (a Hadith similar to no. 3926), except that he (s) said: “Let him cultivate it, or let his brother cultivate it.”

[3928] 99 - (...) It was narrated from Jâbir bin ‘Abdullâh that the Messenger of Allah forbade leasing out land.

Bukhair said: “Nâfî‘ told me that he heard Ibn ‘Umar say: ‘We used to lease out land, then we stopped doing that when we heard the Hadith of Râfi‘ bin Khadîj.”
It was narrated that Jābir said: “The Messenger of Allah forbade selling (leasing) unused land for two or three years.”

It was narrated that Jābir said: “The Messenger of Allah forbade selling years ahead.”

According to the report of Ibn Abī Haibah: “The Messenger of Allah forbade selling produce for years ahead.”

It was narrated that Abū Hurairah said: “Whoever has land, let him cultivate it or lend it to his brother, and if he insists, let him keep his land.”

Jābir bin 'Abdullāh narrated that he heard the Messenger of Allah say: "Whoever has land, let him cultivate it or lend it to his brother, and if he insists, let him keep his land.”
forbidding Muzābanah and Huqūl. Jābir bin ‘Abdullāh said:
"Muzābanah means selling fresh dates for dried dates, and Huqūl means leasing out land (Kirā’)."

[3933] 104 - (1545) It was narrated that Abū Hurairah said:
"The Messenger of Allāh ﷺ forbade Muhāqalah and Muzābanah."


[3935] 106 - (1547) It was narrated that ‘Amr said: “I heard Ibn ‘Umar say: ‘We did not see anything wrong with renting out land until last year, then Rāfī’ said that the Prophet of Allāh ﷺ had forbidden it.”"
A similar report (as no. 3935) was narrated from 'Amr bin Dînâr with this chain. In the Hadîth of Ibn 'Uyaynah it adds: “So we stopped it because of that.”

It was narrated that Mujâhid said: “Ibn 'Umar said: ‘Râfi‘ stopped us from benefiting from our land.’”

It was narrated from Nâfi‘ that Ibn 'Umar used to lease out his farmland at the time of the Prophet and during the leadership of Abû Bakr, 'Umar and 'Uthmân, and the beginning of the leadership of Mu'âwiyyah. Until, at the end of the leadership of Mu’âwiyyah, he heard that Râfi‘ bin Khâdîj narrated a Hadîth in which (he mentioned) it was forbidden by the Prophet. He entered upon him, when I was with...

When he was asked about that afterwards he said: “Râfi’ bin Khâdiج said that the Messenger of Allâh forbade it.”

[3939] (...) A similar report (as no. 3938) was narrated from Ayyûb with this chain. In the Hadîth of Ibn ‘Ullâyûn it adds: “He said: ‘Ibn ‘Umar stopped doing it after that, and he did not lease it out.’”

[3940] 110 - (...) It was narrated that Nâfi‘ said: “I went with Ibn ‘Umar to Râfi’ bin Khâdiج in Al-Balât, and he told him that the Messenger of Allâh forbade leasing out farmland.”

[3941] (...) It was narrated from Ibn ‘Umar that he went to Râfi’... and he narrated this Hadîth (no. 3940) from the Prophet.
111 - (... ) It was narrated from Nâfi‘ that Ibn ‘Umar used to rent out land. Then he was told a Hadith from Râfi‘ bin Khadij. He said to him: “Come with me,” and we went to him, and he narrated from some of his paternal uncles and said that the Prophet ﷺ had forbidden leasing out land. Then Ibn ‘Umar stopped doing that and he did not rent it out.

112 - (... ) Sâlim bin ‘Abdullâh narrated that ‘Abdullâh bin ‘Umar used to lease out his land, until he heard that Râfi‘ bin Khadij Al-Anšârî forbade leasing out land. ‘Abdullâh met him and said: “O Ibn Khadij, what are you narrating from the Messenger of Allah ﷺ about leasing out land?” Râfi‘ bin Khadij said to ‘Abdullâh: “I heard my two paternal uncles, who had been present at (the battle of) Badr, narrating to the family, that the Messenger of Allah ﷺ forbade leasing out land.” ‘Abdullâh said: “At the time of the Messenger of Allah ﷺ I knew that land could be leased
out.” Then ‘Abdullâh was afraid that the Messenger of Allâh ﷺ had said something new that he did not know of, so he stopped leasing out land.

Chapter 18. Leasing Out Land (Kira‘) In Return For Food

[3945] 113 - (1548) It was narrated that Râfi‘ bin Khadîj said: “We used to rent land at the time of the Messenger of Allâh ﷺ, leasing it for one-third or one-quarter (of the yield of a specified crop) and a specified amount of food. Then one day, one of my paternal uncles came to us and said: ‘The Messenger of Allâh ﷺ has forbidden to us something that was beneficial to us, but obedience to Allâh and His Messenger is more beneficial to us. He forbade us to rent land and lease it for one-third or one-quarter (of the yield of a specified crop) and a specified amount of food, and he ordered the owner of the land to cultivate it or let it be cultivated, and he disliked leasing it out or anything else.’”
[3946] (...) It was narrated that Râfi' bin Khadij said: "We used to rent land and lease it for one-third or one-quarter..." then he narrated a Hadîth like that of Ibn 'Ulayyah (no. 3945).

[3947] (...) A similar report (as no. 3945) was narrated from Ya'la bin Ḥakîm, with this chain.

[3948] (...) It was narrated from Râfi' bin Khadij from the Prophet ﷺ (a Hadîth similar to no. 3945) but he did not say: "From some of his paternal uncles."

[3949] 114 - (...) It was narrated from Abû An-Najâshî, the freed slave of Râfi' bin Khadij, from Râfi', that Zuhair bin Râfi' - who was his paternal uncle - (He) said: "Zuhair came to me and said: 'The Messenger of Allâh ﷺ forbade something that was beneficial for us.' I said: 'What is that? Whatever the Messenger of
Allāh says is right.’ He said: ‘He asked me: “What do you do with your fields?” I said: “We rent them, O Messenger of Allāh, in return for (what grows on the edge) of the spring, or for several Wasq of dates or barley.” He said: “Do not do that. Cultivate them, or let them be cultivated by others, or keep them.”

[3950] (...) This was narrated from Rāfī’ from the Prophet (a Hadīth similar to no. 3949) but he did not say: “From the paternal uncle of Zuhair.”

Chapter 19. Leasing Out Land (Kirā) For Gold And Silver

[3951] 115 - (1547) It was narrated from Hanzalah bin Qais that he asked Rāfī’ bin Khadīj about leasing out land. He said: “The Messenger of Allāh forbade leasing out land.” I said: “For gold and silver?” He said: “As for (leasing it for) gold and silver, there is nothing wrong with that.”
Hanzalah bin Qais Al-Anṣārī said: “I asked Râfi‘ bin Khadij about leasing out land for gold and silver. He said: ‘There is nothing wrong with that. Rather at the time of the Prophet ﷺ the people used to rent land in return for what grows along the water channels, and at the springs, and in some parts of the fields, but one part would be destroyed while another part would be safe, or vice versa, and this was the only way in which people leased out land. So this was forbidden. As for something that is specified and guaranteed, there is nothing wrong with it.’”

It was narrated from Hanzalah Az-Zuraqî that he heard Râfi‘ bin Khadij say: “We had the most land among the Ansâr, and we used to lease out land on the basis that we would have the produce of this part, and they would have the produce of that, and perhaps one part would yield produce and the other part would not. So he forbade us to do that. As for silver, he did not forbid us.”

A similar report (as no. 3953) was narrated from Yahyâ bin Sa’eed, with this chain.
Chapter 20. Muzâra‘ah
(Sharecropping) And Mu‘âjarah
(lending)

[3955] 118 - (1549) It was narrated that ‘Abdullâh bin As-Sâ‘ib said: “I asked ‘Abdullâh bin Ma‘qil about Muzâra‘ah. He said: ‘Thâbit bin Ad-Dahhâk told me that the Messenger of Allah ﷺ forbade Muzâra‘ah.’” According to the report of Ibn Abî Haîbah: “He (ﷺ) forbade it.” And he said: “I asked Ibn Ma‘qil,” but he did not name him as ‘Abdullâh.

[3956] 119 - (...) It was narrated that ‘Abdullâh bin As-Sâ‘ib said: “We entered upon ‘Abdullâh bin Ma‘qil and asked him about Muzâra‘ah. He said: ‘Thâbit said that the Messenger of Allah ﷺ forbade Muzâra‘ah and enjoined Mu‘âjarah (renting out land), and he said: There is nothing wrong with it.’”
Chapter 21. Lending Land

[3957] 120 - (1550) It was narrated from ‘Amr that Mujāhid said to Tāwūs: “Let us go to Ibn Rāfī’ bin Khadij and listen to the Hadīth from his father, from the Prophet ﷺ.” He said: “He rebuked him.” He said: “By Allah, if I had known that the Messenger of Allah ﷺ forbade it, I would not have done it, but one who is more knowledgeable than them” - meaning Ibn ‘Abbās - “told me that the Messenger of Allah ﷺ said: ‘For a man to lend his land to his Muslim brother is better for him than taking a specified amount for it.’”

[3958] 121 - (...) It was narrated from Tāwūs that he used to rent out (Yukhābir) his land. ‘Amr said: “I said to him: ‘O Abū ‘Abdur-Rahmān, why don’t you stop this renting, for they are saying that the Prophet ﷺ forbade renting out land?’ He said: ‘O ‘Amr, the most knowledgeable of them of that’ - meaning Ibn ‘Abbās - ‘told me that the Prophet ﷺ did not forbid it, rather he said: For one of you to lend his land to his brother is better for him than renting it out for a specified amount.’”
A Hadith similar to theirs (i.e. Ibn Tâwús and Ibn 'Amr' no. 3959) was narrated from Ibn ‘Abbâs from the Prophet محمد ﷺ.

It was narrated from Ibn ‘Abbâs that the Prophet محمد ﷺ said: “If one of you were to lend his land to his brother, that would be better for him than taking such and such for it” meaning a specified amount.

It was narrated from Ibn ‘Abbâs that the Prophet محمد ﷺ said: “Whoever has land, if he lends it to his brother, that is better for him.”
Chapter 1. Musâqâh And Mu'amâlah In Return For A Share Of The Fruit And Crops

[3962] 1 - (1551) It was narrated from Ibn 'Umar that the Messenger of Allah made a contract with the people of Khaibar for half of the fruit or crops produced.

[3963] 2 - (...) It was narrated that Ibn 'Umar said: "The Messenger of Allah handed over Khaibar in return for half of the fruit or crops that it produced. Every year his wives would be given one hundred Wasq: Eighty Wasq of dates and twenty of barley. When 'Umar was in charge, he divided Khaibar, and he gave the wives of the Prophet the choice of having land and water allotted to them, or continuing to receive the same number of Wasq every year. They differed. Some of them chose land and water, and some of them chose to be given..."
Wasq every year. ‘Aishah and Hafṣah were among those who chose land and water.”

[3964] 3 - (...) It was narrated from ‘Abdullâh bin ‘Umar that the Messenger of Allah made a contract with the people of Khaibar for one half of the crops or fruit produced... and he quoted a Hadîth like that of ‘Ali bin Mushir, but he did not mention that ‘Aishah and Hafṣah were among those who chose land and water. He said: “He gave the wives of the Prophet the option of having land allocated to them,” but he did not mention water.

[3965] 4 - (...) It was narrated that ‘Abdullâh bin ‘Umar said: “When Khaibar was conquered, the Jews asked the Messenger of Allah to let them stay there on the basis that they would work in the fields and give him half of the fruit or crops that they yielded. The Messenger of Allah said: ‘I will let you stay there for as long as we wish.’” Then he (the sub narrator) quoted a Hadîth like that of Ibn Numair and Ibn Mushir from ‘Ubaidullâh, and he added: “The produce would be divided into shares and the Messenger of Allah would take the Khums.”
5 - (....) It was narrated from 'Abdullâh bin 'Umar that the Messenger of Allâh ﷺ gave the palm trees and land of Ishaibar to the Jews of Khaibar on the basis that they would cultivate them at their own expense, and the Messenger of Allâh ﷺ would have half of the yield.

6 - (....) It was narrated from Ibn 'Umar that 'Umar bin Al-Khattâb expelled the Jews and Christians from the land of Al-Hijâz. When the Messenger of Allâh ﷺ conquered Khaibar, he wanted to expel the Jews from it, as the land had come under the sway of Allâh, His Messenger and the Muslims. He wanted to expel the Jews from it but the Jews asked the Messenger of Allâh ﷺ to let them stay there on the basis that they would cultivate it, and they would have half of the yield. The Messenger of Allâh ﷺ said to them: "We will let you stay there on that basis, for as long as we wish." And they stayed there until 'Umar expelled them to Taimâ' and Arihâ'.
Chapter 2. The Virtue Of Planting And Cultivating

[3968] 7 - (1552) It was narrated that Jâbir said: “The Messenger of Allâh ﷺ said: ‘There is no Muslim who plants something but whatever is eaten of it is charity for him, and whatever is stolen from it is charity for him, and whatever the wild animals eat from it is charity for him, and whatever the birds eat from it is charity for him; no one takes anything from it but it will be charity for him.’”

[3969] 8 - (...) It was narrated from Jâbir that the Prophet ﷺ entered upon Umm Mubash-shir Al-Anârîyyah among her palm trees, and the Prophet ﷺ said to her: “Who planted these palm trees? Was it a Muslim or a disbeliever?” She said: “A Muslim.” He said: “No Muslim plants anything or cultivates anything, and humans, animals or anything eats from it, but it will be charity for him.”

[3970] 9 - (...) Jâbir bin ‘Abdullâh said: “I heard the Messenger of Allâh ﷺ say: ‘No Muslim man plants anything or cultivates anything that a wild animal or bird or anything eats
from, but he will have a reward for that.”

[3971] 10 - (...) Jâbir bin 'Abdullâh said: “The Prophet ﷺ entered upon Umm Ma'bad in her garden. He said: ‘O Umm Ma'bad, who planted these palm trees? Was it a Muslim or a disbeliever?’ She said: ‘A Muslim.’ He said: ‘No Muslim plants anything that a human, animal or bird eats from, but it will be charity for him until the Day of Resurrection.’”

[3972] 11 - (...) It was narrated from Al-A’mash, from Abû Sufyân, from Jâbir. ‘Amr added in his report from ‘Ammâr, and Abû Kuraib added in his report from Abû Mu'âwiyyah; “from Umm Mubash-shir.” In the report of Ibn Fuđail it says: “From the wife of Zaid bin Hâriihah.” In the report of Ishâq from Abû Mu'âwiyyah it says: “Perhaps he said: ‘From Umm Mubash-shir from the Prophet ﷺ”
and perhaps he did not say it.” All of them said: “From the Prophet,” like the Hadîth of ‘Atâ’ (no. 3968), Abû Az-Zubair (no. 3969) and ‘Amr bin Dînâr (3971).

[3973] 12 - (1553) It was narrated that Anas said: “The Messenger of Allâh ﷺ said: ‘There is no Muslim who plants something or cultivates something that birds, humans or animals eat from, but it will be charity for him.’”

[3974] 13 - (...) Anas bin Mâlik narrated that the Prophet of Allâh ﷺ entered a garden of palm trees belonging to Umm Mubash-shir, a woman of the Ansâr. The Messenger of Allâh ﷺ said: “Who planted these palm trees? Was it a Muslim or a disbeliever?” They said: “A Muslim...” a Hadîth like theirs (i.e., Yahya, Qutaibah, and Muḥammad no. 3973).
Chapter 3. Waiving Payment In The Case Of Blight

[3975] 14 - (1554) It was narrated from Abû Az-Zubair that he heard Jâbir bin 'Abdullâh say: "The Messenger of Allâh ﷺ said: 'If you sell some fruit to your brother then it is stricken with blight, it is not permissible for you to take anything from him. Why would you take your brother's wealth unlawfully?'"

[3976] (...) A similar report (as no. 3975) was narrated from Ibn Juraij with this chain.

[3977] 15 - (1555) It was narrated from Anas that the Prophet ﷺ forbade selling the fruit of palm trees until they bloom. We said: "What does bloom mean?" He said: "Turning red or yellow. Do you think that if Allâh withholds the fruit, would you regard your brother's wealth as permissible?"
[3978] - (...) It was narrated from Anas bin Mâlik that the Messenger of Allâh ﷺ forbade selling fruit until it bloomed. They said: “What does bloom mean?” He said: “Turning red. He said: If Allâh withholds the fruit, on what basis do you regard your brother’s wealth as permissible?”

[3979] 16 - (...) It was narrated from Anas that the Prophet ﷺ said: “If Allâh, the Mighty and Sublime, did not cause the fruit (to grow), on what basis do you regard your brother’s wealth as permissible?”

[3980] 17 - (1554) It was narrated from Jâbir that the Prophet ﷺ enjoined waiving payments in a case where the crop was stricken by blight. Abû Ishâq said: “Ibrâhîm (who was the companion of Muslim) said: ‘Abdur-Rahmân bin Bishr narrated this to me from Sufyân.’”

Chapter 4. It Is Recommended To Waive Debts

[3981] 18 - (1556) It was narrated that Abû Sa‘eed Al-Khudrî said: “At the time of the
Messenger of Allâh, a man suffered loss of some fruit that he had bought, and his debts mounted. The Messenger of Allâh said: ‘Give him charity,’ and the people gave him charity, but it was not enough to pay off his debt. The Messenger of Allâh said to his creditors: ‘Take what you find, and you are not entitled to any more than that.’”

[3982] (...) A similar report (as no. 3981) was narrated from Bukhair bin Al-Ashajj with this chain.

[3983] 19 - (1557) ‘Âishah said: “The Messenger of Allâh heard the noise of disputants at the door, raising their voices. One of them was asking the other to let him off and show him leniency in some matter, and he was saying: ‘By Allâh I will not do that.’ The Messenger of Allâh came out to them and said: ‘Where is the one who swears by Allâh that he will not do an act of kindness?’ He said: ‘Here I am, O Messenger of Allâh; he may have whatever he wants.’”
'Abdullâh bin Ka'b bin Mâlik narrated from his father that he asked Ibn Abî Hadrad to pay a debt that he owed him at the time of the Messenger of Allâh ﷺ, in the Masjid. Their voices became so loud that the Messenger of Allâh ﷺ could hear them in his house. The Messenger of Allâh ﷺ came out to them and lifted the curtain of his apartment, and he called Ka'b bin Mâlik, saying: "0 Ka'b!" Ka'b said: "Here I am, 0 Messenger of Allâh." He gestured with his hand, saying waive half of your debt. Ka'b said: "I have done that, 0 Messenger of Allâh." The Messenger of Allâh ﷺ said: "Get up and pay off the rest."

Ka'b bin Mâlik narrated that he asked Ibn Abî Hadrad to pay off a debt that he owed him... a Hadîth like that of Ibn Wahb (3984).
It was narrated from Ka'b bin Mālik that he was owed money by ‘Abdullāh bin Abī Hadrad Al-Aslāmī. He met him and pressured him to pay it, and they spoke until their voices became loud. The Messenger of Allāh ﷺ passed by them and said: “O Ka'b!” and gestured with his hand as if he was telling him, ‘Half.’ So he took half of what was owed him and waive the rest.

Chapter 5. If A Man Finds What He Sold With The Purchaser, Who Has Become Bankrupt, Then He Has The Right To Take It Back

Abū Hurairah said: “The Messenger of Allāh ﷺ said - or I heard the Messenger of Allāh ﷺ say -: ‘Whoever finds his property with a man who has become bankrupt’ - or ‘a person who has become bankrupt - he is more entitled to it than anyone else.’”
A Hadith like that of Zuhair (no. 3988) was narrated from Yahyâ bin Sa‘eed with this chain. Ibn Rumh said in his report: “Any man who becomes bankrupt.”

It was narrated from Abü Hurairah from the Prophet concerning a man who becomes destitute, if the goods are found with him and not given away yet: “The original owner who sold them to him is more entitled to them.”
[3990] 24 - (....) It was narrated from Abū Hurairah that the Prophet ﷺ said: “If a man becomes bankrupt, and a man finds his goods with him, he is more entitled to them.”

[3991] (...A similar report (as no. 3990) was narrated from Qatādah with this chain, but they said: “He is more entitled to it than any other creditors.”

[3992] 25 - (....) It was narrated from Abū Hurairah that the Messenger of Allāh ﷺ said: “If a man becomes bankrupt and another man finds his goods with him, he is more entitled to them.”
Chapter 6. The Virtue Of Giving More Time To One Who Is Suffering Difficulty, And Letting Those Go Who Are Suffering Difficulty And Those Who Are Well Off

[3993] 26 - (1560) Hudhaifah said: “The Messenger of Allâh ﷺ said: ‘The angels took the soul of a man among those who came before you and they said: ‘Did you do any good deeds?’ He said: ‘No.’ They said: ‘Try to remember.’ He said: ‘I used to lend money to people and I told my servants to give more time to those who were in difficulty and to be easy with those who were well off.’ (The angel) said: Allâh said (to us): ‘Be easy with him.’”

[3994] 27 - (...) It was narrated that Rib‘î bin Hirâsh said: Hudhaifah and Abû Mas‘ûd met, and Hudhaifah said: “A man met his Lord, may He be glorified and exalted, and He said: ‘What did you do?’ He said: ‘I did not do anything good, except that I was a rich man and I used to ask the people (to repay their debts); I would accept repayment from those who were well off, and I would let those who were in difficulty go.’ He said: ‘Let My slave go.’” Abû Mas‘ûd said: “That is what I heard the Messenger of Allâh ﷺ saying.”
It was narrated from Hudhaifah from the Prophet ﷺ: “A man died and entered Paradise, and it was said to him: ‘What did you use to do?’ Either he remembered or was caused to remember, and he said: ‘I used to enter into transactions with people, and I used to give those who were in difficulty more time and I would not be harsh when asking for repayment (from those who were well off).’ So he was forgiven.” Abü Mas‘ūd said: “I also heard it from the Messenger of Allah ﷺ.”

It was narrated that Hudhaifah said: “One of Allah’s slaves was brought before Him, to whom Allah had given wealth. He said to him: ‘What did you do in the world?’ - although they cannot conceal anything from Allah. He said: ‘O Lord, You bestowed Your wealth upon me and I used to enter into transactions with people. It was my nature to be lenient, so I used to go easy on those who were well off and I would give more time to those who were in difficulty.’ Allah said: ‘I have more right to that than you; let My slave go.’”
‘Uqbah bin ‘Amir Al-Juhanî and Abû Mas’ûd Al-Ansâri said: “This is how we heard it from the Messenger of Allâh.”

[3997] 30 - (1561) It was narrated that Abû Mas’ûd said: “The Messenger of Allâh said: ‘A man among those who came before you was brought to account, and he was not found to have done anything good, except that he used to mix with people, and he was well off. He would tell his slaves to let those go who were in difficulty. Allâh, may He be exalted, said: We have more right to that than him; let him go.’”

[3998] 31 - (1562) It was narrated from Abû Hurairah that the Messenger of Allâh said: “A man used to lend money to the people, and he used to say to his slaves: ‘If you come to one who is in difficulty, let him go; perhaps Allâh will let us go. When he met Allâh, He let him go.’”
(3999) ( ... ) Abû Hurairah said: “I heard the Messenger of Allâh ﷺ say...” a similar report (as no. 3998).

(4000) 32 - (1563) It was narrated from 'Abdullâh bin Abî Qatâdah that Abû Qatâdah asked a debtor to pay him back, and he hid from him. Then he found him and he said: “I am in difficulty.” He said: “By Allâh?” He said: “By Allâh.” He said: “I heard the Messenger of Allâh ﷺ say: ‘Whoever would like Allâh to save him from the hardships of the Day of Resurrection, let him give respite to the one who is in difficulty, or let him go.’”

(4001) ( ... ) A similar report (as no. 4000) was narrated from Ayyûb with this chain.
The Validity Of *Hawâlah* (Transferal Of Debts) And It Is Recommended To Accept Transferal Of A Debt If It Is Transferred To A Rich Man

[4002] (1564) It was narrated from Abù Hurairah that the Messenger of Allâh ﷺ said: “For a rich man to delay repayment is wrongdoing, and if the debt of one of you is transferred to a rich man, let him accept it.”

[4003] (1564) A similar report (as no. 4002) was narrated from Abû Hurairah, from the Prophet ﷺ.

Chapter 8. The Prohibition Of Selling Surplus Water Which Is In The Wilderness And Is Needed To Take Care Of The Pasture. The Prohibition Of Not Allowing Others To Use It. The Prohibition Of Stud fees

[4004] (1565) It was narrated that Jâbir bin ‘Abdullâh ﷺ said: “The Messenger of Allâh ﷺ forbade selling surplus water.”
35 - (...)

36 - (1566)
It was narrated from Abü Hurairah that the Messenger of Allah said: “Surplus water should not be withheld so as to prevent the growth of greenery.”

37 - (...)
It was narrated that Abü Hurairah said: “The Messenger of Allah said: ‘Do not withhold surplus water so as to prevent the growth of greenery.’”

38 - (...)
Abû Hurairah said: “The Messenger of Allah said: ‘Surplus water should not be sold as if selling greenery.’”
Chapter 9. The Prohibition Of The Price Of A Dog, The Fee Of A Fortuneteller And The Payment Of A Prostitute, And The Prohibition Of Selling Cats

[4009] 39 - (1567) It was narrated from Abu Mas'ud Al-Ansârî that the Messenger of Allâh ﷺ forbade the price of a dog, the payment of a prostitute, and the fee of a fortuneteller.

[4010] (...) A similar report (as no. 4009) was narrated from Az-Zuhîrî with this chain.

[4011] 40 - (1568) It was narrated that Râfî' bin Khâdîj said: "I heard the Prophet ﷺ say:
The worst of earnings are the payment of a prostitute, the price of a dog and the fee of a cupper.”

[4012] 41 - (...) Râfi‘ bin Khâdiq narrated that the Messenger of Allâh ﷺ said: “The price of a dog is evil, the payment of a prostitute is evil and the earnings of a cupper are evil.”

[4013] (...) A similar report (as no. 4012) was narrated from Yâhîya bin Abî Kathîr with this chain.

[4014] (...) Râfi‘ bin Khâdiq narrated a similar report (as no. 4012) from the Messenger of Allâh ﷺ.

[4015] 42 - (1569) It was narrated that Abû Az-Zubair said: “I asked Jâbir about the price of dogs and cats.” He said: “The Messenger of Allâh ﷺ forbade that.”
Chapter 10. The Command To Kill Dogs, And Its Abrogation. The Prohibition Of Keeping Dogs, Except For Hunting, Farming, (Herding) Livestock And The Like

[4016] 43 - (1570) It was narrated from Ibn 'Umar that the Messenger of Allah ﷺ ordered that dogs be killed.

[4017] 44 - (...) It was narrated that Ibn ‘Umar said: “The Messenger of Allah ﷺ ordered that dogs be killed, and he sent word to all quarters of Al-Madinah saying that they should be killed.”

[4018] 45 - (...) It was narrated that ‘Abdullâh bin ‘Umar said: “The Messenger of Allah ﷺ used to order that dogs be killed, and I went throughout Al-Madinah, and we did not spare any dog but we killed it, to such an extent that we would even kill the dog of a woman belonging to the desert people.”

[4019] 46 - (1571) It was narrated that Ibn ‘Umar said: “The Messenger of Allah ﷺ ordered that dogs be killed, and he sent word to all quarters of Al-Madinah saying that they should be killed.”
narrated from Ibn ‘Umar that the Messenger of Allâh ﷺ enjoined the killing of dogs, except dogs for hunting, and dogs for herding sheep or livestock. It was said to Ibn ‘Umar: “Abû Hurairah says: ‘Or farm dogs.’ Ibn ‘Umar said: ‘Abû Hurairah had farmland.’”

[4020] 47 - (1572) Jâbir bin ‘Abdullâh said: “The Messenger of Allâh ﷺ ordered us to kill dogs, and even if a woman came from the desert with her dog, we would kill it. Then the Prophet ﷺ forbade killing them, and said: ‘You should kill the dark black (dog) with two (white) spots (above its eyes), for it is a devil.’”

[4021] 48 - (1573) It was narrated that Ibn al-Mughaffal said: “The Messenger of Allâh ﷺ enjoined the killing of dogs, then he said: ‘What is the problem with them and dogs?’ Then he granted a concession with regard to dogs for hunting and herding sheep.”
[4022] 49 - (…) It was narrated from Shu‘bah (a Hadîth similar to no. 4021, with a different chain of narrators) with this chain.

Ibn Hâtim said in his Hadîth from Yahyâ: He (ﷺ) granted a concession with regard to dogs for herding sheep, hunting and (guard dogs) in farms.

[4023] 50 - (1574) It was narrated that Ibn ‘Umar said: “The Messenger of Allâh ﷺ said: ‘Whoever keeps a dog except a dog for herding livestock or hunting, two Qîrât will be deducted from his reward every day.’”

[4024] 51 - (…) It was narrated from Sâlim, from his father, that the Messenger of Allâh ﷺ said: “Whoever keeps a dog, except a dog for hunting or herding livestock, two Qîrât will be deducted from his reward every day.”

[4025] 52 - (…) It was narrated
from ‘Abdullâh bin Dînâr that he heard Ibn ‘Umar say: “The Messenger of Allâh ﷺ said: ‘Whoever keeps a dog, except a dog for hunting or herding livestock, two Qîrât will be deducted from his (good) deeds every day.’”

[4026] 53 - (...) It was narrated from Sâlim bin ‘Abdullâh, from his father, that the Messenger of Allâh ﷺ said: “Whoever keeps a dog except a dog for guarding livestock or a hunting dog, a Qîrât will be deducted from his (good) deeds every day.”
‘Abdullâh said: And Abû Hurairah said: “Or a farm dog.”

[4027] 54 - (...) It was narrated from Sâlim, from his father, that the Messenger of Allâh ﷺ said: “Whoever keeps a dog, except a dog for hunting or herding livestock, two Qîrât will be deducted from his (good) deeds every day.”
Sālim said: And Abū Hurairah used to say, “Or a farm dog,” and he owned farmland.

[4028] 55 - (...) Sālim bin ‘Abdullâh narrated that his father said: “The Messenger of Allah said: ‘Any household that keeps a dog, except a dog for herding livestock or a dog for hunting, two Qirât will be deducted from their (good) deeds, every day.”

[4029] 56 - (...) It was narrated that Abul-Hakam said: I heard Ibn ‘Umar narrating that the Prophet said: “Whoever keeps a dog, except a (guard) dog in farming, herding sheep or hunting, one Qirât will be deducted from his reward every day.”

[4030] 57 - (1575) It was narrated from Abū Hurairah that the Messenger of Allah said: “Whoever keeps a dog that is not a dog for hunting, livestock or land, two Qirât will be deducted from his reward every day.”
It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘Whoever acquires a dog that is not a dog for herding livestock, hunting or (guard dog) in farms, one Qîrat will be deducted from his reward every day.’”

Az-Zuhri said: “The words of Abû Hurairah were mentioned to Ibn ‘Umar and he said: ‘May Allâh have mercy on Abû Hurairah, he owned farmland.’”

It was narrated that Abû Hurairah said: “The Messenger of Allâh ﷺ said: ‘Whoever keeps a dog, one Qîrat will be deducted from his (good) deeds every day, except a (guard) dog in farms or herding livestock.’”

Abû Hurairah narrated a similar report (as no. 4032) from the Messenger of Allâh ﷺ.

(...) Abû Hurairah narrated a similar report (as no. 4032) from the Messenger of Allâh ﷺ.
[4034] (...) Yahyā bin Abī Kathīr narrated a similar report (as no. 4032) with this chain.

[4035] 60 - (...) Abū Hurairah said: "The Messenger of Allah said: 'Whoever acquires a dog that is not a dog for hunting or herding sheep, one Qīrāt will be deducted from his (good) deeds every day.'"

[4036] 61 - (1576) As-Sā'īb bin Yazīd narrated that he heard Sufyān bin Abī Zuhair, who was a man of Shanū'ah and one of the Companions of the Messenger of Allah, say: "I heard the Messenger of Allah say: 'Whoever keeps a dog that is not used in the farm or herding livestock, one Qīrāt will be deducted from his good deeds every day.' He said: "Did you hear that from the Messenger of Allah?" He said: "Yes, by the Lord of this Masjid."

[4037] (...) As-Sā'īb bin Yazīd narrated that Sufyān bin Abī Zuhair Ash-Shanā'ī came to
them and said: “The Messenger of Allâh ﷺ said...” a similar report (as Hadîth no. 4036).

Chapter 11. The Permissibility Of A Cupper’s Earnings

[4038] 62 - (1577) It was narrated that Humaid said: “Anas bin Mâlik was asked about the earnings of a cupper and he said: ‘The Messenger of Allâh ﷺ was treated with cupping by Abû Taibah, and he ordered that he be given two Shâ’ of food. He spoke to his masters, and they waived their portion of his earnings, and he said: ‘The best thing with which you may be treated is cupping,’ or ‘it is one of the best of your remedies.’”

[4039] 63 - (...) It was narrated that Humaid said: “Anas was asked about the earnings of a cupper...” and he mentioned a similar report (as no. 4038), except that he said: “Among the best things with which you may be treated are cupping and Al-Qust al-Bahrî (a kind of incense), and do not torment your children by pressing the back of their throats.”
It was narrated that Ḥumaid said: “I heard Anas say: ‘The Prophet called a slave of ours who was a cupper, and he treated him with cupping, and he ordered that he given a _SB, or a  _Mudd, or two  _Mudd. And he spoke (to his master) about him, and he reduced his (the master’s) portion of his earnings.”

It was narrated from Ibn ‘Abbâs that the Messenger of Allâh was treated with cupping, and he gave the cupper his wages, and he put medicine in his nose.

It was narrated that Ibn Abbâs said: “The Prophet was treated with cupping by a slave of Banû Baiādah, and the Prophet gave him his wages, and spoke to his master, who reduced his (the master’s) portion of his earnings. If it were unlawful the Prophet would not have given him anything.”
Chapter 12. The Prohibition Of Selling Wine

[4043] 67 - (1578) It was narrated that Abü Sa‘eed Al-Khudrî said: “I heard the Messenger of Allah ﷺ delivering a Khutbah in Al-Madinah. He said: ‘O people, Allah is hinting about wine, and perhaps He will reveal something about it, so whoever has any of it, let him sell it and benefit from it.’ It was not long before the Prophet ﷺ said: ‘Allâh has forbidden wine, so whoever hears this Verse and has any of it, he should not drink it or sell it.’ The people went to whatever they had of it, and poured it out into the streets of Al-Madinah.”

[4044] 68 - (1579) It was narrated from ‘Abdur-Rahmân bin Wa‘lah As-Saba‘î, who was from Egypt, that he asked ‘Abdullâh bin ‘Abbâs about that which is extracted from grapes. Ibn ‘Abbâs said: “A man gave the Messenger of Allah ﷺ a small water-skin full of wine, and the Messenger of Allah ﷺ said to him: ‘Do you know that Allâh,
may He be exalted, has forbidden it?' He said: ‘No,’ then he whispered to another man. The Messenger of Allâh ﷺ said: ‘What are you whispering about?’ He said: ‘I told him to sell it.’ He said: ‘The One Who has forbidden drinking it has also forbidden selling it.’ So he opened the skin until its contents drained away.”

[4045] (...) A similar report (as no. 4044) was narrated from ‘Abdullâh bin ‘Abbâs, from the Messenger of Allâh ﷺ.

[4046] 69 - (1580) It was narrated that ‘Aishah said: “When the Verses at the end of Sûrât Al-Baqarah were revealed, the Messenger of Allâh ﷺ came out and recited them to the people, then he forbade dealing in wine.”
[4047] 70 - (...) It was narrated that 'Āishah said: "When the Verses about Ribâ at the end of Sūrat Al-Baqarah were revealed, the Messenger of Allâh ﷺ went out to the Masjid and forbade dealing in wine."

Chapter 13. The Prohibition Of Selling Wine, Dead Meat, Pork And Idols

[4048] 71 - (1581) It was narrated from Jâbir bin 'Abdullâh that he heard the Messenger of Allâh ﷺ say, during the Year of the Conquest while he was in Makkah: "Allâh and His Messenger have forbidden the sale of wine, dead meat, pork and idols." It was said: "O Messenger of Allâh, what do you think about the fat of dead meat, for it is used for caulking ships, daubing hides, and the people use it in their lamps?" He said: "No, it is unlawful." Then the Messenger of Allâh ﷺ said: "May Allâh destroy the Jews, for Allâh forbade the fat to them, but they melted it, then they sold it and consumed its price."
Jâbir bin 'Abdullâh said: "I heard the Messenger of Allah during the Year of the Conquest..." a Hadith like that of Al-Laith (no. 4048).

It was narrated that Ibn 'Abbâs said: "'Umar heard that Samurah was selling wine, and he said: 'May Allah destroy Samurah. Does he not know that the Messenger of Allah . said: "May Allah curse the Jews; fat was forbidden to them but they melted it and sold it"?"

A similar report (as no. 4050) was narrated from 'Amr bin Dînâr with this chain.
It was narrated from Abü Hurairah that the Messenger of Allâh said:

"May Allâh destroy the Jews. Allâh forbade fat to them, so they sold it and consumed its price."

It was narrated that Abü Hurairah said: "The Messenger of Allâh said: 'May Allâh destroy the Jews. Fat was forbidden to them so they sold it and consumed its price.'"

Chapter 14. Ribâ (Usury, Interest)

It was narrated from Abû Sa'eed Al-Khudrî that the Messenger of Allâh said: "Do not sell gold for gold except like for like, and do not give more of one and less of the other. Do not sell silver except like for like, and do not give more of one and less of the other. And do not exchange something to be given later for something to be given now."
[4055] 67 - (...) Abû Sa'eed Al-Khudrî narrated this from the Messenger of Allâh ﷺ - according to the report of Qutaibah, 'Abdullâh and Nâфи went with him; and according to the Hadîth of Ibn Rumh, Nâфи said: "'Abdullâh and Al-Laithi and I went with him" - "until he entered upon Abû Sa'eed Al-Khudrî who said: 'This one told me that you are narrating that the Messenger of Allâh ﷺ forbade selling silver for silver except like for like, and selling gold for gold except like for like.' Abû Sa'eed pointed to his eyes and ears and said: 'My eyes saw, and my ears heard the Messenger of Allâh ﷺ saying: "Do not sell gold for gold, and do not sell silver for silver, except like for like, and do not give more of one and less of the other, and do not exchange something to be given later for something to be given now, except hand to hand."

[4056] (...) A Hadîth similar to that of Al-Laith from Nâфи (no. 4055) was narrated from Abû Sa'eed Al-Khudrî from the Prophet ﷺ.
[4057] 77 - (...) It was narrated from Abū Sa‘eed Al-Khudrî that the Messenger of Allâh ﷺ said: “Do not sell gold for gold, or silver for silver, except weight for weight, like for like, same for same.”

[4058] 78 - (1585) It was narrated from ‘Uthmân bin ‘Affân that the Messenger of Allâh ﷺ said: “Do not sell one Dinâr for two Dinâr, or one Dirham for two Dirham.”

Chapter 15. Exchange And Selling Gold For Silver On The Spot

[4059] 79 - (1586) It was narrated from Mâlik bin Aws bin Al-Ḥadathân that he said: “I was
going around saying: ‘Who will exchange Dirham (for my gold)?’

Talhah bin ’Ubaidullâh, who was with ‘Umar bin Al-Khaṭṭâb, said: ‘Show us your gold, then come to us later, when our servant comes, and we will give you your silver.’ ‘Umar bin Al-Khaṭṭâb said: ‘No, by Allah! Either give him his silver (now) or give him back his gold, for the Messenger of Allah ﷺ said: “Silver for gold is Ribâ, unless it is exchanged on the spot; wheat for wheat is Ribâ, unless it is exchanged on the spot; barley for barley is Ribâ, unless it is exchanged on the spot; dates for dates is Ribâ unless it is exchanged on the spot.”

[4060] (...) It was narrated from Az-Zuhrî (a Hadîth similar to no. 4059) with this chain.

[4061] 80 - (1587) It was narrated that Abû Qilâbah said: “I was in Ash-Shâm in a gathering where Muslim bin Yasâr was present, when Abû Al-As-Sâmit came.” He said: “They said: ‘Abû Al-As-Sâmit.’ And I said: ‘Abû Al-As-Sâmit!’ He sat down and I said to him: ‘Tell our brothers the Hadîth of ‘Ubâdah bin Aṣ-Ṣâmît.’ He said: ‘Yes. We went out on a campaign when Mu‘awiyyah was in charge of the
people, and acquired a great deal of the spoils of war. Among the spoils we seized were some vessels of silver. Mu‘âwiyyah ordered a man to sell them, to be paid for when the people received their stipends, and the people hastened to buy them. News of that reached ‘Ubâdah bin Aṣ-Ṣâmit and he stood up and said: I heard the Messenger of Allâh forbidding the sale of gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, except equal for equal, same for same. Whoever adds something more, or asks for something more, he has engaged in Ribâ.”

“So the people returned what they had taken. News of that reached Mu‘âwiyyah and he stood up and delivered a speech, saying: ‘What is the matter with men who narrated Ahadîth from the Messenger of Allâh, when we were present with him and accompanied him, and we did not hear that from him?’

‘Ubâdah bin Aṣ-Ṣâmit stood up and repeated the story, then he said: ‘We will narrate what we heard from the Messenger of Allâh, even if Mu‘âwiyyah does not like it’ - or he said, ‘in spite of him. I do not care if I do not join his troops on a dark night.’” Hammâd (one of the narrators) said: “This, or something like this.”
[4062] (...) A similar report (as no. 4061) was narrated from Ayyûb with this chain.

[4063] 81 - (...) It was narrated that ‘Ubâdah bin Aṣ-Ṣâmit said: “The Messenger of Allâh ﷺ said: “Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, like for like, same for same, hand to hand. But if these commodities differ, then sell as you like, as long as it is hand to hand.”

[4064] 82 - (1584) It was narrated that Abû Sa’eed Al-Khudrî said: “The Messenger of Allâh ﷺ said: ‘Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, like for like, hand to hand. Whoever gives more or asks for more, he has engaged in Ribâ, and the taker and the giver are the same.”
It was narrated that Abü Sa’eed Al-Khudrî said: “The Messenger of Allah ﷺ said: ‘Gold for gold, like for like...’” a similar Hadîth (as no. 4064).

It was narrated that Abü Hurairah said: “The Messenger of Allah ﷺ said: ‘Dates for dates, wheat for wheat, barley for barley, salt for salt, like for like, hand to hand. Whoever gives more or asks for more, he has engaged in Ribâ, except in cases where the types differ.’”

It was narrated from Fudail bin Ghazwân with this chain (a Hadîth similar to no. 4066), but he did not say, “hand to hand.”

It was narrated that Abû Hurairah said: “The Messenger of Allah ﷺ said: ‘The Book Of Musâqâ...’

[4065] (…) It was narrated that Abû Sa’eed Al-Khudrî said: “The Messenger of Allah ﷺ said: ‘Gold for gold, like for like...’” a similar Hadîth (as no. 4064).

[4066] 83 - (1588) It was narrated that Abû Hurairah said: “The Messenger of Allah ﷺ said: ‘Dates for dates, wheat for wheat, barley for barley, salt for salt, like for like, hand to hand. Whoever gives more or asks for more, he has engaged in Ribâ, except in cases where the types differ.’”

[4067] (…) It was narrated from Fudail bin Ghazwân with this chain (a Hadîth similar to no. 4066), but he did not say, “hand to hand.”

[4068] 84 - (…) It was narrated that Abû Hurairah said: “The Messenger of Allah ﷺ said:
‘Gold for gold, weight for weight, like for like. And silver for silver, weight for weight, like for like. Whoever adds more or asks for more, that is Ribâ.’

[4069] 85 - (...) It was narrated from Abû Hurairah that the Messenger of Allah ﷺ said: ‘Dinâr for Dinâr with no difference between them; and Dirham for Dirham with no difference between them.”

[4070] (...) Müsâ bin Abî Tamîm narrated a similar report (as Hadîth no. 4069) with this chain.

Chapter 16. The Prohibition Of Selling Silver For Gold To Be Paid At A Later Date

[4071] 86 - (1589) It was narrated that Abû Al-Minhâl said: Sharîk sold some silver for me, to be paid for during the Hajj season. He came to me and told me, and I said: ‘This is not good.” He said: “I sold it in the market and no one objected.” I went to Al-Barâ’ bin ‘Azib and
asked him, and he said: “When the Prophet ﷺ came to Al-Madinah, we used to sell in this fashion, and he said: ‘Whatever is hand to hand, there is nothing wrong with it. But whatever is to be paid for later is Ribâ.’” Go to Zaid bin Arqam for he is more involved in trade than I am. So I went to him and asked him, and he said something similar.

[4072] 87 - (...) It was narrated from Habib that he head Abû Al-Minhâl say: “I asked Al-Barâ’ bin ‘Āzib about exchanging (gold for silver or vice versa) and he said: ‘Ask Zaid bin Arqam, for he is more knowledgeable.’ I asked Zaid and he said: ‘Ask Al-Barâ’, for he is more knowledgeable.’ Then they said: ‘The Messenger of Allâh ﷺ forbade selling silver for gold to be paid at a later date.”’

[4073] 88 - (1590) ‘Abdur-Rahmân bin Abî Bakrah narrated that his father said: “The Messenger of Allâh ﷺ forbade selling silver for silver and gold for gold, except like for like; and he told us to buy silver for gold however we wished, and to buy gold for silver however we wished.” He said: “A man asked him: ‘Hand to hand?’ He said: ‘That is what I heard.’”
Chapter 17. Selling A Necklace
In Which There Are Pearls
And Gold

[4075] 89 - (1591) Fadâlah bin ʿUbaid Al-Anṣârî said: “When the Messenger of Allâh ﷺ was in Khaibar, a necklace containing pearls and gold was brought to him. It was part of the spoils of war to be sold. The Messenger of Allâh ﷺ ordered that the gold in the necklace be extracted. Then the Messenger of Allâh ﷺ said to them: “Gold for gold, weight for weight.”

[4076] 90 - (…) It was narrated that Faḍâlah bin ʿUbaid said: “On the Day of Khaibar, I bought a necklace for twelve Dirhams, which...
contained gold and pearls. I separated them and I found more than twelve Dinár in it. I mentioned that to the Prophet ﷺ and he said: ‘It should not be sold until they are separated.’”

[4077] (…) A similar report (as no. 4076) was narrated from Sa'eed bin Yazîd, with this chain.

[4078] 91 - (…) Faḍālah bin 'Ubaid said: “We were with the Messenger of Allâh ﷺ on the Day of Khaibar, trading with the Jews, an Uqiyah of gold for two or three Dinár. The Messenger of Allâh ﷺ said: ‘Do not sell gold for gold, unless it is weight for weight.’”

[4079] 92 - (…) It was narrated from Hanâsh that he said: “We were with Faḍālah bin 'Ubaid on a campaign, and there fell to my lot and that of my companions a necklace that contained gold, pearls and jewels. I wanted to buy it, so I asked Faḍālah bin 'Ubaid and he said: ‘Extract its gold and put it in one pan, and
put your gold in the other pan, and do not take it unless (you give) like for like, for I heard the Messenger of Allâh ﷺ say: "Whoever believes in Allâh and the Last Day, let him not take (anything) except like for like."

Chapter 18. Selling Food Like For Like

[4080] 93 - (1592) It was narrated from Ma'mar bin 'Abdullâh that he sent his slave with a Sâ' of wheat and he said: "Sell it then buy barley." The slave went and took a Sâ' and part of a Sâ' more. When he came to Ma'mar he told him about that, and Ma'mar said to him: "Why did you do that? Go and give it back, and do not take anything but like for like, for I used to hear the Messenger of Allâh ﷺ say: 'Food for food, like for like.' And our food at that time was barley. It was said to him: 'It is not like it.' He said: 'I am afraid that it may be similar.'"
Abū Hurairah and Abū Sa‘eed Al-Khudrī narrated that the Messenger of Allāh ﷺ sent the brother of Banū ‘Adiyy Al-Anṣārī to collect revenue from Khaibar, and he brought fine-quality dates. The Messenger of Allāh ﷺ said to him: “Are all the dates of Khaibar like this?” He said: “No, by Allāh, O Messenger of Allāh. We bought one Șā‘ for two Șā‘ out of the total.” The Messenger of Allāh ﷺ said: “Do not do that. Rather (buy) like for like, or sell this and buy some of that with its price. And the same goes for weights.”

It was narrated from Abū Sa‘eed Al-Khudrī and Abū Hurairah that the Messenger of Allāh ﷺ appointed a man over Khaibar, and he brought some fine-quality dates. The Messenger of Allāh ﷺ said to him: “Are all the dates of Khaibar like this?” He said: No, by Allāh, O Messenger of Allāh. We take one Șā‘ of these in return for two Șā‘, and two Șā‘ for three Șā‘. The Messenger of Allāh ﷺ said: “Do not do that. Sell them...
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all for Dirham, then buy the fine-quality (Janîb) with the Dirham.”

[4083] 96 - (1594) Abû Sa'eed said: Bilâl brought some good quality (Barnî) dates and the Messenger of Allâh ﷺ said to him: “Where are these from?” Bilâl said: “We had some poor-quality dates, so I sold two Sâ of them for one Sâ, as food for the Prophet ﷺ.” At that, the Messenger of Allâh ﷺ said: “O! The essence of Ribâ! Do not do that. If you want to buy dates, then sell them in a separate transaction, then buy them.”
[4084] 97 - (...) It was narrated that Abû Sa'eed Al-Khudrî said: "Some dates were brought to the Messenger of Allâh ﷺ and he said: 'These are not our dates.' The man said: 'O Messenger of Allâh, we sold two Sâ of our dates for a Sâ of these.' The Messenger of Allâh ﷺ said: 'This is Ribâ. Take them back, then sell our dates and buy some of these for us.'"

[4085] 98 - (1595) It was narrated that Abû Sa'eed said: "We were given dates of mixed quality at the time of the Messenger of Allâh ﷺ, and we used to sell two Sâ of dates for one. News of that reached the Messenger of Allâh ﷺ and he said: 'Do not sell two Sâ of dates for one, or two Sâ of wheat for one, or two Dirham for one.'"

[4086] 99 - (1594) It was narrated that Abû Nadrah said: "I asked Ibn 'Abbâs about exchanging. He said: 'Is it hand to hand?' I said: 'Yes.' He said: 'There is nothing wrong with it.' I told Abû Sa'eed: 'I asked Ibn 'Abbâs about exchanging. He
said: “Is it hand to hand?” I said: “Yes. He said: “There is nothing wrong with it.” He said: ‘Did he say that? We will write to him and tell him not to give that ruling.’ He said: ‘By Allâh, one of the slaves of the Messenger of Allâh ﷺ brought some dates and he found them odd and said: “It seems that these are not the dates of our land.” He said: “Something happened to the dates of our land” - or “our dates” - “this year, so I took this and I gave more in return.” He said: “If you gave something more, you engaged in Ribâ. Do not do it again. If you think there is something wrong with your dates, sell them then buy whatever dates you want.”

[4087] 100 - (...) It was narrated that Abû Naḍrah said: “I asked Ibn ‘Umar and Ibn ‘Abbâs about exchange, and they did not see anything wrong with it. I was sitting with Abû Sa‘eed Al-Khudrî and I asked him about exchange. He said: ‘Whatever is extra is Ribâ,’ and I did not accept it because of what they had said. He said: ‘I am only narrating to you what I heard from the Messenger of Allâh ﷺ. A man who was taking care of the Prophet’s date palms brought him a Sâ‘ of fine dates and the dates of the Prophet ﷺ were not of this type. The Prophet ﷺ said

[4087] 47 - (..) حَدَّثَنَا إِسْحَاقُ بْنُ يَزَاهِيَّةَ أَخْبَرَنَا عَلَيْهِ الْأَغْلِقِ: أَحَبَّرْنَا دَوَّرَتْ عَنِ أَبِي نَضْرَةَ قَالَ: سَأَلَّ ابْنِ عُمَّارَ وَأَبِي عَبْدِي عَنِ السَّرْفِ فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي فَلَمْ يَرُبَّا يَا بْنَ أَبِي عَبْدِي Fَقَالَ: مَا زَادَ فِهْرُ رَيَّا فَأَخْبَرْتُ ذَلِكَ لِقَوْلِهِمَا قَالَ: لَا أَخْبَثُ أَنْ مَا سَمَعْتُ مِنَ رَسُولِ الله ﷺ جَاءَ صَاحِبٌ وَلَهُ بَيْضَاعٌ مِنْ تَمْرٍ طَبْبٍ وَكَانَ تَمْرُ النَّبِيِّ ﷺ هُذَا اللَّوْنَ فَقَالَ لَهُ النَّبِيُّ ﷺ أَنْ أَنْ لَكَ
to him: “Where did you get this?” He said: “I sold two Ṣâ‘ and bought this Ṣâ‘ with them. That is the price for this in the market.” The Messenger of Allâh ﷺ said: “Woe to you, you have engaged in Ribâ. If you want to do that, sell your dates for another commodity and then buy whatever dates you want with it.”

Abû Sa‘eed said: ‘Dates for dates is closer to Ribâ than silver for silver.” He said: “I went to Ibn ‘Umar after that and he told me not to do that, and I did not go to Ibn ‘Abbâs.” He said: “Abû As-Sahbâ’ told me that he asked Ibn ‘Abbâs about it in Makkah and he disapproved of it.”

[4088] 101 - (1596) It was narrated that Abû Salih said: “I heard Abû Sa‘eed Al-Khudrî say: ‘Dînâr for Dînâr, Dirham for Dirham, like for like; whoever gives more or asks for more has engaged in Ribâ.’ I said to him: ‘Ibn ‘Abbâs says something different.’ He said: ‘I met Ibn ‘Abbâs and I said: “Do you think that what you say is something that you heard from the Messenger of Allâh ﷺ or found in the Book of Allâh?”’ He said: “I did not hear it from the Messenger of Allâh ﷺ and I did not find it in the Book of Allâh, but Usâmah bin Zaid told me that the Prophet ﷺ said: ‘Ribâ is in the case of delayed payment.’”
It was narrated from 'Ubaidullâh bin Abî Yazîd that he heard Ibn Abî 'Abbâs say: “Usâmah bin Zaid told me that the Prophet ﷺ said: ‘Ribâ is only in the case of delayed payment.’”

It was narrated from Ibn 'Abbâs, from Usâmah bin Zaid, that the Messenger of Allah ﷺ said: “There is no Ribâ in that which is hand to hand.”

‘Atâ’ bin Abî Rabâh narrated that Abû Sa‘eed Al-Khudrî met Ibn ‘Abbâs and said to him: “Do you think that what you said about exchange is something that you heard from the Messenger of Allah ﷺ, or something that you found in the Book of Allah?” Ibn ‘Abbâs said: “I do not say that it is either of
them. As for the Messenger of Allah ﷺ, you are more knowledgeable than me, and as for the Book of Allah, I do not know it better (than you), but Usâmah bin Zaid told me that the Messenger of Allah ﷺ said: ‘Indeed, Ribâ is only in the case of delayed payment.’”

Chapter 19. Cursing The One Who Consumes Ribâ And The One Who Pays It

[4092] 105 - (1597) It was narrated that ‘Abdullâh said: “The Messenger of Allah ﷺ cursed the one who consumes Ribâ and the one who pays it.” I (the narrator) said: “And the one who writes it down and the two who witness it?” He said: “We only narrate what we heard.”

[4093] 106 - (1598) It was narrated that Jâbir said: “The Messenger of Allah ﷺ cursed the one who consumes Ribâ and the one who pays it, the one who writes it down and the two who witness it,” and he said: “They are all the same.”
Chapter 20. Taking That Which Is Lawful And Leaving That Which Is Unclear

[4094] 107 - (1599) It was narrated that An-Nu‘mân bin Bashîr said: “The Messenger of Allah ﷺ said - and An-Nu‘mân pointed with his fingers to his ears - “That which is lawful is clear and that which is unlawful is clear, and between them are matters which are unclear which many people do not understand. Whoever guards against the unclear matters, he will protect his religion and his honor, but whoever falls into that which is unclear, he will soon fall into that which is unlawful. Like a shepherd who grazes his flock around the sanctuary; he will soon graze in it. Verily, every king has his prohibited land and verily, the prohibited land of Allah is that which He has forbidden. In the body there is a piece of flesh which, if it is healthy, the entire body will be healthy but if it is corrupt, the entire body will be corrupt. Verily it is the heart.”

[4095] (...) Zakariyyâ narrated a similar report (as no. 4094) with this chain.

[4096]... - (...) This Hadîth was
narrated from An-Nu‘mān bin Bashīr from the Prophet ﷺ, except that the Hadīth of Zakariyyā (no. 4094) is more complete and longer than their Hadīth.

[4097] 108 - (...) It was narrated from ‘Āmir Ash-Sha‘bī that he heard An-Nu‘mān bin Bashīr, the Companions of the Messenger of Allāh ﷺ, addressing the people in Hims. He said: “That which is lawful is clear and that which is unlawful is clear,” and he mentioned a Hadīth similar to that of Zakariyyā from Ash-Sha‘bī (no. 4094), up to the words: “Soon he will fall into it.”

Chapter 21. Selling Camels And Stipulating That One May Ride Them

[4098] 109 - (715) Jābir bin ‘Abdullāh narrated that he was riding on a camel which had grown weak, and he wanted to let
it go. He said: "The Prophet 
caught up with me and he prayed for me and struck it, then it ran as it had never run before. He said: 'Sell it to me for an Uqiyah.' I said: 'No.' Then he said: 'Sell it to me.' So I sold it to him for an Uqiyah, but I stipulated that I would ride it back to my family. When I arrived, I brought the camel to him, and he paid me its price. Then I went back, and he sent (someone) after me and said: 'Do you think that I bargained with you so that I could take your camel? Take your camel and your Dirham, for they are yours.'"

[4099] (...) It was narrated from 'Amir: "Jâbir bin ‘Abdullâh told me... a Hadith like that of Ibn Numair (no. 4098)."

[4100] 110 - (...) It was narrated that Jâbir bin ‘Abdullâh said: "I went on a campaign with the Messenger of Allah 
and he caught up with me while I was riding a camel of mine that had grown weak and could hardly walk. He said to me: 'What is the matter with your camel?' I said: 'It has grown weak.' The Messenger of Allah 
fall behind and prodded it, and prayed for it, and (after that) it was always in front of the other camels, running ahead of them. He said to me: 'How do you find
you: camel?' I said: 'It is fine; your blessing has reached it.' He said: 'Will you sell it to me?' I felt say, and we did not have any camel but this one, so I said: 'Yes.' So I sold it to him, on the condition that I would ride it until I reached Al-Madinah. I said to him: 'O Messenger of Allâh, I am newly married,' and I asked him for permission to go on ahead, and he gave me permission. So I went ahead of the people until I reached Al-Madinah. There my maternal uncle met me and asked about the camel, and I told him what I had done with it, and he criticized me. And the Messenger of Allâh said to me when I asked him for permission: 'Who did you marry, a virgin or a previously-married woman?' I said: 'I married a previously-married woman.' He said: 'Why not a virgin, so you could play with her and she could play with you?' I said to him: 'O Messenger of Allâh, my father has died - or 'was martyred' - and I have young sisters. I did not want to marry one who was like them, who would not teach them manners and look after them. So I married a previously-married woman who would look after them and teach them manners.' When the Messenger of Allâh came to Al-Madinah, I took the camel to him the next morning, and he gave me its price and returned it to me."
[4101] 111 - (....) It was narrated that Jâbir said: “We came back from Makkah to Al-Madinah with the Messenger of Allâh ﷺ, and my camel grew weak...” and he quoted a similar Hadîth (as no. 4100), in which it says: “Then he said to me: ‘Sell this camel of yours to me.’ I said: ‘No, rather it is yours.’ He said: ‘No, sell it to me.’ I said: ‘No, rather it is yours, O Messenger of Allâh.’ He said: ‘No, sell it to me.’ So I said: ‘There is a man to whom I owe an Uqiyah of gold; it is yours in return for that.’ He said: ‘I will take it, but you may ride it until Al-Madinah.’ When I reached Al-Madinah, the Messenger of Allâh ﷺ said to Bilâl: ‘Give him an Uqiyah of gold, and a little more.’ So he gave me an Uqiyah of gold, and added a QIrât.” He said: “I said: ‘The extra that the Messenger of Allâh ﷺ gave me never left me; it was in a (money) bag of mine until the people of A-hâm took it on the Day of Al-Harrah.’”

[4102] 112 - (....) It was narrated that Jâbir bin ‘Abdullâh said: “We were with the Prophet ﷺ on a journey, and my camel fell behind...” he quoted the same Hadîth (as no. 4101) and said: “The Messenger of Allâh ﷺ prodded it, then he said to me:
‘Ride, in the Name of Allâh.’” And he also added: “He kept on giving me more and saying: ‘May Allâh forgive you.’”

[4103] 113 - (…) It was narrated that Jâbir said: “When the Prophet came to me while my camel had grown weak, he prodded it and it jumped. After that, I was pulling on its reins (to slow it down) so that I could listen to what he was saying, but I could not manage it. The Prophet caught up with me and said: ‘Sell it to me.’ So I sold it to him for five Uqiyah. I said: ‘On condition that I may ride it back to Al-Madinah.’ He said: ‘You may ride it back to Al-Madinah.’ When I came to Al-Madinah, I brought it to him and he gave me an extra Uqiyah, then he gave it to me.”

[4104] 114 - (…) It was narrated that Jâbir bin ‘Abdullâh said: “I traveled with the Messenger of Allâh on one of his journeys” - I (the narrator) think he said it was a military campaign - and he narrated the Hadîth (as no. 4103) and added: “He said: ‘O Jâbir, have you received the price in full?’ I said: ‘Yes.’ He said: ‘The price is yours and the camel is yours. The price is yours and the camel is yours.’”
Jābir bin Abdullah said: “The Messenger of Allāh ﷺ bought a camel from me for two *Uqiyah* and a Dirham or two Dirhams. When we came to Širār, he ordered that a cow be slaughtered and they ate from it. When he came to Al-Madinah he told me to go to the *Masjid* and pray two Rak'ah, and he weighed for me the price of the camel and gave me more.”

This report was narrated from Jābir from the Prophet ﷺ (a *Hadīth* similar to no. 4105), except that he said: “He bought it from me for the price that he had stipulated,” but he did not mention two *Uqiyahs* and a Dirham or two Dirhams. And he said: “He ordered that a cow be slaughtered when he distributed its meat.”

It was narrated from Jābir that the Prophet ﷺ said to him: “I will take your camel for four Dinār and you may ride it until Al-Madinah.”
Chapter 22. It Is Permissible To Lend Animals And It Is Recommended To Pay In Full, Giving Something Better Than That Which Is Owed

[4108] 118 - (1600) It was narrated from Abû Râfi‘ that the Messenger of Allâh ﷺ borrowed a young camel from a man, then some Sadaqah camels were brought to him. He told Abû Râfi‘ to give the man back his camel, and Abû Râfi‘ came back to him and said: “I could not find anything among them but camels that were better and older.” He said: “Give it to him, for the best of people are those who are best in paying off their debts.”

[4109] 119 - (…) It was narrated that Abû Râfi‘, the freed slave of the Messenger of Allâh ﷺ, said: “The Messenger of Allâh ﷺ borrowed a young camel…” a similar report (as no. 4108), except that he said: “The best of the slaves of Allâh are those who are the best in paying off their debts.”

[4110] 120 - (1601) It was narrated that Abû Hurairah said: “A man was owed something by the Messenger of Allâh ﷺ and he spoke to him in a harsh manner, so the Companions of the Prophet ﷺ wanted to go after him. The Prophet ﷺ said:
'The one who has a right is entitled to speak.' And he said to them: ‘Buy a camel for him and give it to him.’ They said: ‘We cannot find anything but a camel that is better than his.’ He said: ‘Buy it and give it to him, for among the best of you’ - or ‘the best of you’ - ‘are those who are the best in paying off debts.’

[4111] 121 - (...) It was narrated that Abü Hurairah said: “The Messenger of Allah borrowed a camel, and gave back a camel that was better than it, and he said: ‘The best of you are those who are the best in paying off debts.’”

[4112] 122 - (...) It was narrated that Abü Hurairah said: “A man came asking the Messenger of Allah to return a camel that he had borrowed, and he said: ‘Give him a camel that is better than his camel.’ And he said: ‘The best of you is the one who is best in paying off debts.’”

Chapter 23. The Permissibility Of Selling Animals For Animals Of The Same Kind And Of Different Quality

[4113] 123 - (1602) It was narrated that Jâbir said: “A slave came and swore allegiance to the
Prophet ﷺ, pledging to emigrate, and he did not realize that he was a slave. Then his master came looking for him. The Prophet ﷺ said: ‘Sell him to me,’ and he bought him for two black slaves. Then after that he did not accept the oath of allegiance of anyone until he had asked: ‘Is he a slave?’

Chapter 24. Pawning (Rahn) And Its Permissibility Whether One Is Travelling Or Not

\[4114\] 124 - (1603) It was narrated that ‘Aishah said: “The Messenger of Allah ﷺ bought some food on credit from a Jew, and he gave him a coat of mail of his as collateral.”

\[4115\] 125 - (...) It was narrated that ‘Aishah said: “The Messenger of Allah ﷺ bought some food from a Jew and gave him an iron coat of mail as collateral.”
It was narrated from 'Aishah that the Messenger of Allah ﷺ bought some food from a Jew to be paid for at a later date, and he gave him an iron coat of mail of his as collateral.

A similar report (as no. 4116) was narrated from 'Aishah from the Prophet ﷺ, but he (the narrator) did not mention iron.

Chapter 25. Salam (Payment In Advance)

It was narrated that Ibn 'Abbas said: “When the Prophet ﷺ came to Al-Madinah, they used to pay one or two years in advance for fruits. He said: ‘Whoever pays for fruits in advance, let him pay in advance for a specified measure and a specified weight, for a specified amount of time.’”
It was narrated that Ibn ‘Abbâs said: “When the Messenger of Allâh ☪ came (to Al-Madinah), the people used to pay in advance. The Messenger of Allâh ☪ said to them: ‘Whoever pays in advance, let him not pay in advance except for a specified measure and a specified weight.’”

(...) A Hadîth like that of ‘Abdul-Wârith (no. 4119) was narrated from Ibn Abi Najîh with this chain, but he did not mention “until a specified time.”

(...) A Hadîth (no. 4120) like that of Ibn ‘Uyaynah was narrated from Ibn Abl Najîh with their chain, and he mentioned: “until a specified time.”

Chapter 26. The Prohibition Of Hoarding Staple Foods

Sa‘eed bin Al-Mûsâyyab narrated that Ma‘mar said: “The Messenger of Allâh ☪ said: ‘Whoever hoards is
a sinner.” It was said to Sa‘eed: “But you hoard.” Sa‘eed said: “Ma‘mar, the one who narrated this Hadith, used to hoard.”

(...)

Chapter 27. The Prohibition Of Swearing Oaths When Selling

(...)

(1606) It was narrated from Ibn Al-Mûsâyyab that Abû Hurairah said: “I heard
the Messenger of Allâh ﷺ say: ‘Swearing helps one to sell the goods but it erases (the blessing of) the profit.’”

[4126] 132 - (1607) It was narrated from Abû Qatâdah Al-Ansârî that he heard the Messenger of Allâh ﷺ say: “Beware of swearing a great deal when selling, for it brings about a sale, then erases (the blessing).”

Chapter 28. Pre-Emption

[4127] 133 - (1608) It was narrated that Jâbir bin ‘Abdullâh said: “The Messenger of Allâh ﷺ said: ‘Whoever has a partner in property or palm trees, he should not sell until he notifies his partner; if he agrees he may take it, and if he disagrees he may leave it.’”
[4128] 134 - (...) It was narrated that Jābir said: “The Messenger of Allāh ﷺ decreed pre-emption in every partnership that has not been divided, whether it is a dwelling or a garden. It is not permissible for him to sell it until he notifies his partner, and if he wishes, he may take it, and if he wishes, he may leave it. If he sells it and he did not give permission, then he has more right to it.”

[4129] 135 - (...) Jābir bin ‘Abdullāh said: “The Messenger of Allāh ﷺ said: ‘There is pre-emption in every partnership in land, dwellings, or gardens. It is not right to sell until he offers it to his partner, who may take it or leave it. If he insists, then his partner has the greater right to it unless he notifies him.”

Chapter 29. Fixing A Piece Of Wood To A Neighbor’s Wall

[4130] 136 - (1609) It was narrated from Abū Hurairah that the Messenger of Allāh ﷺ said: “No one of you should prevent his neighbor from fixing a piece of wood to his wall.”
Then Abū Hurairah said: “Why do I see you objecting to it? By Allah, I will keep reminding you of it.”

A similar report (as no. 4130) was narrated from Az-Zuhrī with this chain.

Chapter 30. The Prohibition Of Wrongdoing, Seizing Land Unlawfully, Etc

It was narrated from Sa‘eed bin Zaid bin ‘Amr bin Nufail that the Messenger of Allāh ﷺ said: “Whoever seizes a handspan of land unlawfully, Allāh will shackle his neck with it, to seven earths on the Day of Resurrection.”

It was narrated from Umar bin Muḥammad, that his father narrated to him from
Sa‘eed bin Zaid bin ‘Amr bin Nufail, that Arwâ disputed with him about part of his house and he said: “Let her take it, for I heard the Messenger of Allâh ﷺ say: ‘Whoever seizes a handspan of land unlawfully, his neck will be shackled to seven earths on the Day of Resurrection.’ O Allâh, if she is lying, take away her sight and make her grave in her house.”

He said: “I saw her blind, clinging to the walls and saying: ‘The supplication of Sa‘eed bin Zaid afflicted me.’ While she was walking in the house, she came to a well in the house and fell in, and it became her grave.”

[4134] 139 - (...) It was narrated from Hishâm bin ‘Urwah, from his father, that Arwâ bint Uwais claimed that Sa‘eed bin Zaid had taken some of her land, and she referred her dispute with him to Marwân bin Al-Ḥakam. Sa‘eed said: “Would I take any of her land after what I heard from the Messenger of Allâh ﷺ?” He said: “What did you hear from the Messenger of Allâh ﷺ?” He said: “I heard the Messenger of Allâh ﷺ say: ‘Whoever takes a handspan of land unlawfully, his neck will be shackled to seven earths.’” Marwân said to him: “I will not ask you for any proof after this.” He (Sa‘eed) said: “O Allâh, if she is lying then
make her eyes blind and cause her to die in her own land.” And she did not die until her sight was gone, then while she was walking on her land she fell into a pit and died.

[4135] 140 - (...) It was narrated that Sa’eed bin Zaid said: “I heard the Prophet say: ‘Whoever seizes a handspan of land unlawfully, his neck will be shackled to seven earths on the Day of Resurrection.’”

[4136] 141 - (1611) It was narrated that Abü Hurairah said: “The Messenger of Allah said: ‘No one seizes a handspan of land unlawfully, but Allah will shackle his neck to seven earths on the Day of Resurrection.’”

[4137] 142 - (1612) It was narrated from Muhammad bin Ibrâhîm that Abû Salamah, who had a dispute with his people concerning some land, told him that he entered upon ‘Aïshah and told her about that. She said: “O Abû Salamah, stay away from this land, for the Messenger of Allah said: ‘Whoever wrongs another with regard to (even) a
handspan of land, his neck will be shackled to seven earths.”

[4138] (...) Abū Salamah narrated that he entered upon 'Āishah... a similar report (as no. 4137).

Chapter 31. The Width Of The Road If There Is A Dispute About It

[4139] 143 - (1613) It was narrated from Abū Hurairah that the Prophet ﷺ said: “If you dispute concerning the road, make its width seven cubits.”
23. The Book Of The Shares Of Inheritance

Chapter... A Muslim Does Not Inherit From A Disbeliever And A Disbeliever Does Not Inherit From A Muslim

[4140] 1 - (1614) It was narrated from Usāmah bin Zaid that the Prophet ﷺ said: “A Muslim does not inherit from a disbeliever and a disbeliever does not inherit from a Muslim.”

Chapter 1. Give The Shares Of Inheritance To Those Who Are Entitled To Them, And Whatever Is Left Goes To The Closest Male Relative

[4141] 2 - (1615) It was narrated that Ibn ‘Abbâs said: “The Messenger of Allâh ﷺ said: ‘Give the shares of inheritance to those who are entitled to them, and whatever is left, then it is for the closest male relative.’”

[4142] 3 - (...) It was narrated from Ibn ‘Abbâs that the Messenger of Allâh ﷺ said:
“Give the shares of inheritance to those who are entitled to them, and whatever is left of inheritance, then it is for the closest male relative.”

It was narrated that Ibn ‘Abbâs said: “The Messenger of Allâh ﷺ said: ‘Divide the wealth among those who are entitled to a share of inheritance according to the Book of Allâh, the Most High, and whatever is left then it is for the closest male relative.”

A Hadîth like that of Wuhaib and Rawh bin Al-Qâsim (nos. 4141, 4142) was narrated from Ibn Tâwûs with this chain.

Chapter 2. Inheritance Of The Kalâlah

Jâbir bin ‘Abdullâh said: “I fell sick and the Messenger of Allâh ﷺ and

[1] Scholars differ over the meaning of Kalâlah, what is popular is that it refers to the person who dies, leaving no parent or child. For details see the Tafsîr of Ibn Katîr published by Darussalam, Sûrat An-Nisâ’ 4:12, and 176.
Abû Bakr came walking to visit me. I lost consciousness, and the Messenger of Allâh ﷺ performed Wudû’ then poured some of the water on me, and I regained consciousness. I said: ‘O Messenger of Allâh, how should I dispose of my wealth?’ He did not give me any answer until the Verse of inheritance was revealed: They ask you for a legal verdict. Say: Allâh directs (thus) about Al-Kalâlah (those who leave neither descendants nor ascendants as heirs)…” [1]

[4146] 6 - (...) It was narrated that Jâbir bin ‘Abdullâh said: “The Prophet ﷺ and Abû Bakr came walking to visit me in Banû Salamah, and they found me unconscious. He called for water and performed Wudû’, then he sprinkled some of it on me, and I regained consciousness. I said: ‘What should I do with my wealth, O Messenger of Allâh?’ And the Verse “Allâh commands you as regards your children’s (inheritance): To the male, a portion equal to that of two females” [2] was revealed.”

[4147] 7 - (...) Jâbir bin ‘Abdullâh said: “The Messenger of Allâh ﷺ visited me while I was sick, and Abû Bakr was with him. (They came) walking and found me

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unconscious. The Messenger of Allah (ﷺ) performed Wudu'. Then he poured some of the water on me, and I regained consciousness, and saw the Messenger of Allah (ﷺ) there. I said: ‘O Messenger of Allah, what should I do with my wealth?’ He did not give me any reply until the Verse of inheritance was revealed.”

[4148] 8 - (...) Jábir bin ‘Abdullâh said: “The Messenger of Allah (ﷺ) entered upon me while I was sick and unconscious. He performed Wudu’ and they poured some of the water over me, and I regained consciousness. I said: ‘O Messenger of Allah, I have no ascendants or descendents to inherit from me.’ Then the Verse of inheritance was revealed.” I [Shu‘bah (a narrator)] said to Muhammad bin Al-Munkadir: “Was it: ‘They ask you for a legal verdict. Say: Allah directs (thus) about Al-Kalâlah (those who leave neither descendants nor ascendants as heirs).... ’[1] He said: “Thus it was revealed.”

[4149] (...) It was narrated from Shu‘bah (a Hadîth similar to no. 4148, with a different chain of

narrators). In the Hadith of Wahb bin Jarir it says: “The Verse of the shares of inheritance was revealed.” In the Hadith of An-Nadr and Al-'Aqadi it says: “The Verse of the share of inheritance.” None of their reports mention what Shu’bah said to Ibn Al-Munkadir.

[4150] 9 - (1617) It was narrated from Ma’dân bin Abi Talhah that ‘Umar bin Al-Khattâb delivered a Khutbah one Friday. He mentioned the Prophet of Allah and he mentioned Abû Bakr. Then he said: “I am not leaving behind me any problem more difficult than that of Kalâlah. I did not ask the Messenger of Allah about any matter more than I asked him about Kalâlah, and he never appeared to be more annoyed by my asking any question than he did regarding this matter, until he poked me in the chest with his finger and said: ‘O ‘Umar, is not the Verse that was revealed in summer at the end of Sûrat An-Nisâ’ sufficient for you?’ If I live I will give a verdict concerning it which would enable those who read the Qur’ân and those who do not read it to know about this.”

[4151] (…) A similar report (as
Chapter 3. The Last Verse To Be Revealed Was The Verse Of Kalâlah

[4152] 10 - (1618) It was narrated that Al-Barâ’ said: "The last Verse of the Qur’an to be revealed was: 'They ask you for a legal verdict. Say: Allah directs (thus) about Al-Kalâlah (those who leave neither descendants nor ascendants as heirs)...."[1]

[4153] 11 - (...) Al-Barâ’ bin ‘Azib said: “The last Verse to be revealed was the Verse of Kalâlah, and the last Sûrah to be revealed was Barâ’ah (i.e., Sûrat At-Taubah)”

[4154] 12 - (...) It was narrated from Al-Barâ’ that the last Sûrah to be revealed in full was Sûrat At-Taubah and the last Verse to be revealed was the Verse of Kalâlah.

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A similar report (as no. 4154) was narrated from Al-Barâ', except that he said: "The last Sûrah to be revealed completely."

It was narrated that Al-Bard' said: "The last Verse to be revealed was: 'They ask you for a legal verdict....'"[1]

Chapter 4. Whoever Leaves Behind Wealth, It Is For His Heirs

It was narrated from Abû Hurairah that a deceased man who owed debts would be brought to the Messenger of Allâh sâ. He would ask: "Did he leave behind anything to pay off his debt?" If he was told that he had left behind something to pay off his debt, he would offer the funeral prayer for him, otherwise he would say: "Pray for your companion." When Allâh granted him conquests, he said: "I am closer to the believers than their own selves. Whoever dies owing a debt, I will repay it, and whoever

leaves behind wealth, it is for his heirs.”

[4158] (...) This Hadith (similar to no. 4157) was narrated from Az-Zuhri with this chain.

[4159] 15 - (...) It was narrated from Abû Hurairah that the Prophet ﷺ said: “By the One in Whose Hand is the soul of Muhammad! There is no believer on earth but I am the closest of people to him. Whoever among you leaves behind a debt or destitute children, I will take care of them. And whoever among you leaves behind wealth, it is for his heirs, whoever they are.”

[4160] 16 - (...) It was narrated that Hammâm bin Munabbih said: “This is what Abû Hurairah
narrated to us from the Messenger of Allah ﷺ,” and he mentioned a number of Ahadîth, including the following: “The Messenger of Allah ﷺ said: ‘I am the closest of people to the believers according to the Book of Allah, the Mighty and Sublime. Whoever among you leaves behind a debt or destitute children, call me, and I will take care of them. Whoever among you leaves behind wealth, let his wealth be given to his heirs, whoever they are.”

[4161] 17 - (…) It was narrated from Abū Hurairah that the Prophet ﷺ said: “Whoever leaves behind wealth, it is for his heirs, and whoever leaves behind children, it is for us (to take care of them).”

[4162] (…) Shu‘bah narrated (a Hadîth similar to no. 4161) with this chain, except that in the Hadîth of Ghundar it says: “Whoever leaves behind children, I will take care of them.”
24. The Book Of Gifts

Chapter 1. It Is Disliked For A Man To Buy What He Gave In Charity From The One To Whom He Gave It

[4163] 1 - (1620) It was narrated from Zaid bin Aslam, from his father, that ‘Umar bin Al-Khattâb said: “I donated a fine horse (to be ridden in Jihâd) in the cause of Allâh, and its owner neglected it. I thought that he would sell it for a cheap price, and I asked the Messenger of Allâh ﷺ about that. He said: ‘Do not buy it, and do not take back your charity, for the one who takes back his charity is like the dog that returns to its vomit.”

[4164] (...) It was narrated from Mâlik bin Anas (a Hadîth similar to no. 4163) with this chain, and he added: “Do not buy it even if he gives it to you for a Dirham.”

[4165] 2 - (...) It was narrated from ‘Umar that he donated a horse (to be ridden in Jihâd) in the cause of Allâh, and he found it with its owner who had...
neglected it. He was of poor means and 'Umar wanted to buy it, so he went to the Messenger of Allah ﷺ and told him about that. He said: "Do not buy it, even if he gives it to you for a Dirham, for the likeness of the one who takes back his charity is that of the dog who returns to his vomit."

[4166] (...) It was narrated from Ibn Abi 'Umar that Sufyân narrated from Zaid bin Aslam (a Hadîth similar to no. 4165), but the Hadîth of Mâlik (no. 4163) and Rawh (no. 4165) is more complete and in detail.

[4167] 3 - (1621) It was narrated from Ibn 'Umar that 'Umar bin Al-Khattâb donated a horse (to be ridden in Jihâd) in the cause of Allah, and he found it offered for sale. He wanted to buy it, and he asked the Messenger of Allah ﷺ about that. He said: "Do not buy it; do not take back your charity."

[4168] (...) A Hadîth like that of Mâlik (no. 4167) was narrated from Ibn 'Umar, from the Prophet ﷺ.
The Book Of Gifts

Chapter 2. The Prohibition Of Taking Back One’s Charity After It Has Been Accepted, Except In The Case Of What A Father Gives To A Son Or Grandson

[4169] 4 - (…) It was narrated from Ibn ‘Umar that ‘Umar donated a horse (to be ridden in Jihâd) in the cause of Allâh, then he saw it being offered for sale and he wanted to buy it. He asked the Prophet ﷺ. The Messenger of Allâh ﷺ said: “Do not take back your charity, O ‘Umar.”

[4170] 5 - (1622) It was narrated from Ibn ‘Abbâs that the Prophet ﷺ said: “The likeness of the one who takes back his charity is that of a dog which vomits then returns to its vomit to eat it.”

[4171] (…) Muhammad bin ‘Ali bin Al-Ḥuṣain mentioned a similar report (as Hadîth no. 4170) with this chain.
‘Abdur-Rahmân bin ‘Amr narrated that Muhammad, the son of Fâtimah, the daughter of the Messenger of Allah, narrated a similar Hadîth (as no. 4170) with this chain.

6 - (…) Sa'eed bin Al-Mûsâyyab said: “I heard Ibn ‘Abbâs say: ‘I heard the Messenger of Allah say: ‘The likeness of the one who gives charity then takes his charity back is that of a dog which vomits, then eats its vomit.’”

7 - (…) It was narrated from Ibn ‘Abbâs that the Prophet said: “The one who takes back his gift is like the one who returns to his vomit.”

A similar report (as no. 4174) was narrated from Qatâdah with this chain.

[1] He is Muḥammad bin Alî bin Al-Ḥussain the great grandson of Fâtîmah. 
Chapter 3. It Is Disliked To Favor Some Of One's Children Over Others In Gift-Giving

[4177] 9 - (1623) It was narrated that An-Nu'mân bin Bashîr said that his father brought him to the Messenger of Allâh ﷺ and said: “I have given this son of mine a slave that belonged to me. The Messenger of Allâh ﷺ said: ‘Have you given a similar gift to all your children?’ He said: ‘No.’ The Messenger of Allâh ﷺ said: ‘Then take it back.’”

[4178] 10 - (...) It was narrated that An-Nu'mân bin Bashîr said: “My father brought me to the Messenger of Allâh ﷺ and said: ‘I have given this son of mine a slave.’ He said: ‘Have you given a gift to all your children?’ He said: ‘No.’ He said: ‘Then take him (the slave) back.’”
[4179] 11 - (...)

It was narrated from Az-Zuhri with this chain (a Ḥadīth similar to no. 4178).

[4180] 12 - (...)

It was narrated from Hishām bin 'Urwah that his father said: "An-Nu'mān bin Bashīr told us that his father gave him a slave, and the Prophet ﷺ said to him: 'What is this slave?' He said: 'My father gave him to me.' He ﷺ said (to my father): 'Did you give to all his brothers what you gave to this one?' He said: 'No.' He said: 'Then take him back.'"
[4181] 13 - (...) It was narrated that An-Nu'mân bin Bashîr said: “My father gave me some of his wealth and my mother, 'Amrah bint Rawâhah, said: ‘I will not approve until you ask the Messenger of Allâh ﷺ to bear witness.’ So my father went to the Prophet ﷺ to ask him to bear witness to my gift. The Messenger of Allâh ﷺ said to him: ‘Have you done this for all your children?’ He said: ‘No.’ He said: ‘Fear Allâh and treat your children fairly.’ My father came back and took back the gift.”

[4182] 14 - (...) An-Nu'mân bin Bashîr narrated that his mother, the daughter of Rawâhah, asked his father to give a gift to her son, and he kept delaying it for a year, then he decided to do that. She said: “I will not approve until you ask the Messenger of Allâh ﷺ to bear witness to what you have given to my son.” So my father took me by the hand, and I was a young boy at that time. He went to the Messenger of Allâh ﷺ and said: “O Messenger of Allâh, the mother of this boy, the daughter of Rawâhah, would like you to bear witness to that which
I have given to her son.” The Messenger of Allâh ﷺ said: “O Bashîr, do you have any other children?” He said: “Yes.” He said: “Have you given to all of them like you have given to this one?” He said: “No.” He said: “Then do not ask me to bear witness for I will not bear witness to injustice.”

[4183] 15 - (...) It was narrated from An-Nu’mân bin Bashîr that the Messenger of Allâh ﷺ said: “Do you have any other sons besides him?” He said: “Yes.” He said: “Have you given to all of them like you have given to this one?” He said: “No.” He said: “I will not bear witness to injustice.”

[4184] 16 - (...) It was narrated from An-Nu’mân bin Bashîr that the Messenger of Allâh ﷺ said to his father: “Do not ask me to bear witness to injustice.”

[4185] 17 - (...) It was narrated that An-Nu’mân bin Bashîr said: “My father took me to the Messenger of Allâh ﷺ and said: ‘O Messenger of Allâh, bear witness that I have given to this
son of mine such and such of my wealth.' He said: 'Have you given to all your sons the like of what you have given to An-Nu'mân?' He said: 'No.' He said: 'Then ask someone else to bear witness to this.' Then he said: 'Would you not like them all to honor you equally?' He said: 'Of course.' He said: 'Then do not do it.'"

[4186] 18 - (...) It was narrated that An-Nu'mân bin Bashîr said: "My father gave me a gift, then he brought me to the Messenger of Allah ﷺ to bear witness to it. He said: 'Have you given this to all of your children?' He said: 'No.' He said: 'Would you not like them all to honor you as you want this one to?' He said: 'Of course.' He said: 'Then I will not bear witness.'"

Ibn ‘Awn said: "I narrated it to Muhammad and he said: 'I was told that he (ﷺ) said: "Treat your children similarly.""

[4187] 19 - (1624) It was narrated that Jâbir said: "The wife of Bashîr said: 'Give your
slave to my son, and ask the Messenger of Allâh ﷺ to bear witness for me.' So he went to the Messenger of Allâh ﷺ and said: 'The daughter of so-and-so asked me to give my slave to her son, and she said: 'Ask the Messenger of Allâh ﷺ to bear witness for me.'" He said: 'Does he have any brothers?' He said: 'Yes.' He said: 'Have you given to all of them something like that which you have given to him?' He said: 'No.' He said: 'This is not right. I will not bear witness to anything but that which is right and proper.'"

Chapter 4. The 'Umrâ (Lifelong Gift)

[4188] 20 - (1625) It was narrated from Jâbir bin ‘Abdullâh that the Messenger of Allâh ﷺ said: "Any man who is given a gift for life, it belongs to him and his heirs. It belongs to the one to whom it is given, and does not go back to the one who gave it, because he has given it in such a way that it is subject to the rules of inheritance."

[4189] 21 - (...) It was narrated that Jâbir bin ‘Abdullâh said: "I heard the Messenger of Allâh ﷺ say: 'Whoever gives a man a gift for life, it belongs to him and his
The Book Of Gifts

children. His words ended his right to it and it belongs to the one to whom it was given for life and to his heirs.”

Yahyâ said at the beginning of his Hadîth: “Any man who is given a gift for life, it belongs to him and his children.”

[4190] 22 - (...) Jâbir bin ‘Abdullâh Al-Ansârî narrated that the Messenger of Allâh ﷺ said: “Any man who gives a man a gift for life, it belongs to him (the latter) and to his heirs.” He said:[1] “I have given it to you and your heirs so long as any one of you is still alive, then it belongs to the one to whom it was given, and it does not go back to the giver because he has given it in such a way that it is subject to the rules of inheritance.”

[4191] 23 - (...) It was narrated that Jâbir said: “The kind of gift for life that the Messenger of

[1] This could be part of the Hadîth as it appears to be in the narration of it with this chain recorded by Ahmad (3:399). Or, it could be an explanation of Abû Salamah as it appears in no. 4192.
Allāh allowed is only when a person says: ‘It is for you and your children.’ But if he says it is yours as long as you live, then it goes back to its owner.”

Ma’mar said: “Az-Zuhri used to issue *Fatwas* to that effect.”

[4192] 24 - (…) It was narrated from Jābir, who is (Jābir) bin ‘Abdullāh, that the Messenger of Allāh ruled concerning one who is given a gift for life that it belongs to him and his children, and it belongs to him absolutely, and it is not permissible for the giver to stipulate any conditions or make any exceptions.

Abū Salamah said: “Because he has given it in such a way that it is subject to the rules of inheritance, therefore any conditions that he may stipulate are overruled by the rules of inheritance.”

[4193] 25 - (…) Jābir bin ‘Abdullāh said: “The Messenger of Allāh said: ‘A gift for life belongs to the one to whom it is given.’”

[4194] (…) It was narrated from
Jâbir bin ‘Abdullâh that the Prophet of Allâh ﷺ said... a similar report (as no. 4194).

[4195] (...) It was narrated from Jâbir who attributed it to the Prophet ﷺ (a Hadîth similar to no. 4194).

[4196] 26 - (...) It was narrated that Jâbir said: “The Messenger of Allâh ﷺ said: ‘Keep your wealth and do not squander it, for whoever gives a gift for life, it belongs to the one to whom it was given, during his lifetime and after his death, and to his children.’”

[4197] 27 - (...) A Hadîth like that of Abû Khaithamah (no. 4196) was narrated from Jâbir from the Prophet ﷺ. In the Hadîth of Ayyûb it adds: “The Ansâr started to give gifts for life to the Muhâjirin, and the Messenger of Allâh ﷺ said: ‘Keep your wealth.’”
[4198] 28 - (...) It was narrated from Abû Az-Zubair, that Jâbir said: "A woman in Al-Madinah gave a garden of hers as a gift for life to a son of hers, then he died and she died after him, and he left behind a son, but he also had brothers who were the sons of the woman who had given the gift for life. The children of the woman who had given the gift said: 'The garden should come back to us.' But the sons of the one to whom it had been given said: 'No, it belonged to our father in life and in death.' They referred the dispute to Târiq, the freed slave of 'Uthmân, and he called Jâbir, who bore witness that the Messenger of Allah ﷺ had said, that a gift for life belonged to the descendent of the one to whom it was given. Târiq ruled on that basis, then he wrote to 'Abdul-Malik and told him about that, and he told him of Jâbir's testimony. 'Abdul-Malik said: 'Jâbir spoke the truth.' So Târiq issued a ruling on that basis, and that garden still belongs to the descendants of the one to whom it was given for life, to this day.”

[4199] 29 - (...) It was narrated from Sulaimân bin Yasâr that Târiq ruled that a gift given for life belongs to the heir, because of what Jâbir bin 'Abdullâh narrated from the Messenger of Allah ﷺ.
It was narrated from Jâbir bin ‘Abdullâh that the Prophet ﷺ said: “A gift for life is permissible.”

It was narrated from Jâbir that the Prophet ﷺ said: “A gift for life is part of the estate of its owner.”

It was narrated from Abü Hurairah that the Prophet ﷺ said: “A gift for life is permissible.”

It was narrated from Qatâdah (a Hadîth similar to no. 4201) with this chain, except that he said: “part of the estate of its owner” or he said, “permissible.”
Chapter... A Man’s Will Should Be Written With Him

[4204] 1 - (1627) It was narrated from Ibn ‘Umar that the Messenger of Allah ﷺ said: “It is not right for a Muslim man who has anything that he wants to bequeath, to stay for more than two nights without having his will written with him.”

[4205] 2 - (...) It was narrated from ‘Ubaidullâh (a Hadith similar to no. 4204) with this chain, except that they (the narrators) said: “Who has anything to be bequeathed.” And they did not say, “Anything that he wants to bequeath.”

[4206] 3 - (...) A Hadith like that of ‘Ubaidullâh (no. 4205) was narrated from Nâfi’ from Ibn ‘Umar, from the Prophet ﷺ, and they said: “Who has anything to be bequeathed.” But in the Hadith of Ayyüb it says: “that he wants to
bequeath," like the report of Yahyā from ‘Ubaidullāh.

[4207] 4 - (...) It was narrated from Sālim, from his father, that he heard the Messenger of Allāh ﷺ say: “It is not right for a Muslim man who has anything to be bequeathed to stay for three nights without having his will written down with him.”

‘Abdullāh bin ‘Umar said: “Since I heard the Messenger of Allāh ﷺ say that, no night passed but I had my will with me.”

[4208] (...) A Hadīth like that of ‘Amr bin Al-Hārith (no. 4207) was narrated from Az-Zuhri with this chain.
Chapter 1. Bequeathing One-Third

[4209] 5 - (1628) It was narrated from 'Amir bin Sa'd that his father said: "The Messenger of Allâh ﷺ visited me during the Farewell Pilgrimage, when I fell sick with a sickness that brought me close to death. I said: 'O Messenger of Allâh, you can see how bad my sickness is, and I am wealthy, and no one will inherit from me except one daughter of mine. Can I give two-thirds of my wealth in charity?' He said: 'No.' I said: 'Can I give half of it in charity?' He said: 'No. (Give) one-third, and one-third is a lot. If you leave your heirs rich and wealthy, that is better for them than leaving them dependent and asking from people. You will never spend on maintenance, seeking thereby the Face of Allâh, but you will be rewarded for it, even a morsel that you put in your wife's mouth.' I said: 'O Messenger of Allâh, will I be left
behind my companions?’ He said: ‘You will never be left behind by them and do a good deed, seeking thereby the Face of Allâh, but it will increase you in status. Perhaps you will live until some people benefit from you and others are harmed by you. O Allâh, complete the emigration of my Companions and do not cause them to turn back on their heels.’ How unfortunate Sa’d bin Khawlah was.”

He said: “The Messenger of Allâh ﷺ felt sorry for him because he died in Makkah.”

[4210] (...) A similar report (as no. 4209) was narrated with this chain.

[4211] (...) It was narrated that Sa’d said: “The Prophet ﷺ entered upon me to visit me (when I was sick)...” and he narrated a Hadîth like that of Az-Zuhri (no. 4210), but he did not mention what the Prophet ﷺ said about Sa’d bin Khawlah, but he said: “He did not want to die in a land from which he had emigrated.”
[4212] 6 - (...) Muṣʿab bin Saʿd narrated that his father said: “I fell sick and I sent word to the Prophet ﷺ. I said: ‘Let me divide my wealth as I wish,’ but he refused. I said: ‘Then half?’ And he refused. I said: ‘Then one-third?’” He (the narrator) said: “He remained silent after one-third.” He said: “After that, one-third was permissible.”

[4213] (...) A similar report (as no. 4212) was narrated from Simāk with, but he did not say: “After that, one-third was permissible.”

[4214] 7 - (...) It was narrated from Muṣʿab bin Saʿd that his father said: “The Prophet ﷺ visited me (when I was sick) and I said: ‘I will bequeath all my wealth.’ He said: ‘No.’ I said: ‘Then one-half.’ He said: ‘No.’ I said: ‘One-third?’ He said: ‘Yes, but one-third is a lot.’”
It was narrated from three of the sons of Sa'd, from their father, that the Prophet entered upon Sa'd to visit him (when he was sick) in Makkah, and he wept. He said: “Why are you weeping?” He said: “I am afraid that I will die in the land from which I emigrated, as Sa’d bin Khawlah died.” The Prophet said: “O Allah, heal Sa’d. O Allah, heal Sa’d,” three times. He said: “O Messenger of Allah, I have a lot of wealth, and only my daughter will inherit from me. Should I bequeath all my wealth?” He said: “No.” He said: “Then two-thirds?” He said: “No.” He said: “Then half?” He said: “No.” He said: “Then one-third?” He said: “One-third, but one-third is a lot. What you give of your wealth is charity, what you spend on your family is charity, what you give to your wife to eat from your wealth is charity. If you leave your family well off, that is better for you than leaving them asking from people,” and he gestured with his hand.

It was narrated that three of the sons of Sa’d said: “Sa’d fell sick in Makkah, and the Messenger of Allah came to visit him...” a Hadith like that of Ath-Thaqafi (no. 4215).
Three of the sons of Sa’d bin Mâlik narrated, each of them narrating a Hadîth like that of the others, that Sa’d fell sick in Makkah and the Prophet came to visit him... a Hadîth like that of ‘Amr bin Sa’eed from Humaid Al-Himyarî (no. 4215).

It was narrated that Ibn ‘Abbâs said:

"Would that the people would reduce it from one-third to one-quarter, for the Messenger of Allah said: ‘One-third, and one-third is a lot.’"

Chapter 2. The Reward For Charity Reaches The Deceased

It was narrated from Abû Hurairah that...
a man said to the Prophet ﷺ: “My father died and he left behind some wealth but he did not make a will. Will it expiate for him if charity is given on his behalf?” He said: “Yes.”

[4220] 12 - (1004) It was narrated from ‘Aishah that a man said to the Prophet ﷺ: “My mother died suddenly and I think that if she could have spoken, she would have given charity. Will I have a reward if I give charity on her behalf?” He said: “Yes.”

[4221] (...) It was narrated from ‘Aishah that a man came to the Prophet ﷺ and said: “O Messenger of Allah, my mother died suddenly and she did not leave a will. I think that if she could have spoken she would have given charity. Will she have a reward if I give charity on her behalf?” He said: “Yes.”

[4222] 13 - (...) It was narrated from Hishâm bin ‘Urwah (a Hadîth similar to no. 4221) with this chain. As for Abû Usâmah and Rawh, in their Hadîth it says: “Will I have a reward?” as Yahyâ bin Sa’eed said. As for Shu’aib and Ja’far, in their Hadîth it says: “Will she have a reward?” as in the Hadîth of Ibn Bishr.
Chapter 3. What Reward Reaches A Man After His Death

[4223] 14 - (1631) It was narrated from Abû Hurairah that the Messenger of Allâh ﷺ said: “When a man dies, all his good deeds come to an end except three: Ongoing charity, beneficial knowledge, or a righteous son who will pray for him.”

Chapter 4. Waqf (Endowment)

[4224] 15 - (1632) It was narrated that Ibn ‘Umar said: “‘Umar was given a share of land in Khaibar, and he came to the Prophet ﷺ to consult him about it. He said: ‘O Messenger of Allâh, I have been given a share of land at Khaibar and I have never been given any wealth that is more precious to me than it.”
What do you command me to do with it?’ He said: “If you wish, you can ‘freeze’ it and give it in charity.” So ‘Umar gave it in charity and stipulated that it was not to be sold, given as a gift or inherited, and he gave it in charity to the poor, relatives and slaves, for the cause of Allâh and for wayfarers and guests; and there was no sin on the one appointed to look after it if he ate from it on a reasonable basis, and fed a friend without storing anything for the future.”

He said:

“I narrated this Hadîth to Muḥammad, when I reached the words “without storing anything for the future,” Muḥammad said: Without storing it with a view to becoming rich.

Ibn ‘Awn said: “The one who read this book, he told me, that in it are the words: ‘Without storing it with a view to becoming rich.’”

[4225] (...) A similar report (as no. 4224) was narrated from Ibn ‘Awn with this chain, except that in the Hadîth of Ibn Abî Zâ’idah and Azhar it ends at the words: “And feed a friend without storing anything for the future.” And he did not mention what comes after that. The Hadîth of Ibn Abî ‘Adiyy includes what is mentioned by Sulâim: “I narrated this Hadîth to Muḥammad...”

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[1] That is Ibn ‘Awn, the narrator and the Muḥammad is Ibn Sirîn.
It was narrated from Ibn ‘Umar that ‘Umar said:
“I was given a share of the land of Khaibar, and I came to the Messenger of Allâh ﷺ and said:
‘I have been given a share of the land of Khaibar, and I have never acquired any wealth that is
dearer to me or more precious than that...’” and he quoted a similar Hadith (as no. 4224), but
he did not mention (the words):
“I narrated it to Muhammad,”
and what comes after that.

Chapter 5. Not Making A Will For One Who Has Nothing To Be Bequeathed

It was narrated that Talhah bin Musârrif said: “I asked ‘Abdullâh bin Abi Awfa: ‘Did the Messenger of
Allâh ﷺ leave a will?’ He said:
‘No.’ I said: ‘Why is making a will prescribed for the Muslims, or why are they commanded to
make wills?’ He said: ‘His final guidance was adherence to the Book of Allâh.’”

A similar report was narrated from Mâlik bin Maghwal (as no. 4227), except that in the Hadith of

[4226] (1633) It was narrated from Ibn ‘Umar that ‘Umar said:
“I was given a share of the land of Khaibar, and I came to the Messenger of Allâh ﷺ and said:
‘I have been given a share of the land of Khaibar, and I have never acquired any wealth that is
dearer to me or more precious than that...’” and he quoted a similar Hadith (as no. 4224), but
he did not mention (the words):
“I narrated it to Muhammad,”
and what comes after that.

Chapter 5. Not Making A Will For One Who Has Nothing To Be Bequeathed

[4227] 16 - (1634) It was narrated that Talhah bin Musârrif said: “I asked ‘Abdullâh bin Abi Awfa: ‘Did the Messenger of
Allâh ﷺ leave a will?’ He said:
‘No.’ I said: ‘Why is making a will prescribed for the Muslims, or why are they commanded to
make wills?’ He said: ‘His final guidance was adherence to the Book of Allâh.’”

[4228] 17 - (...) A similar report was narrated from Mâlik bin Maghwal (as no. 4227), except that in the Hadith of

[4229] (1635) It was narrated from Ibn ‘Umar that ‘Umar said:
“I was given a share of the land of Khaibar, and I came to the Messenger of Allâh ﷺ and said:
‘I have been given a share of the land of Khaibar, and I have never acquired any wealth that is
dearer to me or more precious than that...’” and he quoted a similar Hadith (as no. 4224), but
he did not mention (the words):
“I narrated it to Muhammad,”
and what comes after that.

Chapter 5. Not Making A Will For One Who Has Nothing To Be Bequeathed

[4230] 18 - (1636) It was narrated that Talhah bin Musârrif said: “I asked ‘Abdullâh bin Abi Awfa: ‘Did the Messenger of
Allâh ﷺ leave a will?’ He said:
‘No.’ I said: ‘Why is making a will prescribed for the Muslims, or why are they commanded to
make wills?’ He said: ‘His final guidance was adherence to the Book of Allâh.’”

[4231] 19 - (1637) A similar report was narrated from Mâlik bin Maghwal (as no. 4227), except that in the Hadith of
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Waki' it says: “I said: ‘How come the people were commanded to make wills?’” In the Hadîth of Ibn Numair it says: “How come it is prescribed for the Muslims to make wills?”

[4229] 18 - (1635) It was narrated that 'A'ishah said: “The Messenger of Allâh ﷺ did not leave behind a Dinâr, a Dirham, a sheep nor a camel, and he did not bequeath anything.”

[4230] (...) A similar report (as no. 4229) was narrated from Al-A'mash with this chain.

[4231] 19 - (1636) It was narrated that Al-Aswad bin Yazid said: “They said in the presence of 'A'ishah that 'Ali was bequeathed something by the Prophet ﷺ. She said: ‘When did
he make a will for him? He was leaning on my chest’ - or she said: ‘in my lap - and he called for a bowl, then he fell into my lap and I did not realize that he had died. So when did he make a will for him?’

[4232] 20 - (1637) It was narrated that Sa‘eed bin Jubair said: “Ibn ‘Abbâs said: ‘Thursday and what a Thursday!’ Then he wept until his tears wet the pebbles. I said: ‘O Abû ‘Abbâs, what about Thursday?’ He said: ‘The Messenger of Allâh ﷺ took a turn for the worse, and he said: “Come to me and I will dictate for you a document, so you will not go astray after I am gone.” But they argued (about that), and it is not appropriate to argue in the presence of a Prophet. They said: “What is the matter with him? Is he delirious? Try to find out what he means.” He said: “Let me be. The state in which I am now is better. I urge you to do three things: Expel the idolators from the Arabian Peninsula, and reward the delegations as I used to do.”

[1] That is, some of them thought that it was better that he not be bothered with that, due to the strain on his condition, while others thought that it should be considered an order from him. Then some of them asked the others whether they thought that there was something wrong with him; maybe they thought he was delirious, and that is why they did not want him to write? And then they told them that rather, they should listen to what he is saying and try to understand it. See Minnat Al-Man‘im.
Then he remained silent about the third, or he said it, and I was caused to forget it.”

Abū Ishāq [Ibrāhīm] said: “Al-Hasan bin Bishr told us, Sufyān told us…” this Ḥadīth.

[4233] 21 - (...) It was narrated from Sa’d bin Jubair that Ibn ‘Abbās said: “Thursday and what a Thursday!” Then his tears started to flow until I saw what looked like strings of pearls on his cheeks. He said: “The Messenger of Allāh ﷺ said: ‘Bring me a shoulder blade and an inkpot’ - or ‘a tablet and an inkpot’ - and I will dictate for you a document after which you will never go astray.” They said: ‘The Messenger of Allāh ﷺ is in a state of delirium.’”

[4234] 22 - (...) It was narrated that Ibn ‘Abbās said: “When the Messenger of Allāh ﷺ was dying, there were men in the house among whom was ‘Umar bin Al-Khaṭṭāb. The Prophet ﷺ said: ‘Come, let me dictate for you a document after which you will not go astray.’ ‘Umar said: ‘The Messenger of Allāh ﷺ is
overcome with pain, and you have the Qur'ân; the Book of Allah is sufficient for us.’ The people in the house disagreed, and they argued. Some of them said: ‘Come close and let the Messenger of Allah dictate for you a document after which you will not go astray.’ Others agreed with what ‘Umar said. When their idle talk and argument in the presence of the Messenger of Allah became too much, the Messenger of Allah said: ‘Get up and leave.’”

‘Ubaidullâh said: “Ibn ‘Abbâs used to say: ‘What a calamity it was when the Messenger of Allah was prevented from dictating that document for them because of their disagreement and noise.’”
Chapter 1. The Command To Fulfill Vows

[4235] 1 - (1638) It was narrated that Ibn 'Abbâs said: “Sa'd bin 'Ubâdah asked the Messenger of Allâh ﷺ about a vow that his mother had made, but she died before she could fulfill it. The Messenger of Allâh ﷺ said: ‘Fulfill it on her behalf.’”

[4236] (...) A similar Hadîth (as no. 4235) was narrated from Az-Zuhri with the chain of Al-Laith.
Chapter 2. The Prohibition Of Vows, And Confirmation That They Do Not Avert Anything

[4237] 2 - (1639) It was narrated that 'Abdullâh bin 'Umar said: "One day the Messenger of Allâh started telling us not to make vows, and he said: ‘They do not avert anything, all they do is get something out of a stingy person.’"

[4238] 3 - (…) It was narrated from Ibn 'Umar that the Prophet said: “A vow does not bring anything forward nor delay it, all it does is get something out of a miser.”

[4239] 4 - (…) It was narrated from Ibn 'Umar that the Prophet forbade vows, and said: “They do not bring anything good, all they do is get something out of a miser.”
A Hadîth like that of Jarîr (no. 4237) was narrated from Mansûr with this chain.

[4240] (1640) It was narrated from Abû Hurairah that the Messenger of Allah ﷺ said: “Do not make vows, for a vow is of no avail against the Divine Decree; all it does is get something out of a miser.”

[4241] (1640) It was narrated from Abû Hurairah that the Prophet ﷺ forbade vows and said: “They do not avert the Divine Decree; all they do is get something out of a miser.”

[4242] (1640) It was narrated from Abû Hurairah that the Prophet ﷺ said: “A vow does not
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bring closer to the son of Âdam something that Allâh has not decreed for him, but a vow sometimes coincides with the Divine Decree. And thus it gets from a miser something that the miser did not want to give.”

[4244] (...) A similar report (as no. 4243) was narrated from ‘Amr bin Abî ‘Amr with this chain.

Chapter 3. There Is No Fulfillment Of A Vow That Involves Disobedience Towards Allâh, Or A Vow Concerning That Which A Person Does Not Own

[4245] 8 - (1641) It was narrated that ‘Imrân bin Ḥuṣain said: “Thaqîf were allies of Banû ‘Uqail, and Thaqîf captured two of the Companions of the Messenger of Allâh. And the Companions of the Messenger of Allâh captured a man from Banû ‘Uqail, and along with him they caught (the camel) Al-‘Aḑbâ’. The Messenger of Allâh
passed by him when he was in chains. He said: ‘O Muhammad!’ So he came to him and said: ‘What is the matter with you?’ He said: ‘Why did you capture me, and why did you capture the one who precedes the pilgrims (the camel)?’ He said: ‘I captured you because of the wrongdoing of your allies Thaqîf.’ Then he turned away, and he called out to him, saying: ‘O Muhammad!’ The Messenger of Allah was compassionate and kind, so he came back to him and said: ‘What is the matter with you?’ He said: ‘I am a Muslim.’ He said: ‘If you had said that when you were still in control of your affairs, you would have gained every success.’ Then he turned away, and he called him, saying: ‘O Muhammad! O Muhammad!’ He came to him and said: ‘What is the matter with you?’ He said: ‘I am hungry, feed me, and I am thirsty, give me to drink.’ He said: ‘That is what you need,’ and he ransomed him for the two (Muslim) men.”

He said: “And a woman of the Ânṣâr was taken captive and Al-‘Âdîbâ’ was captured, and the woman was put in chains. The people were letting their animals graze in front of their houses. She escaped from her chains one night and went to the camels. Every time she came near a camel it groaned, so she left it
alone, until she came to Al-
‘Adbâ’, which did not groan. She
was a docile camel, so the woman
sat on her back and prodded her,
and she moved off. They were
alerted about her and they
looked for her, but she got away
from them. She vowed to Allâh
that if Allâh saved her by means
of (the camel), she would
sacrifice her. When she reached
Al-Madînah, the people saw her
and said: ‘Al-‘Adbâ’, the she-
camel of the Messenger of Allâh
ﷺ.’ She said that she had vowed
that if Allâh saved her by means
of her, she would sacrifice her.
They came to the Messenger of
Allâhﷺ and told him about that,
and he said: ‘Subhân-Allâh,
what a bad reward! She vowed to
Allâh that if Allâh saved her by
means of her, she would sacrifice
her. There is no fulfillment of a
vow that involves sin, or a vow
that involves something that a
person does not own.’”

According to the report of Ibn
Hûjr: “There is no vow in that
which involves disobedience
towards Allâh.”

[4246] (...) A similar report (as
no. 4245) was narrated from
Ayyûb with this chain. In the
Hadîth of Hammâd it says: “Al-
‘Adbâ’ belonged to a man of Banû
‘Uqail, and she was one of those
that preceded the pilgrims.” In his
Hadîth it also says: “She came to a
camel that was submissive and

مَنْفَعَةً، فَقَعَدتْ فِي عَجْرَةٍ ثُمَّ رَجَعَتْهَا
فَأَنْطَلَقَتْ، وَنُذِّرُوا إِبْنَاهَا فَطَلَّبَهَا فَأَعْجَرَتْهَا
قَالَ: وَذَّرْتُ اللَّهُ إِنْ نَجَاهَا اللَّهُ عُلَمَهَا
لْنُحْرُنَّهَا، فَلَمَّا قَدَّمَتْ المُدِينَةَ رَا هَا
الْتَّاسِ، فَقَالُوا: الْعَضْبَاءُ، نَافِعُ رَسُول
الله ﷺ، فَقَالَ: إِنَّهَا نَذَرَتْ إِنْ نَجَاهَا
اللَّهُ عُلَمَهَا لْنُحْرُنَّهَا، فَأَنْطَلَقَ رَسُول
الله ﷺ فَذَكَرُوا ذَلِكَ لَهُ، فَقَالَ: اسْتَبْحَارُ اللَّهُ بِهِ
مَا حَرُنُّهَا، نَذَرَتُ اللَّهُ إِنْ نَجَاهَا اللَّهُ عُلَمَهَا
لْنُحْرُنَّهَا، لَا وَقِاءٌ لْنَذْرٍ فِي مَعْصِيَةٍ، وَلَا
فَيْنَ فِي رُوْاْئِي بَنِي حُجَرُ ﴿ۚ لَا نَذَرُ فِي
مَعْصِيَةٍ اللَّهُ﴾.
well-behaved.” In the Hadith of Ath-Thaqafi it says: “She was a well-trained camel.”

Chapter 4. One Who Vows To Walk To The Ka’bah

[4247] 9 - (1642) It was narrated from Anas that the Prophet ṣaw a old man being supported between two of his sons. He said: “What is the matter with this one?” They said: “He vowed to walk.” He said: “Allāh has no need of this man’s torturing himself.” And he ordered him to ride.

[4248] 10 - (1634) It was narrated from Abū Hurairah that the Prophet ṣaw a old man who was walking between his two sons, leaning on them. The Prophet ṣaid: “What is the matter with him?” His sons said to him: “O Messenger of Allāh, he made a vow.” The Prophet ṣaid: “Ride, O old man, for Allāh has no need of you and your vow.”
A similar report (as no. 4248) was narrated from Ibn Abī ‘Amr with this chain.

11 - (1644) It was narrated from Yazīd bin Abī Ḥabīb, from Abūl-Khaīr, that ‘Uqbah bin ‘Āmir said: “My sister vowed to walk to the House of Allāh barefoot, and she told me to ask the Messenger of Allāh about that for her. So I asked the Messenger of Allāh and he said: ‘Let her walk and let her ride.’”

12 - (…) It was narrated from Yazīd bin Abī Ḥabīb, that Abūl-Khaīr narrated to him from ‘Uqbah bin ‘Āmir Al-Juhānī, that he said: “My sister made a vow...” and he mentioned a Hadīth like that of Mufāḍḍal (no. 4250), but he did not mention in the Hadīth: “barefoot,” and he added: “Abūl-Khaīr did not leave ‘Uqbah.”
Yazîd bin Abî Habîb narrated a Hadîth like that of ʿAbdur-Razzâq (no. 4251) with this chain.

Chapter 5. Expiation For Breaking A Vow

It was narrated from ʿUqbah bin ʿAmir that the Messenger of Allâh ﷺ said: “The expiation for breaking a vow is Kafârat-Yamîn (the expiation for breaking an oath).”
Chapter 1. The Prohibition Of Swearing By Something Other Than Allâh

[4254] 1 - (1646) It was narrated from Sâlim bin ‘Abdullâh, that his father said: “I heard ‘Umar bin Al-Khattâb say: ‘The Messenger of Allâh ﷺ said: “Allah, may He be exalted, forbids you to swear by your fathers.”

‘Umar said: “By Allâh, I have not sworn by them since I heard the Messenger of Allâh ﷺ forbid that, whether on my own behalf or narrating it from someone else.”

[4255] 2 - (…) A similar report (as no. 4254) was narrated from Az-Zuhri with this chain, except that in the Hadîth of ‘Uqail it says: “I have not sworn by them since I heard the Messenger of Allâh ﷺ forbidding it, and I have not spoken of it.” He did not say: “Whether on my own behalf or narrating it from someone else.”
It was narrated from Sâlim that his father said: “The Prophet heard ‘Umar swearing by his father...” a report like that of Yûnus and Ma’mar (no. 4254, 4255).

A similar report (as no. 4257) was narrated from Ibn ‘Umar from the Prophet. 
It was narrated from ‘Abdullâh bin Dînâr that he heard Ibn ‘Umar say: “The Messenger of Allah said: ‘Whoever wants to swear, let him not swear by anything but Allah.’ The Quraish used to swear by their fathers.” But he said: “Do not swear by your fathers.”

Chapter 2. Whoever Swears By Al-Lât And Al-‘Uzza, Let Him Say Lâ Ilâha Illallâh

Abû Hurairah said: “The Messenger of Allah said: ‘Whoever among you swears and says in his oath ‘By al-Lât,’ let him say Lâ Ilâha Illallâh. And whoever says
to his companion: ‘Come, I will gamble with you,’ let him give charity.”

[4261] (...) It was narrated from Az-Zuhri with this chain (a Hadith similar to no. 4260), and the Hadith of Ma‘mar is like the Hadith of Yûnus, except that he said: “Let him give something in charity.” In the Hadith of Al-Awzâ‘i it says: “Whoever swears by al-Lât and Al-‘Uzza.”

Abû Al-Husain Muslim said: This phrase - meaning: “Come, I will gamble with you” - was not narrated by anyone except Az-Zuhri. Az-Zuhri had approximately ninety phrases which he narrated from the Prophet ﷺ and no one else narrated them with any reliable chain of narrators.

[4262] 6 - (1648) It was narrated that ‘Abdur-Rahmân bin Samurah said: “The Messenger of Allâh ﷺ said: ‘Do not swear by false gods or by your fathers.’”
Chapter 3. It Is Recommended For The One Who Swears An Oath Then Sees That Something Else Is Better Than It, To Do That Which Is Better And Offer Expiation For His Oath

[4263] 7 - (1649) It was narrated that Abû Mûsâ Al-Asha'î said: “I came to the Prophet among a group of the Asha'îs to ask him for mounts. He said: ‘By Allah, I will not give you mounts, and I do not have anything to give you as mounts.’ As much time as Allah willed passed, then some camels were brought, and he ordered that we be given three camels with white humps. When we set out we said” - or “we said to one another” - ‘Allâh will not bless us. We came to the Messenger of Allâh to ask him for mounts and he swore that he would not give us mounts, then he gave us mounts.” So they went to him and told him, and he said: “It was not me who gave you mounts, rather Allâh gave you mounts. By Allâh, if Allâh wills, I do not swear an oath then see something better than that, but I expiate my oath and do that which is better.”

[4264] 8 - (…) It was narrated that Abû Mûsâ said: “My companions sent me to the
Messenger of Allâh ﷺ to ask him for mounts for them, because they were with him in the army of hardship - meaning, the campaign to Tabûk. I said: 'O Prophet of Allâh, my companions have sent me to you, so that you might give them mounts.' He said: 'By Allâh, I will not give you anything to ride.' It so happened that I came to him when he was angry and I did not realize it. So I went back saddened by the refusal of the Messenger of Allâh ﷺ, and I was worried that the Messenger of Allâh ﷺ was upset with me. So I went back to my companions and told them what the Messenger of Allâh ﷺ had said. Only a short time passed, then I heard Bilâl calling: 'O 'Abdullâh bin Qais!' So I answered him, and he said: 'Go to the Messenger of Allâh ﷺ, he is calling you.' When I came to the Messenger of Allâh ﷺ, he said: 'Take this pair and this pair and this pair' - six camels that he had bought from Sa'd at that time. 'Take them to your companions and say: “Allâh” - or “the Messenger of Allâh ﷺ - has provided you with these mounts so ride them.”

Abû Mûsâ said: “So I took them to my companions and I said: ‘The Messenger of Allâh ﷺ has given you these to ride, but by Allâh I will not leave you until some of you come with me to one who heard what the Messenger of
Allâh ﷺ said, when I asked him (for mounts) for you and he refused at first, then he gave them to me after that. Do not think that I have told you anything that he did not say.’ They said to me: ‘By Allâh, you are truthful in our opinion, but we will do what you wish.’” So Abû Mûsâ went with a group of them until they came to those who had heard what the Messenger of Allâh ﷺ had said when he refused to respond to their request, then gave them something after that, and they told them the same as Abû Mûsâ had told them.

[4265] 9 - (...) Ayyûb said: “The Hadîth of Al-Qâsim is better known to me than the Hadîth of Abû Qilâbah. He said: ‘We were with Abû Mûsâ and he called for his food, and there was some chicken there. A man from Banû Taimullâh came in who was of reddish complexion and looked like a freed slave. He said: “Come and join me.” The man hesitated, so he said: “Come, for I saw the Messenger of Allâh ﷺ eating this.” The man said: “I saw it eating something and I found it repugnant, and I swore that I would not eat it.” He said: “Come, I will tell you something about that (the oath).” “I came to the Messenger of
Allāh  with a group of Ash’arīs to ask him for mounts, and he said: 'By Allāh, I will not give you mounts, and I have nothing to give to you as mounts.' As much time passed as Allāh willed, then some spoils of war consisting of camels, was brought to the Messenger of Allāh  He called us, and ordered that we be given five of the camels with white humps. When we set out, we said to one another: 'We made the Messenger of Allāh  forget his oath, and we will not be blessed.' So we went back to him and said: 'O Messenger of Allāh, we came to you and asked you for mounts, and you swore that you would not give us mounts, then you gave us mounts. Did you forget, O Messenger of Allāh?' He said: 'By Allāh, if Allāh wills, I do not swear an oath then see that something else is better than it, but I do that which is better and offer expiation. Go, for it is Allāh Who has given you mounts."

[4266] (...) It was narrated that Zahdam Al-Jarmī said: “There was love and brotherhood between this clan of Jarm and the Ash’arīs. We were with Abū Mūsā Al-Asha’rī, and some food containing chicken was brought to him...” and he narrated something similar (as Hadīth no. 4265).
It was narrated that Zahdam Al-Jarmi said: “We were with Abū Mūsā...” and they all narrated a Hadīth like that of Ḥammād bin Zaid (no. 4265).

Zahdam Al-Jarmi said: “I entered upon Abū Mūsā when he was eating chicken...” and he quoted a Hadīth like theirs (no. 4264, 4265), and he added: “He (ﷺ) said: ‘By Allāh, I did not forget it.”

Abū Mūsā Al-Aṣhārī said: “We came to the Messenger of Allāh to ask him for mounts, and he said: ‘I do not have anything to give to you as
mounts, and by Allâh I will not give you mounts.’ Then the Messenger of Allâh ﷺ sent to us three camels with white humps. We said: ‘We came to the Messenger of Allâh ﷺ and asked him for mounts, and he swore that he would not give us mounts.’ So we went back to him and told him, and he said: ‘I do not swear an oath, then see that something else is better than it, but I do that which is better.’”

[4270] (...) It was narrated that Abû Mûsâ said: “We were on foot, then we came to the Prophet of Allâh ﷺ and asked him for mounts...” a Hadîth like that of Jarîr (no. 4269).

[4271] 11 - (1650) It was narrated that Abû Hurairah said: “A man came to the Prophet ﷺ late at night, then he went back to his family and found that his children had gone to sleep. His wife brought him his food, but he swore that he would not eat because of his children, then he decided to eat. He came to the Messenger of Allâh ﷺ and told him about that, and the Messenger of Allâh ﷺ said: ‘Whoever swears an oath then sees that something else is better than it, let him do that, and offer expiation for his oath.””
[4272] 12 - (...) It was narrated from Abū Hurairah that the Messenger of Allâh ﷺ said: “Whoever swears an oath, then sees that something else is better than it, let him offer expiation for his oath and do it.”

[4273] 13 - (...) It was narrated that Abū Hurairah said: “The Messenger of Allâh ﷺ said: ‘Whoever swears an oath, then sees that something else is better than it, let him do that which is better, and offer expiation for his oath.’”

[4274] 14 - (...) Suhail narrated a Hadîth like that of Mâlik (no. 4272) with a different chain of narrators, (reporting the Messenger of Allâh ﷺ saying: “Let him offer expiation for his oath and do that which is better.”

[4275] 15 - (1651) It was narrated that Tamîm bin Tarafah said: “A man came to ‘Adîyy bin Hâtîm and asked him for the price of a servant, or part of the price of a servant. He said: ‘I do
not have anything to give you except my coat of mail and my helmet, but I will write to my family and tell them to give you these two things.’ He did not accept that, and ‘Adiyy got angry. He said: ‘By Allah, I will not give you anything!’ Then the man accepted it, and he said: ‘By Allah, were it not that I heard the Messenger of Allah say: “Whoever swears an oath then sees something that is more favored by Allah the Mighty and Sublime, than it, let him do that which is more favored by Allah,” I would not have broken my oath.”’

[4276] 17 - (...) It was narrated that ‘Adiyy bin Hâtim said: “The Messenger of Allah said: ‘Whoever swears an oath then sees that something else is better than it, let him do that which is better and ignore his oath.”’

[4277] 17 - (...) It was narrated from Tamîm At-Tâ’î that ‘Adiyy said: “The Messenger of Allah said: ‘If one of you swears an oath, then he sees something that is better than it, let him offer expiation for it then do that which is better than it.”’
[4278] (...) It was narrated from 'Adiyy bin Hâtim that he heard the Prophet ﷺ saying that (a Hadîth similar to no. 4277).

[4279] 18 - (...) It was narrated that Tamîm bin Ţarafah said: “I heard ‘Adiyy bin Hâtim say, when a man came to him asking him for a hundred Dirham: ‘Are you asking me for a hundred Dirham when I am the son of Hâtim? By Allâh, I will not give it to you.’ Then he said: ‘Were it not that I heard the Messenger of Allâh ﷺ say: ‘Whoever swears an oath, then sees something better than it, let him do that which is better.’

[4280] (...) Tamîm bin Ţarafah said: “I heard ‘Adiyy bin Hâtim, when a man asked him...” he mentioned a similar report (as no. 4279) and added: “You may have four hundred from me.”

me: ‘O ‘Abdur-Rahmân bin Samurah, do not seek authority, for if you are given it when you ask for it, you will be left on your own without the support of Allâh. But if you are given it without asking for it, you will be helped (by Allâh). If you swear to do something then see that something else is better than it, then offer expiation for your oath and do that which is better.”

[4282] (…) It was narrated from Al-Hasan, from ‘Abdur-Rahmân bin Samurah, from the Prophet س‌، with this chain (a Hadîth similar to no. 4281), but in the Hadîth of Al-Mu’tamir from his father there is no mention of authority.
Chapter 4. An Oath Is Judged On The Intention Of The One Who Asks For It To Be Sworn

[4283] 20 - (1653) It was narrated that Abū Hurairah said: "The Messenger of Allāh ﷺ said: ‘Your oath is according to what your companion believes.’"

[4284] 21 - (...) It was narrated that Abū Hurairah said: "The Messenger of Allāh ﷺ said: ‘The oath is according to the intention of the one who asks for it to be sworn.’"

Chapter 5. Saying: “If Allāh wills” When Swearing Oaths And At Other Times

[4285] 22 - (1654) It was narrated that Abū Hurairah said: "Sulaimān had sixty women and he said: ‘I will go around to all of them tonight, and each of them will become pregnant, and each of them will give birth to a boy who will become a knight who will fight in the cause of Allāh."
But none of them became pregnant except one, who gave birth to a malformed child.”

The Messenger of Allah ﷺ said: “If he had said: ‘If Allah wills,’ each of them would have given birth to a boy who would become a knight who would fight in the cause of Allah.”

[4286] 23 - (…) It was narrated from Abü Hurairah that the Prophet ﷺ said: “Sulaimân bin Dāwûd, the Prophet of Allah, said: ‘Tonight I will go around to seventy women, each of whom will give birth to a boy who will fight in the cause of Allah.’ His companion, or the Angel, said: ‘Say: “If Allah wills.”’ But he did not say it, or he was caused to forget, and none of his women gave birth to a child except one, who gave birth to a deformed child.” The Messenger of Allah ﷺ said: “If he had said: ‘If Allah wills,’ he would not have broken his oath, and that would have been a means of attaining what he hoped for.”

[4287] (…) A similar report (as no. 4286) was narrated from Abû Hurairah, from the Prophet ﷺ.
24 - ( ... ) It was narrated that Abû Hurairah said: “Sulaimân bin Dâwûd said: ‘Tonight I will go around to seventy women and each of them will give birth to a boy who will fight in the cause of Allâh.’ It was said to him: ‘Say: ‘If Allâh wills,’” but he did not say it. He went around to them, but none of them gave birth except one woman, who gave birth to a malformed child.” The Messenger of Allâh ﷺ said: “If he had said ‘If Allâh wills,’ he would not have broken his oath, and that could have been a means of fulfilling his wish.”

25 - ( ... ) It was narrated from Abû Hurairah that the Prophet ﷺ said: “Sulaimân bin Dâwûd said: ‘Tonight I will go around to ninety women, and each of them will give birth to a knight who will fight in the cause of Allâh.’ His companion said to him: ‘Say “If Allâh wills.”’ But he did not say ‘If Allâh wills,’ and he went round to all of them. None of them became pregnant except one woman, who gave birth to a deformed child. By the One in Whose Hand is the soul of Muḥammad, if he had said ‘If Allâh wills,’ they would all have been knights, striving in the cause of Allâh.”
Chapter 6. The Prohibition Of Persisting In An Oath That Will Harm The Family Of The One Who Swears It, So Long As Not Persisting In It Does Not Involve Anything Unlawful

[4291] 26 - (1655) It was narrated that Hammâm bin Munabbih said: “This is what Abû Hurairah narrated to us from the Messenger of Allâh ﷺ.” He mentioned a number of Aḥadîth including the following: “The Messenger of Allâh ﷺ said: ‘By Allâh, if one of you persist in an oath concerning his family, that is more sinful before Allâh than offering the expiation that has been enjoined by Allâh.’”

Chapter 7. The Vow Of A Disbeliever, And What He Should Do About It If He Becomes A Muslim

[4292] 27 - (1656) It was narrated from Ibn ‘Umar that ‘Umar said: “O Messenger of Allâh, during the Jâhiliyyah I vowed that I would spend a night in I’tikâf in Al-Masjid Al-Harâm.” He said: “Fulfill your vow.”
[4293] (...) This Hadith (which is similar to no. 4291) was narrated from Ibn 'Umar. As for Abû Usâmah and Abî Thaqafi, their Hadith mentions I'tikâf for one night. As for Shu'bah, he said: "He obliged himself to spend a day in I'tikâf." In the Hadith there is no mention of a day or a night.

[4294] 28 - (...) ‘Abdullâh bin ‘Umar narrated that ‘Umar bin Al-Khaṭṭāb asked the Messenger of Allâh ﷺ when he was in Al-Jirānah, after he had come back from At-Tâ’if: “O Messenger of Allâh, during the Jahiliyyah I
vowed that I would spend a day in I’tikâf in Al-Masjid Al-Harâm. What do you think?” He said: “Go and spend a day in I’tikâf.”

He said: “And the Messenger of Allah ☪ had given him a slave woman from the Khums, but when the Messenger of Allah ☪ freed the captives, ‘Umar bin Al-Khattâb heard their voices saying: ‘The Messenger of Allah ☪ has set us free.’ He said: ‘What is this?’ They said: ‘The Messenger of Allah ☪ has set the prisoners free.’ ‘Umar said: ‘O ‘Abdullâh, go to that slave woman and set her free.”

[4295] (...) It was narrated that Ibn ‘Umar said: “When the Prophet ☪ came back from Hūnain, ‘Umar asked the Messenger of Allah ☪ about a vow that he had made during the Jâhilîyah, to observe I’tikâf for one day.” Then he mentioned a Hadîth like that of Jarîr bin Hâzim (no. 4294).

[4296] (...) It was narrated that Nâfi’ said: “Mention was made in the presence of Ibn ‘Umar of the ‘Umrah of the Messenger of Allah ☪ from Al-Jir‘ânah. He
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said: ‘He did not perform ‘Umrah
from there.’ He said: ‘And ‘Umar
had made a vow during the
Jâhiliyyah to observe I’tikâf
for one night.’’” Then he mentioned
a Hadîth like that of Jarîr bin
Hâzîm and Ma’mar, from Ayyûb
(no. 4294, 4295).

[4297] (...) This Hadîth about
vows was narrated from Ibn
‘Umar (a Hadîth similar to no.
4294). In both their Aḥadîth it
mentions I’tikâf for one day.

Chapter 8. Treatment Of
Slaves, And The Expiation Of
One Who Slaps His Slave

[4298] 29 - (1657) It was
narrated that Zadân bin Abî
‘Umar said: “I came to Ibn
‘Umar who had freed a slave. He
picked up a stick or something
from the ground and said: ‘There
is no more reward in it than the
equivalent of this, but I heard the
Messenger of Allah say:
‘Whoever slaps his slave or beats
him, his expiation is to manumit
him.”
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30 - It was narrated from Zadân that Ibn ‘Umar called a slave of his and he saw marks on his back. He said to him: “Have I caused you pain?” He said: “No.” He said: “You are free.”

Then he picked up something from the ground and said: “I will not have any reward for it, not even the weight of this. I heard the Messenger of Allah say: ‘Whoever beats a slave without him having done anything to deserve it, or slaps him, his expiation is to manumit him.’”

31 - It was narrated that Mu‘áwiya bin Suwaid said: “I slapped a freed slave of ours and he ran away. Then I came just before Zuhr and prayed behind my father. He called him, and called for me, then he said: ‘Do to him what he
did to you,’ but he let me go. Then he said: ‘At the time of the Messenger of Allâh ﷺ, we Banû Muqarrin had only one servant. One of us slapped her and news of that reached the Prophet ﷺ. He said: ‘Manumit her.’ They said: ‘They do not have any other servant.’ He said: ‘Then let them keep her, and when they no longer need her, they should let her go.’”

[4302] 32 - (...) It was narrated that Hilâl bin Yasâf said: “An old man got angry and slapped a servant of his. Suwaid bin Muqarrin said to him: ‘Could you not find any part other than her face? I remember when I was the seventh of seven sons of Banî Muqarrin and we had no servant but one woman. The youngest of us slapped her and the Messenger of Allâh ﷺ commanded us to manumit her.””

[4303] (...) It was narrated that Hilâl bin Yasâf said: “We used to sell cloth in the house of Suwaid bin Muqarrin, the brother of An-Nu’mân bin Muqarrin. A slave woman came out and said something to one of us, and he slapped her and Suwaid got angry…” a Hadîth like that of Ibn Idrîs (no. 4302).
Shu'bah narrated: “Muhammad bin Al-Munkadir said to me: ‘What is your name?’ I said: ‘Shu'bah.’ Muhammad said: ‘Abu Shu'bah Al-'Irâqi narrated to me from Suwaid bin Muqarrin that someone slapped a slave woman of his. Suwaid said to him: Do you not know that hitting the face is unlawful? He said: I remember when I was the seventh of my brothers, with the Messenger of Allah, and we only had one servant. One of us went and slapped him, and the Messenger of Allah commanded us to manumit him.”

It was narrated from Wahb bin Jarîr: “Shu'bah told us: ‘Muhammad bin Al-Munkadir said to me: What is your name?’” And he mentioned a Hadîth like that of ‘Abdu's-Samad (no. 4304).

It was narrated from Ibrâhîm At-Taimî that his father said: ‘Abû Mas'ûd Al-Badrî said: “I was beating a slave of mine with a whip when I heard a voice behind me (saying): ‘You should realize, Abû Mas'ûd!’ But I did not understand the voice because I was so angry. When he came close to me, I saw that it was
the Messenger of Allâh ﷺ and he was saying: ‘You should realize, Abû Mas'ûd! ‘You should realize, Abû Mas'ûd!’ I threw down the whip that was in my hand and he said: ‘You should realize, Abû Mas'ûd, that Allâh has more power over you than you have over this slave.’ I said: ‘I will never beat a slave again after this.’”

[4307] (...) A similar Hadîth (as no. 4306) was narrated from Al-A'mash with this chain, except that in the Hadîth of Jarîr it says: “The whip fell from my hand, out of awe towards him.”

[4308] 35 - (...) It was narrated that Abû Mas'ûd Al-Anṣârî said: “I was beating a slave of mine, and I heard a voice behind me (saying): ‘You should realize, Abû Mas'ûd, that Allâh has more power over you than you have over him.’ I turned around, and I saw the Messenger of Allâh ﷺ. I said: ‘O Messenger of Allâh, he is
free for the Face of Allah.’ He said: ‘If you had not done that, the Fire would have scorched you,’ or ‘the Fire would have touched you.’”

[4309] 36 - (...) It was narrated from Abû Mas'ûd that he was beating a slave of his, and he (the slave) started saying: “I seek refuge in Allah.” He carried on beating him, so he said: “I seek refuge in the Messenger of Allah, and he stopped beating him.” The Messenger of Allah said: “By Allah, Allah has more power over you than you have over him.” Then he set him free.

[4310] (...) It was narrated from Shu'bah with this chain (a Hadîth similar to no. 4309), but he did not mention the words: “I seek refuge in Allah, I seek refuge in the Messenger of Allah.”

Chapter 9. Stern Warning Against Accusing A Slave Of Fornication

[4311] 37 - (1660) Abû Hurairah said: Abul-Qâsim said: “Whoever accuses his slave of fornication, the Hadd punishment...”

**الإيمن**

عَمِّرَ اللهُ أَقْدَرُ عَلَيْكَ وِلَكَ عَلَيْهِ
فَأَلْقَبَ إِذَا هُوَ رَسُولُ اللهِ، قَالَ:
يَا رَسُولُ اللهِ! هُوَ حُرٌّ لِوَلِيكَ، فَقَالَ:
«أَنَا لَوْ لَمْ تَفْعَلْ، لَفَحَلَّكَ النَّارَ، أُوْلَٰٰىٰ لِمُسْتَلِكَ النَّارِ».

ابِنُ النُّمَيْشَةِ وَابْنُ بَشَرٍّ - وَالْفُظْلَةِ لَابْنِ النُّمَيْشَةِ - فَقَالَ: حَدَّثَنَا ابْنُ أَبِي عُذْيِّ، عَنْ سُهَيْبَةَ، عَنْ سَلَمَيْنَةَ، عَنْ إِبْرَاهِيمَ النُّجَيِّي، عَنْ أَبِيهِ، عَنْ أَبِي مَسْعُودٍ أَنَّهُ كانَ يَضْرِبُ عَلَيْهِ، فَجَعَلَ يُبُولُ: أُعْوَدُ بِاللَّهِ، فَقَالَ: فَجَعَلَ يُضْرِبُهُ، فَقَالَ: أُعْوَدُ بِرَسُولِ اللهِ، فَرَكَّظَهُ، فَقَالَ رَسُولُ اللهِ ﷺ: «وَاللَّهُ أَقْدَرُ عَلَيْكَ وِلَكَ عَلَيْهِ».

فَقَالَ: فَأَطْعَمَهُ.

(المعجم 9) - (باب التغليف على من قذف مملوكه بالزنى) (النحافة 14)

[4311] 37 - (1660) وَحَدَّثَنَا أَبُو
بُكْرُ بْنُ أَبِي سَيْبَةَ حَدَّثَنَا إِبْنُ
عُمَيْرَ؛ وَحَدَّثَنَا مَحَمَّدُ بْنُ عَبْدِ اللهِ بْنُ عُمَيْرِ
will be carried out against him on the Day of Resurrection, unless he is as he said.”

Chapter 10. Feeding A Slave
What One Eats And Clothing Him As One Clothes Oneself, And Not Burdening Him With More Than He Can Bear

[4313] 38 - (1661) It was narrated that Al-Ma'rûr bin Suwaid said: “We passed by Abû Dharr in Ar-Rabadhah. He was wearing a Burd and his slave was wearing something similar. We said: ‘O Abû Dharr, if you put them together it would be a Hullah.’ He said: ‘There was an exchange of words between myself and one of my brothers whose mother was a non-Arab, and I insulted him because of his mother. He complained about
me to the Prophet ﷺ, then I met the Prophet ﷺ and he said: “O Abū Dharr, you are a man in whom there is some ignorance.” I said: “O Messenger of Allāh, if someone insults people, they will insult his father and mother.” He said: “O Abū Dharr, you are a man in whom there is some ignorance. They are your brothers whom Allāh has placed under your control, so feed them what you eat, and clothe them with what you wear, and do not burden them with more than they can bear; if you do burden them, then help them.”

[4314] 39 - (...) It was narrated from Al-A‘mash (a Hadīth similar to no. 4313) with this chain. In the Hadīth of Zuhair and Abū Mu‘āwiyah after the words “You are a man in whom there is some ignorance” it adds: “I said: ‘Even up to this time of old age?’ He said: ‘Yes.’” In the Hadīth of Abū Mu‘āwiyah it says: “Yes, even up to this time of old age.” In the Ijadīth of ‘Eisā it says: “If he burdens him with more than he can bear, let him sell him.” In the Ijadīth of Zuhair it says: “Let him help him with it.” In the Hadīth of Abū Mu‘āwiyah it does not say: “Let him sell him” or “let him help him.” It ends with the words “and do not burden him with more than he can bear.”
It was narrated that Al-Ma'rūr bin Suwaid said: “I saw Abū Dharr wearing a Hullah and his slave was wearing something similar. I asked him about that and he said that he had insulted a man at the time of the Messenger of Allāh, criticizing him because of his mother. The man went to the Prophet and told him about that, and the Prophet said: ‘You are a man in whom there is still some ignorance. (They are) your brothers and servants whom Allāh has placed under your control, so whoever has his brother under his control, let him feed him what he eats and clothe him with what he wears. And do not burden them with more than they can bear, and if you do that, then help them.’”

It was narrated from Abū Hurairah that the Prophet said: “A slave is entitled to his food and clothing, and he should not be burdened except with that which he can bear.”

It was narrated from Abū Hurairah that the Messenger of Allāh said:
“When the servant of any one of you brings food which he had looked, worked hard and endured heat and smoke, let him invite him to eat with him, and if the food runs a little short, he should still put a morsel or two of it in his hand.”

Chapter 11. The Reward Of A Slave Who Is Sincere Towards His Master And Worships Allâh Properly

[4318] 43 - (1664) It was narrated from Ibn 'Umar that the Messenger of Allâh said: “If a slave is sincere towards his master and worships Allâh properly, he will have a twofold reward.”

[4319] (...) A Hadîth similar to that of Mâlik (4318) was narrated from Nâfi', from Ibn 'Umar, from the Prophet.
It was narrated that Ibn Shihâb said: I heard Sa'eed bin Al-Mûsâyyab say: 'Abî Hurairah said: "The Messenger of Allâh ﷺ said: 'The faithful slave will have two rewards.' By the One in Whose Hand is the soul of Abû Hurairah, were it not for Jihâd in the cause of Allâh, Hajj and honoring my mother, I would have liked to die a slave.

He said: "We heard that Abû Hurairah did not perform Hajj until his mother died, because he kept her company."

It was narrated from Ibn Shihâb (a Hadîth similar to no. 4340) with this chain, but he did not mention: "We heard..." etc.

It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said: 'If a slave fulfills his duty towards Allâh and towards his master, he will have two rewards.'" He said: "I narrated it to Ka'b and Ka'b said (adding): 'He will not be brought to account, and neither will the poor believer.'"
[4323] (...) It was narrated from Al-A’mash with this chain (a Hadīth similar to no. 4322).

[4324] 46 - (1667) It was narrated that Hammām bin Munabbih said: “This is what Abū Hurairah narrated to us from the Messenger of Allāh ﷺ.” He mentioned a number of Ahadīth, including the following: “The Messenger of Allāh ﷺ said: ‘How good it is for a slave, if he dies worshipping Allāh well and keeping good company with his master. How good it is for him.’”

Chapter 12. One Who Frees His Share In A Slave

[4325] 47 - (1501) It was narrated that Ibn ‘Umar said: “The Messenger of Allāh ﷺ said: ‘If a person frees his share of a slave, and has enough money to pay the full price of the slave, a fair price should be worked out for the slave, and his partners should be paid for their shares, then he should free the slave, otherwise he has freed only what he has freed.’”

[4326] 48 - (...) It was narrated that Ibn ‘Umar said: “The Messenger of Allāh ﷺ said: ‘Whoever frees his share of a
slave, has to free him completely, if he has enough money to pay the full price; if he does not have enough money then he has freed only what he has freed.”

[4327] 49 - (…) It was narrated that ‘Abdullâh bin ‘Umar said: “The Messenger of Allah ﷺ said: ‘Whoever frees his share of a slave and has enough money to pay the full price for him, a fair price should be worked out, otherwise he has freed only what he has freed.’”

[4328] (…) This Hadith was narrated from Ibn ‘Umar, (similar to no. 4326) from the Prophet ﷺ, but in their Hadith it does not say: “If he does not have enough money then he has freed only what he has freed.” But in the Hadith of Ayyüb and Yahyâ bin Sa’eed, they mentioned this phrase but they said: “We do not know whether it is part of the Hadith or is something that was said by Nâfi’ (a narrator).” It does not say in the Hadith of any of them: “I heard the Messenger of Allah ﷺ say,” except in the Hadith of Al-Laith bin Sa’d.
It was narrated from Sâlim bin ‘Abdullâh, from his father, that the Messenger of Allâh ﷺ said: “Whoever frees a slave who is owned by him and another person, a fair price should be worked out for him, without cheating, underestimating or overestimating, then he should free him from his own wealth if he is well off.”

It was narrated from Ibn ‘Umar that the Prophet ﷺ said: “Whoever frees his share in a slave should (also) free the rest with his own money, if he has enough money to pay the price of the slave.”
[4331] 52 - (1502) It was narrated from Abu Hurairah that the Prophet ﷺ said concerning a slave who is owned by two men, one of whom manumits (his share): “He is responsible (for manumitting the other share).”

[4332] 53 - (1503) Shu’bah narrated with this chain (a Hadith similar to no. 4331): He said: “Whoever frees a share of a slave, he should be freed using his wealth.”

[4333] 54 - (…) It was narrated from Abu Hurairah that the Prophet ﷺ said: “Whoever manumits his share of a slave, let him manumit him completely with his own money if he has money, and if he does not have money, let the slave work for his manumission, without being overburdened.”

[4334] 55 - (…) It was narrated from Ibn Abi ‘Arubah with (a different chain, a Hadith similar to no. 4333). In the Hadith of ‘Eisa it says: “Then let him work
for the manumission of the part that has not been freed, without being overburdened.”

[4335] 56 - (1668) It was narrated from ʻImrân bin Ḥusain that a man declared that six slaves of his would be set free when he died, but he did not have any other wealth apart from them. The Messenger of Allâh called for them and divided them into three groups, then he cast lots among them, freeing two and leaving four as slaves, and he spoke harsh words to him.

[4336] 57 - (...) It was narrated from Ayyûb with this chain (a Hadîth similar to no. 4335). As for Ḥammâd (a narrator), his Hadîth is like the report of Ibn ʻUlayyah (no. 4335). As for Ath-Thaqafi, in his Hadîth it says: “That a man from among the Ansâr left instructions that when he died, his six slaves would be set free.”

[4337] (...) A Hadîth like that of Ibn ʻUlayyah and Ḥammâd (no. 4336) was narrated from ʻImrân bin Ḥusain, from the Prophet ﷺ.
Chapter 13. Permissibility Of Selling A Mudabbar\[1\]

[4338] 58 - (997) It was narrated from Jâbir bin ‘Abdullâh that a man among the Anşâr declared that a slave of his would become free after he died, and he did not own any other wealth apart from the slave. News of that reached the Prophet ﷺ and he said: “Who will buy him from me?” Nu‘aim bin ‘Abdullâh bought him for a price of eight hundred Dirham, and he gave it to him. ‘Amr said: “I heard Jâbir bin ‘Abdullâh say: ‘He was a Coptic slave who died last year.’”

[4339] 59 - (...) Sufyân bin ‘Uuyaynah narrated: “‘Amr heard Jâbir say: ‘A man among the Anşâr declared that a slave of his would become free after he died, and he did not own any other wealth apart from him. The Messenger of Allâh ﷺ sold him.”

\[1\] Mudabbar: A slave whose master has declared he will become free after he dies.
Jābir said: “Ibn An-Nahḥām bought him, a Coptic slave who died last year, during the governorship of Ibn Az-Zubair.”

[4340] (...) A Hadīth like that of Ḥammād from ‘Amr bin Dīnār (no. 4338) was narrated from Jābir, from the Prophet ﷺ, concerning the Mudabbar.

[4341] (...) It was narrated from ‘Atā’ bin Abī Rabāḥ, Ibn Az-Zubair and ‘Amr bin Dīnār that Jābir bin ‘Abdullāh told them about the sale of a Mudabbar. All of them said, - a Hadīth like that of Ḥammād and Ibn ‘Uyaynah from ‘Amr from Jābir (no. 4338, 4339).
Chapter 1. Qasâmah (Oaths)

[4342] 1 - (1669) It was narrated from Sahl bin Abi Ḥathimah - Yahyâ said: “I think he said: ‘And from Râfi’ bin Khadij’” - that they said: “‘Abdullâh bin Sahl bin Zaid and Muhaisah bin Mas’ûd bin Zaid went out, and when they were in Khaibar they parted. Then Muhaisah found ‘Abdullâh bin Sahl slain, so he buried him. Then he came to the Messenger of Allâh ﷺ along with Huwaisah bin Mas’ûd and ‘Abdur-Rahmân bin Sahl, who was the youngest of the people. ‘Abdur-Rahmân began to speak before his two companions, and the Messenger of Allâh ﷺ said to him: ‘Let the eldest speak.’ So he fell silent and his two companions spoke, and he spoke with them. They told the Messenger of Allâh ﷺ about the killing of ‘Abdullâh bin

Muhâribin: These are aggressors who transgress against society or the legitimate state, as mentioned in the Verse: “The recompense of those who wage war against Allâh and His Messenger and do mischief in the land is only that they shall be killed or crucified or their hands and their feet be cut off from opposite sides, or be exiled from the land. That is their disgrace in this world, and a great torment is theirs in the Hereafter” [Al-Mâ'idah 5:33]
Sahl, and he said to them: ‘Will you swear fifty times so that you may be entitled to (blood money) for your companion?’ They said: ‘How can we swear when we did not witness (what happened)?’ He said: ‘Then let the Jews swear fifty oaths that they are innocent.’ They said: ‘How can we accept the oaths of a disbelieving people?’ When the Messenger of Allah saw that, he paid the blood money himself.’

[4343] 2 - (...) It was narrated from Sahl bin Mas'ûd and Râfi' bin Khâdîj, that Mu'haisah bin Mas'ûd and 'Abdullâh bin Sahl went to Khâbîr, where they parted among the palm trees. 'Abdullâh bin Sahl was killed, and they accused the Jews. His brother 'Abdur-Rahmân and his two cousins Ĥuwâisah, and Mu'haisah, came to the Prophet and 'Abdur-Rahmân began to speak about his brother, but he was the youngest of them, so the Messenger of Allah said: “Let the eldest speak” or he said “Let the eldest speak first.” So they spoke about their companion’s case, and the Messenger of Allah said: “Let fifty of you swear against one of them, then he will be handed over to you.” They said: “It is something that we did not witness; how can we swear?” He said: “Then let the Jews swear fifty oaths that they are innocent.”
They said: "O Messenger of Allah, they are a disbelieving people." So the Messenger of Allah ﷺ paid the blood money himself.

Sahl said: "I entered a Mirbad (camel pen) of theirs one day, and a she-camel among those camels (that were given as blood money) kicked me."

A similar report (as no. 4343) was narrated from Sahl bin Abi Hathmah from the Prophet ﷺ, and in his Hadith he said: "The Messenger of Allah ﷺ paid the blood money himself," but he did not say in his Hadith: "A she-camel kicked me."

A Hadith similar to theirs (no. 4343) was narrated from Sahl bin Abi Hathmah.

It was narrated from Bushair bin Yasâr that ʿAbdullâh bin Sahl bin Zaid and Muḥaiṣah bin Masʿûd bin Zaid, two Ansâr men from the tribe of Banū Ḥårithah, went out to Khaibar during the time of the Messenger of Allah ﷺ. At that time there was a peace treaty, and its people were Jews. They parted to go about...
their business, and 'Abdullâh bin Sahl was killed. He was found slain in a water tank. His companion buried him, then he came to Al-Madînah. The brother of the slain man, 'Abdur-Rahmân bin Sahi, along with Muḥāṣiṣah and Huwaisâh, went and told the Messenger of Allāh ﷺ about 'Abdullâh, and where he was killed. Būshâr, who narrated this Hadîth from one of the Companions of the Messenger of Allāh ﷺ whom he met, said that he (ﷺ) said to them: “Will you swear fifty oaths so that you will be entitled to the blood money?” They said: “O Messenger of Allāh, we did not witness anything and we were not present.” And he said, that he (ﷺ) said: “Will you let the Jews swear fifty times that they are innocent?” They said: “O Messenger of Allāh, how can we accept the oaths of a disbelieving people?” Būshâr said that the Messenger of Allāh ﷺ paid the blood money himself.

[4347] 4 - (...) It was narrated from Bushair bin Yasâr, that an Ansârî man from Banû Ḥāriṭhah who was called 'Abdullâh bin Sahl bin Zaid, went with a cousin of his who was called Muḥāṣiṣah bin Mas‘ûd bin Zaid... and he quoted a Hadîth like that of Al-Laith, up to the words: “And the Messenger of Allâh ﷺ paid the blood money himself.”
Yahyâ said: “Busĥair bin Yasâr told me: ‘Sahl bin Abî Ḥathîmah told me: One of those camels (that were given as blood money) kicked me in the Mirbad (camel pen).’”

[4348] 5 - (...) It was narrated from Sahl bin Abî Ḥathîmah Al-Ansârî that some of them went to Khaibar, where they parted, and they found one of their number slain. He quoted the Hadîth (a Hadîth similar to no. 4346), in which he said: “The Messenger of Allâh ﷺ did not want his blood to have been shed in vain, so he paid one hundred camels from the Zakâh as blood money.”

[4349] 6 - (...) It was narrated from Sahl bin Abî Ḥathîmah that some of the elders of his people told him, that ‘Abdullâh bin Sahl and Muḥaiṣâh went out to Khaibar, because of some problem. Then Muḥaiṣâh came and said that ‘Abdullâh bin Sahl had been killed and thrown into a shallow well or ditch. He went to the Jews and said: “You killed him, by Allâh.” They said: “By Allâh, we did not kill him.” Then he went to his people and told them about that. Then he came with his brother Huwaiṣâh, who was older than him, and ‘Abdur-Raḥmân bin Sahl. Muḥaiṣâh
began to speak, as he was the one who had been in Khaibar, but the Messenger of Allah said to Muhaissah: “Let the oldest speak.” So Huwaisah spoke, then Muhaissah spoke, and the Messenger of Allah said: “They should pay the *Diyah* for your companion or else expect war.” The Messenger of Allah wrote to them about that, and they wrote back (saying): “By Allah we did not kill him.” The Messenger of Allah said to Huwaisah, Muhaissah, and ‘Abdur-Rahmân: “Will you swear, so that you will be entitled to *Diyah* for the blood of your companion?” They said: “No.” He said: “Then should the Jews swear for you?” They said: “They are not Muslims.” So the Messenger of Allah paid the blood money for him, and sent one hundred camels to them.

Sahl said: “A red she-camel among them kicked me.”

[4350] 7 - (1670) Abû Salamah bin ‘Abdur-Rahmân and Sulaimân bin Yâsâr, the freed slave of Maimûnah, the wife of the Prophet, narrated from an *Ansârî* man among the Companions of the Messenger of Allah, that the Messenger of Allah confirmed...
Chapter 2. The Ruling On Multhribin And Apostates

[4353] 9 - (1671) It was narrated from Anas bin Mâlik that some people from ‘Uraynah came to the Messenger of Allâh ﷺ in Al-Madinah, but they found that the climate did not suit them

[4351] 8 - (...) Ibn Shihâb narrated a similar report (as no. 4350) with this chain, and he added: “The Messenger of Allâh ﷺ passed a judgment among some of the Ansâr, concerning a slain man whom they claimed had been killed by the Jews.”

[4352] (...) It was narrated from Ibn Shihâb that Abû Salamah bin ‘Abdur-Rahmân and Sulaimân bin Yasâr told him from some of the Ansâr, from the Prophet ﷺ - a Hâdîth like that of Ibn Juraij (no. 4351).

Qasâmah as it had been during the Jâhiliyyah.
(and they fell sick). The Messenger of Allah said to them: “If you wish, you may go out to the camels from Sadaqah and drink their milk and urine.” So they did that and got better. Then they went to the herdsmen and killed them, and apostatized from Islam, and drove off the camels of the Messenger of Allah. News of that reached the Prophet and he sent men after them. They were brought, and he had their hands and feet cut off, and their eyes poked out, and he left them in Al-Harrah until they died.

[4354] 10 - (…) It was narrated from Abú Qilābah: “Anas told me that eight men from ‘Ukl came to the Messenger of Allah, and they swore allegiance as Muslims, but they found that the land (i.e., the climate) did not suit them and they fell sick. They complained about that to the Messenger of Allah, and he said: ‘Why don’t you go out with our herdsmen to the camels and get some of their milk and urine?’ They said: ‘Yes.’ So they went out and drank some of their milk and urine, and they got better. Then they killed the herdsmen and drove away the camels. News of that reached the Messenger of Allah, and he
sent men after them. They were caught and brought, and he ordered that their hands and feet be cut off and their eyes be branded, then they were left in the sun until they died.”

[4355] 11 - (...) Anas bin Mâlik narrated: “Some people from ‘Ukl or ‘Uraynah came to the Messenger of Allah ﷺ, but Al-Madinah did not suit them (and they fell sick), so the Messenger of Allah ﷺ told them to go to some milch camels and drink their milk and urine...” a Hadîth like that of Hajjâj bin Abî ‘Uthmân (no. 4354).

He said: “Their eyes were branded and they were left in Al-Harrah, asking for water, but they were not given any water.”

[4356] 12 - (...) It was narrated that Abû Qilâbah said: “I was sitting behind ‘Umar bin ‘Abdul-‘Azîz, and he said to the people: ‘What do you say about Qasâmah?’ ‘Anbasah said: ‘Anas bin Mâlik told us such-and-such.’ I said: ‘Anas told
Abū Qilābah said: “When I had finished, ‘Anbasah said: ‘Subhān Allāh!’” Abū Qilābah said: ‘Are you suspecting me (of lying), O ‘Anbasah?’ He said: ‘No, this is what Anas bin Mālik told us.’ You will still be fine, O people of Ash-Shām, so long as this man, or one like him, is among you.”

[4357] (...) It was narrated from Abū Qilābah, that Anas bin Mālik said: “Eight men from ‘Ukl came to the Messenger of Allāh ﷺ...” a Hadīth like theirs (i.e., Ayyūb and Hajjāj, no. 4354, 4355) and he added: “And he did not cauterize them.”

[4358] 13 - (...) It was narrated that Anas bin Mālik said: “Some
people from ‘Uraynah came to the Messenger of Allah ﷺ, and they became Muslim and swore allegiance to him. Then Al-Madînah was stricken with Al-Mâm - and it is pleurisy -” and he mentioned a Ḥadîth like theirs (no. 4354, 4355), and added: “There were twenty young men of the Ansâr with him, so he sent them to them, and he sent with them a tracker to follow their tracks.”

[4359] (...) It was narrated from Anas, and in the Ḥadîth of Hammâm (a sub-narrator it says): “Some people from ‘Uraynah came to the Prophet ﷺ...” In the Ḥadîth of Sa‘e’d it says: “From ‘Ukl and ‘Uraynah,” a similar Ḥadîth (as no. 4358).

[4360] 14 - (...) It was narrated that Anas said: “The Prophet ﷺ had the eyes of those people poked out because they had poked out the eyes of the herdsmen.”
Chapter 3. Confirmation Of *Qīsās* In The Case Of Killing With A Rock and Other Sharp Or Heavy Objects, And The Killing Of A Man For A Woman

[4361] 15 - (1672) It was narrated from Anas bin Mālik that a Jew killed a girl for her silver ornaments, and he killed her with a rock. She was brought to the Prophet when there was still some life in her, and he said to her: “Did so-and-so kill you?” She gestured with her head saying no. He asked her again and she gestured with her head saying no. Then he asked her a third time and she said: Yes, gesturing with her head, so the Messenger of Allāh had him killed between two rocks.

[4362] (...) A similar report (as *Hadīth* no. 4361) was narrated from Shu'bah with this chain. In the *Hadīth* of Idrīs (a sub-narrator) it says that his head was crushed between two rocks.

[4363] 16 - (...) It was narrated from Anas that a Jewish man killed an *Anṣārī* girl for her
jewelry, then he threw her into a well and crushed her head with rocks. He was caught and brought to the Messenger of Allah ﷺ, who ordered that he be stoned to death, so he was stoned to death.

[4364] (...) A similar report (as Hadîth no. 4361) was narrated from Ayyûb with this chain.

[4365] 17 - (...) It was narrated from Anas bin Mâlik that a girl was found with her head crushed between two rocks. They asked her: “Who did this to you? Was it so-and-so? Was it so-and-so?” Until they mentioned that Jew, and she nodded her head. The Jew was caught and he admitted it, so the Messenger of Allah ﷺ ordered that his head be struck with rocks.

Chapter 4. If A Person Attacks Another Person’s Life And Limb, And The Other Defends Himself And Kills Him Or Injures Him, There Is No Penalty On Him

[4366] 18 - (1673) It was narrated that ‘Imrân bin Ḥusain said: “Ya’la bin Munyah or Ibn...
Umayyah fought a man. One of them bit the other, and he tried to pull his hand away from his mouth, and his incisor fell out - Ibn Al-Muthannah said that two incisors fell out. They referred their dispute to the Prophet ﷺ and he said: “Would one of you bite as a male camel bites?” There is no Diyah for him.”

[4367] (…) A similar report (as no. 4366) was narrated from Ya’la, from the Prophet ﷺ.

[4368] 19 - (…) It was narrated from ‘Imrân bin Husain that a man bit the arm of another man, who pulled it away and his incisor fell out. The matter was referred to the Prophet ﷺ who dismissed the claim and said: “Did you want to eat his flesh?”

[4369] 20 - (1674) It was narrated from Safwân bin Ya’la that a servant of Ya’la bin Munyah bit another man on the arm, and he pulled it away and his incisor fell out. The matter was referred to the Prophet ﷺ.
who dismissed the claim and said: "Did you want to bite him as a male camel bites?"

[4370] 21 - (1673) It was narrated from ‘Imrân bin Husain that a man bit the hand of another man, who pulled his hand away and one or more of his incisors fell out. He referred the matter to the Messenger of Allah  and the Messenger of Allah  said: "What do you want me to do? Do you want me to order him to put his hand in your mouth so that you can bite it like a male camel? Give him your hand so that he can bite it, then you can pull it away"

[4371] 22 - (1674) It was narrated from Ṣafwân bin Ya’la bin Munyah that his father said: "A man came to the Prophet . He had bitten a man’s hand, who had pulled his hand away and his incisors had fallen out." He said: "The Prophet  dismissed the claim and said: ‘Did you want to bite him as a camel bites?’"

[4372] 23 - (…) Ṣafwân bin Ya’la bin Umayyah narrated that his father said: "I went out with
the Prophet on the campaign to Tābūk. He said: ‘Ya’la used to say: “That campaign was the best of my deeds, in my view.”’ ‘Āṭā’ said: “Ṣafwān said: ‘Ya’la said: “I had a servant who fought with another man and one of them bit the hand of the other”’ - Ṣafwān said: “He told me which of them bit the other - the one who was bit pulled his hand away from the one who bit him, and pulled out one of his incisors. They came to the Prophet, who dismissed his claim for his tooth.”

Chapter 5. The Validity Of Qīsās For Teeth And The Like

[4374] 24 - (1675) It was narrated from Anas that the sister of Ar-Rubā‘ Umm Ḥārithah, injured a person. They referred the dispute to the Prophet and the Messenger of Allāh said: “Qīsās, Qīsās.” Umm Ar-Rabī‘ said: “O Messenger of Allāh, will Qīsās be taken from So-and-so? By Allāh, no Qīsās will be taken from her!” The Prophet said: “Subhān-Allāh, O Umm Ar-Rabī‘! Qīsās is a command in the Book of
Allâh.” She said: “No, by Allâh, no Qisâs will ever be taken from her.” She kept saying it until they accepted the Diyah. The Messenger of Allâh ﷺ said: “Among the slaves of Allâh are those who, if they swear by Allâh that something will happen or not happen, then their oaths will be fulfilled.”

Chapter 6. When It Is Permissible To Shed The Blood Of A Muslim

[4375] 25 - (1676) It was narrated that ‘Abdullâh said: “The Messenger of Allâh ﷺ said: ‘It is not permissible to shed the blood of a Muslim who testifies that none has the right to be worshiped but Allâh and that I am the Messenger of Allâh, except in one of three cases: A married (or previously married) adulterer, a life for a life, or one who forsakes his religion leaving the Jamâ‘ah (the congregation of Muslims).”

[4376] (...) A similar report (as Hadîth no. 4375) was narrated from Al-A‘mash with this chain.
It was narrated that ‘Abdullâh said: “The Messenger of Allâh ﷺ stood up among us and said: ‘By the One besides Whom none has the right to be worshiped! It is not permissible to shed the blood of a Muslim man who testifies that none has the right to be worshiped but Allâh and that I am the Messenger of Allâh, except in three cases: One who leaves Islam abandoning the Jamâ’ah (the congregation of Muslims), a married (or previously married) adulterer, and a life for a life.”

Al-A’mash said: I narrated it to Ibrâhîm, and he narrated a similar report from Al-Aswad, from ‘Äishah.

A Hadîth like that of Sufyân (no. 4377) was narrated from Al-A’mash with both chains, but he did not mention in his Hadîth the words: “By the One besides Whom none has the right to be worshiped.”

Chapter 7. The Sin Of The One Who Set The Precedent Of Killing

It was narrated that ‘Abdullâh said: ‘The Messenger of Allâh ﷺ said: ‘No
soul is killed unlawfully, but there is a share of the sin on the first son of Ádam, because he was the first one to set the precedent of killing.”

[4380] (...). It was narrated from Al-A’mash with this chain (a Hadîth similar as no. 4379). In the Hadîth of Jarîr and “Eisa bin Yûnus (sub-narrators): “because he killed” and it does not say “the first one.”

Chapter 8. The Punishment For Bloodshed In The Hereafter, And Bloodshed Will Be The First Thing Concerning Which Judgment Is Passed Among The People On The Day Of Resurrection

[4381] 28 - (1678) It was narrated that ‘Abdullâh said: “The Messenger of Allâh ﷺ said: ‘The first thing concerning which judgment will be passed among the people on the Day of Resurrection will be bloodshed.”

[4383] 29 - (1679) It was narrated from Abū Bakrah that the Prophet ﷺ said: “Time has returned to its original order as it was on the day when Allāh created the heavens and the earth. The year is twelve months, of which four are sacred: Three consecutive months; Dhul-Qa‘dah, Dhul-Hijjah and Muḥarram - and Rajab, the month of Muḍar, which comes...
between Jumâda and Sha'bân.”
Then he said: “What month is this?” We said: “Allâh and His Messenger know best.” He remained silent until we thought that he was going to call it by another name. He said: “Is it not Dhul-Hijjah?” We said: “Yes indeed.” He said: “What land is this?” We said: “Allâh and His Messenger know best.” He remained silent until we thought that he was going to call it by another name. He said: “Is it not Al-Baldah (the city of Makkah)?” We said: “Yes indeed.” He said: “What day is this?” We said: “Allâh and His Messenger know best.” He remained silent until we thought that he was going to call it by another name. He said: “Is it not the Day of Sacrifice?” We said: “Yes indeed, O Messenger of Allâh.” He said: “Your blood and your wealth” - Muhammad (a narrator) said: “and I think he said: 'your honor' - “are sacred to you, as sacred as this day of yours, in this land of yours, in this month of yours. You will meet your Lord, and He will ask you about your deeds, so do not turn back misguided after I am gone, striking one another’s necks. Let those who are present convey it to those who are absent; perhaps some of those to whom it is conveyed will understand it better than some of those who hear it.” Then he said: “Have I not conveyed (the message)?”
Ibn Ḥabīb said in his report: “And Rajab of Mudar.”

Abū Bakr (a narrator) said: “Do not turn back after me.”

[4384] 30 - (...) It was narrated from ‘Abdur-Rahmān bin Abī Bakrah that his father said: “On that day, he (ﷺ) sat on his camel and someone took hold of its nose-ring, and he said: ‘Do you know what day this is?’ They said: ‘Allāh and His Messenger know best,’ until we thought that he was going to call it by another name. He said: ‘Is it not the Day of Sacrifice?’ We said: ‘Yes indeed, O Messenger of Allāh.’

He said: ‘What month is this?’ We said: ‘Allāh and His Messenger know best.’ He said: ‘Is it not Dhul-Hijjah?’ We said: ‘Yes indeed, O Messenger of Allāh.’

He said: ‘What land is this?’ We said: ‘Allāh and His Messenger know best,’ until we thought that he was going to call it by another name. He said: ‘Is it not Al-Baldah (the city of Makka)?’ We said: ‘Yes indeed, O Messenger of Allāh.’

He said: ‘Your blood, your wealth and your honor are sacred to you, as sacred as this day of yours, in this month of yours, in this land of yours. Let those who are present convey it to those who are absent.’

Then he turned towards two speckled black and white rams and sacrificed them, and to a flock of...
sheep which he distributed amongst us.

[4385] (...) ‘Abdur-Rahmân bin Abî Bakrah narrated that his father said: “When that day came, the Prophet sat on a camel and a man was holding on to its rope or reins...” and he mentioned a Hadîth like that of Yazîd bin Zurâ‘î (no 4384).

[4386] 31 - (...) It was narrated that Abî Bakrah said: “The Messenger of Allâh addressed us on the Day of Sacrifice and said: ‘What day is this?’... they quoted a Hadîth like that of Ibn ‘Awn (no. 4385), except that he did not mention: “Your honor” and he did not mention: “Then he turned towards two speckled black and white rams,” etc. And in his Hadîth he said: “As sacred as this day of yours, in this month of yours, in this land of yours, until the Day you meet your Lord. Have I not conveyed (the message)?” They said: “Yes.” He said: “O Allâh, bear witness.”
Chapter 10. A Confession To Murder Is Valid And The Heir Of The Victim Is Entitled To Qisâs, But It Is Recommended To Ask Him To Let Him Go

[4387] 32 - (1680) It was narrated that 'Alqamah bin Wâ'il narrated that his father told him:

"I was sitting with the Prophet when a man came leading another on a rope. He said: 'O Messenger of Allah, this man killed my brother.' The Messenger of Allah said: 'Did you kill him?' He said: 'If he does not admit it, I will establish proof against him.' He said: 'Yes, I killed him.' He said: 'How did you kill him?' He said: 'He and I were striking leaves from a tree, and he insulted me so I got angry and struck him with the axe on the side of his head and killed him.' The Prophet said to him: 'Do you have anything with which to pay the Diyah for yourself?' He said: 'I have no property except my cloak and my axe.' He said: 'Perhaps your
people will pay your ransom?" He said: 'I am too insignificant among my people for that.' He threw the rope to him and said: 'Take your companion away.' The man took him away, and when he turned away, the Messenger of Allah ﷺ said: 'If he kills him he will be like him.' He came back and said: 'O Messenger of Allah, I have heard that what you said: "If he kills him he will be like him," but I took him at your command.' The Messenger of Allah ﷺ said: 'Don't you want him to carry your sin and the sin of your companion?' He said: 'O Prophet of Allah, yes.' He said: 'If so, then let it be,' and he threw the rope down and let him go.'

[4388] 33 - (...) It was narrated from 'Alqamah bin Wâ'il that his father said: "A man who had killed another man was brought to the Messenger of Allah ﷺ by the heir of the one who had been killed, and (the Messenger of Allah ﷺ gave the heir the right to retaliate). He took him away with a rope around his neck by which he was leading him. When he left, the Messenger of Allah ﷺ said: 'The killer and the slain are both in Hell.' A man went to that man and told him what the Messenger of Allah ﷺ had said, so he let him go.'

Ismâ'il bin Sâlim said: "I mentioned that to Ḥabīb bin Abī Thâbit and he said: 'Ibn Ashwa'
told me that the Prophet ﷺ asked him to let him go and he refused.”

Chapter 11. The Diyah For A Fetus; And The Diyah For Accidental Killing And The Ambiguous Killing Must Be Paid By The ‘Aqilah[1] Of The Killer

[4389] 34 - (1681) It was narrated from Abū Hurairah that there were two women from Hudhail, one of whom threw a stone at the other and caused her to miscarry. The Prophet ﷺ ordered that a slave, male or female, be given as Diyah.

[4390] 35 - (...). It was narrated that Abū Hurairah said: “The Messenger of Allah ﷺ ruled that a slave, male or female, be given as Diyah for the fetus of a woman from Banū Lihyān who was miscarried and born dead. Then the woman who was ordered to give the slave had died, and the Messenger of Allah ﷺ ruled that her estate be given to her sons and husband, and that the Diyah be paid by her ‘Asabah.[2]

[4391] 36 - (...). Abū Hurairah said: “Two women from Hudhail fought and one of them threw a stone at the other and caused her to miscarry. The Prophet ﷺ told me that the Prophet ﷺ asked him to let him go and he refused.”

[1] ‘Aqilah: The relatives who must pay the ‘Aql or Diyah (blood money), meaning, the male relatives on the father’s side.

rock at the other and killed her and the child in her womb. They referred the matter to the Messenger of Allâh ﷺ, and the Messenger of Allâh ﷺ ruled that the *Diyah* for her fetus was a slave, male or female, and he ruled that the *Diyah* for the woman be paid by her (the killer’s) ‘Âqilah, and that her children and those who were with her would inherit her estate. Hamal bin An-Nâbighah Al-Hudhalî said: ‘O Messenger of Allâh, how can a penalty be paid for one who did not drink or eat, or speak or make any sound (he said so rhyming the words in a poetic way)? Such a one should be overlooked.’ The Messenger of Allâh ﷺ said: ‘This man is one of the brothers of the soothsayers,’ because of the rhymed speech with which he spoke.”

[4392] (...) It was narrated that Abû Hurairah said: “Two women fought...” and he quoted the *Hadîth* (as no. 4390), but he did not mention: “Her children and those who were with her would inherit her estate.” And he said: “Someone said: ‘Why should we pay the *Diyah*?’” But he did not mention ɾamal bin Mâlik by name.

[4393] 37 - (1682) It was narrated that Al-Mughîrah bin Shu’bah said: “A woman struck
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pregnant co-wife with a tent pole, killing her. One of the women was from the tribe of Liḥyān. The Messenger of Allāh ﷺ ruled that the Diyah for the one who had been killed was to be paid by the 'Aṣabah of the killer, and a slave, male or female, should be given (as Diyah) for the fetus in her womb. A man from the 'Aṣabah of the killer said: ‘Should we pay the Diyah for one who did not eat or drink or make any sound? Such a one should be overlooked.’ The Messenger of Allāh ﷺ said: ‘Is this rhymed speech like that of the Bedouin?’”

He said: “And he (ﷺ) imposed the Diyah on them.”

[4394] 38 - (...) It was narrated that Al-Mughīrah bin Shu'bah said: “A woman killed her co-wife with a tent pole. Her case was brought to the Messenger of Allāh ﷺ and he ruled that her 'Āqilah should pay the Diyah. She was pregnant, so he also ruled that a slave be given as Diyah for the fetus. One of her 'Aṣabah said: ‘Should we pay Diyah for one who did not eat or drink or cry or make any sound? Such a one should be overlooked.’ He said: ‘Is this rhymed speech like that of the Bedouin?’”
A Hadith like that of Jarîr and Mufaddal (no. 4393, 4394) was narrated from Mansûr with this chain.

This Hadith was narrated from Mansûr with their chain, except that it says: “She miscarried, and the matter was referred to the Prophet who ruled that a slave be given (as Diyah). And he imposed that on the relatives of the woman; but in this Hadith it does not mention the Diyah for the woman.

It was narrated that Al-Miswar bin Makhramah said: ‘Umar bin Al-Khaṭṭâb consulted the people about Diyah for a woman’s miscarriage. Al-Mughîrah bin Shu’bah said: ‘I saw the Prophet ruling that a slave, male or female, should be given.’ ‘Umar said: ‘Bring me someone who can testify with you.’ He (the narrator) said: ‘Muḥammad bin Maslamah testified with him.’”
29. The Book Of Ḥudūd (Legal Punishments)

Chapter 1. The Ḥadd For Stealing And The Minimum Threshold

[4398] 1 - (1684) It was narrated that ‘Aishah said: “The Messenger of Allâh ﷺ would cut off the thief’s hand for one-quarter of a Dinâr or more.”

[4399] (...) A similar report (as no. 4398) was narrated from Az-Zuhrî with this chain.

[4400] 2 - (...) It was narrated from ‘Aishah that the Messenger of Allâh ﷺ said: “The hand of a thief should not be cut off, except for one-quarter of a Dinâr or more.”

[1] Ḥudūd: Plural; Ḥadd: Singular
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Aishah narrated that she heard the Messenger of Allah ﷺ say: “The hand should not be cut off except for one-quarter of a Dinâr or more.”

It was narrated from ‘Aishah that she heard the Prophet ﷺ say: “The hand of the thief should not be cut off except for one-quarter of a Dinâr or more.”

A similar report (as no. 4402) was narrated from Yazid bin ‘Abdullâh bin Al-Hâdî with this chain.
It was narrated that ‘Aishah said: “At the time of the Messenger of Allah  the hand of a thief was not cut off for less than the price of a shield made of leather or iron (steel?), both of which were valuable.”

A Hadith like that of Ibn Numair from Humaid bin ‘Abdur-Rahmân Ar-Ru’âsî (no. 4404) was narrated from Hishâm with this chain. In the Hadith of ‘Abdur-Râhîm and Abû Usâmah it says: “At that time it was valuable.”

It was narrated from Ibn ‘Umar that the Messenger of Allah  cut off the hand of a thief for a shield, the value of which was three Dirham.

A Hadith like that of Yahyâ bin Mâlik (no. 4406) was narrated from Nâfi’ from Ibn ‘Umar, from the Prophet , except that some of them
said: 'Its value,' and some of them said: "Its price was three Dirham."

It was narrated that Abû Hurairah said: "The Messenger of Allâh ﷺ said:
‘May Allâh curse the thief, for he steals an egg and his hand is cut off, or he steals a rope and his hand is cut off.’

[4409] (...) A similar report (as no. 4408) was narrated from Al-A’mash with this chain, except that he said: “If he steals a rope, if he steals an egg.”

Chapter 2. Cutting off the hand of a thief from the nobility and others; the prohibition of interceding with regard to Hudûd punishments

[4410] 8 - (1688) It was narrated from ‘Âishah that Quraish were concerned about the case of the Makhzûmî woman who had stolen. They said: “Who will speak to the Messenger of Allâh concerning her?” Then they said: “Who would dare to do that but Usâmah, the beloved of the Messenger of Allâh?” So Usâmah spoke to him, and the Messenger of Allâh said: “Are you interceding about one of the Hadd punishments of Allâh?” Then he stood up and delivered a speech in which he said: “O people, those who came before you were doomed because if a nobleman among them stole, they let him off, but if a lowly

معاويةَةً عَنِّ الأُعْمَشِي، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: اَلْعَنَّ اللَّهُ الْمَلَكَ، بِسُقُّ الْثَّقَالَةِ فَقُطْعُ يَدَهُ، وَيَسْقُ الْحَبَلَ فَقُطْعُ يَدَهُ.”

وَإِنْ شَقَّ الْكْلِمَةَ عَنْ يَعْقِبٍ بْنِ يُوْسِفٍ، عَنْ الأُعْمَشِي بْنِ يُوْسِفٍ، عَنْ أَبِي عُمَّارٍ، عَنْ مَعَاهِدٍ، إِذَا اسْتَمَأَ عَلَيْهِ، عَلَى أَنَّ يُقُولُ: "إِنْ سَرَقَ حَبَلًا، وَإِنْ سَرَقَ ثَقَالًا."

(المعجم 2) - (باب قطع السارق الشريف وغيره، والنهي عن الشفاعة في الحدود) (الحجة 13)
person stole, they carried out the punishment on him. By Allâh, if Fâtimah the daughter of Muhammad were to steal, I would cut off her hand.”

[4411] 9 - (…) It was narrated from ‘Âishah, the wife of the Prophet ﷺ, that Quraish were concerned about the case of the woman who had stolen, at the time of the Messenger of Allâh ﷺ, during the conquest of Makkah. They said: “Who will speak to the Messenger of Allâh ﷺ concerning her?” Then they said: “No one would dare to do that but Usâmah bin Zaid, the beloved of the Messenger of Allâh ﷺ.” She was brought to the Messenger of Allâh ﷺ, and Usâmah bin Zaid spoke concerning her. The color of the face of the Messenger of Allâh ﷺ changed, and he said: “Are you interceding concerning one of the Hadd punishments of Allâh?” Usâmah said to him: Pray for forgiveness for me, O Messenger of Allâh! When evening came, the Messenger of Allâh ﷺ stood up and delivered a speech. He praised Allâh as He deserves to be praised, and said: “Those who came before you were doomed because, if a nobleman among them stole, they
would let him off, but if a lowly person stole, they would carry out the *Hadd* punishment on him. By the One in Whose Hand is my soul, if Fātimah the daughter of Muḥammad were to steal, I would cut off her hand.” Then he ordered that the hand of that woman who had stolen be cut off.

Yūnus said: Ibn Shihāb said: ‘Urwah said: ‘Āishah said: “She repented properly after that, and got married, and after that she used to come and speak to me, and I would convey what she said to the Messenger of Allāh ﷺ.”

[4412] 10 - (...) It was narrated that ‘Āishah said: “A Makhzūmī woman used to borrow things and then deny it. The Prophet ﷺ ordered that her hand be cut off, and her family came to Usāmah bin Zaid and spoke to him, and he spoke to the Messenger of Allāh ﷺ about her...” then he (the sub-narrator) mentioned a *Hadīth* like that of Al-Laith and Yūnus (no. 4411).

[4413] 11 - (1689) It was narrated from Jūbair that a woman from Banū Makhzūm stole, and she was brought to the Prophet ﷺ. She sought refuge with Umm Salamah, the wife of the Prophet ﷺ, but the Prophet ﷺ said: “If Fātimah were to steal I would cut off her hand.” And her hand was cut off.
Chapter 3. The *Hadd* punishment for *Zinâ* (fornication, adultery)

[4414] 12 - (1690) It was narrated that 'Ubâdah bin Aṣ-Ṣâmit said: “Learn from me, learn from me, learn from me (the *Hadd* punishment for *Zinâ*). Allâh has ordained a way for them. For an unmarried person with an unmarried person, one hundred lashes and exile for one year. For a married person with a married person, one hundred lashes and stoning.”

[4415] (…) Mansûr narrated a similar report (as no. 4414) with this chain.

[4416] 13 - (…) It was narrated that 'Ubâdah bin Aṣ-Ṣâmit said: “When the Revelation came upon him, the Prophet ﷺ would feel some distress because of that, and his face would change color. It came to him one day, and he felt that distress, then when it was over, he said: ‘Learn from me (the *Hadd* punishment for *Zinâ*). Allâh has ordained a way for them, for a married person with a married person and for an unmarried person with an unmarried person. For a married person, one hundred lashes then
stoning, and for an unmarried person, one hundred lashes then exile for one year.”

[4417] 14 - (...) It was narrated from Qatâdah with this chain (a Hadîth similar to no. 4416), except that in their (the sub-narrators) Hadîth it says: “An unmarried person should be whipped then exiled, and a married person should be whipped then stoned” and they did not mention (exile for) one year or one hundred (lashes).

Chapter 4. Stoning of a married person for Zinâ

[4418] 15 - (1691) It was narrated that 'Abdullâh bin 'Abbâs said: “'Umar bin Al-Khattâb said, when he was sitting on the Minbar of the Messenger of Allâh ﷺ: Allâh sent Muhammad ﷺ with the truth, and He revealed the Book to him. One of the things that Allâh revealed to him was the Verse of stoning. We recited it, memorized it and understood it, The Messenger of Allâh ﷺ stoned (adulterers) and we stoned them after him. But I am afraid that with the passage of time, people will say, we do not find (the Verse of) stoning in the Book of Allâh, so they will go astray and forsake an
obligation that Allâh revealed. Stoning (is mentioned) in the Book of Allâh as a duty which much be carried out on those who commit Zinâ if they are married, men and women alike, if proof is established or if there is pregnancy or a confession.”

[4419] (...) It was narrated from Az-Zuhri (a Hadîth similar to no. 4418) with this chain.

Chapter 5. One who confesses to Zinâ

[4420] 16 - (...) It was narrated that Abû Hurairah said: “A Muslim man came to the Messenger of Allâh when he was in the Masjid and called out to him, saying: O Messenger of Allâh, I have committed Zinâ. He turned away from him, so he came around to face him and said to him: O Messenger of Allâh, I have committed Zinâ. He turned away from him, until he had repeated that four times. When he had testified against himself four times, the Messenger of Allâh called him and said: ‘Are you insane?’ He said: No. He said: ‘Are you married?’ He said: Yes.
The Messenger of Allah said: "Take him and stone him."

Ibn Shihab said: "Someone told me that he heard Jabir bin 'Abdullah say: I was one of those who stoned him. We stoned him in the prayer place, and when the stones hurt him he ran away. We caught up with him in the Harrah and we stoned him."

[4421] (...) A similar report (as no. 4420) was narrated from Ibn Shihab.

[4422] (...) Ibn Shihab said: "Someone told me that he heard Jabir bin 'Abdullah say..." a report like that mentioned by Uqail (no. 4420).

[4423] (...) It was narrated from Jabir bin 'Abdullah from the Prophet - a report like that of Uqail from Az-Zuhri, from Sa'eed, from Abu Salamah, from Abu Hurairah (no. 4420).
It was narrated that Jâbir bin Samurah said: "I saw Mâ‘iz bin Mâlik when he was brought to the Prophet ﷺ, a short, well-built man who was not wearing a Ridā’ (upper garment). He testified against himself four times, saying that he had committed Zinā, and the Messenger of Allah ﷺ said: ‘Perhaps you (kissed her or embraced her)’? He said: ‘No, by Allah, this ignoble one has committed Zinā.’ So he stoned him, then he gave a speech in which he said: ‘Every time we set out on a campaign for the sake of Allah, one of them stayed behind and bleated like a male goat, and gave a small amount of milk or food (in return for sexual favors). By Allah, if I get hold of one of them I will certainly make an example of him.”

Jâbir bin Samurah said: “A short man, muscular, with unkempt hair who was wearing an Izār (lower garment) and who had committed Zinā was brought to the Messenger of Allah ﷺ. He turned him away twice, then he ordered that he be stoned. The Messenger of Allah ﷺ
said: ‘Every time we went out on a campaign for the sake of Allâh, one of you stayed behind and bleated like a male goat, and gave a small amount of milk or food (in return for sexual favors). If Allâh enables me to get hold of one of them, I will make an example of him.’”

He (the narrator) said: I narrated it to Sa’eed bin Jubair and he said: He turned him away four times.

[4426] (...) A Hadîth like that of Ibn Ja’far (no. 4425) was narrated from Jâbir bin Samurah from the Prophet. Shabâbah agreed with his saying: he turned him away twice. “In the Hadîth of Abû ‘Amir it says: “He () turned him away two or three times.”

[4427] 19 - (1693) It was narrated from Ibn ‘Abbâs that the Prophet said to Mâ’îz bin Mâlik: “Is it true what I have heard about you?” He said: “What have you heard about me?” He said: “I heard that you committed Zinâ with the slave woman of the family of so-and-so.” He said: “Yes.” He (the narrator) said: “He testified to that four times, then he () ordered that he be stoned.”
It was narrated from Abû Sa‘eed that a man from Aslam who was called Mâ‘iz bin Mâlik came to the Messenger of Allâh ﷺ and said: “I have committed an immoral deed, carry out (the punishment) on me.” The Prophet ﷺ turned him away (from him) several times, then he asked his people about him, and they said: “We do not know of anything wrong with him, except that he has done something, and we think that he feels there is no way out except having the Hadd punishment carried out on him.” He went back to the Messenger of Allâh ﷺ, and he commanded us to stone him. We took him to Baqî‘ Al-Gharqad, and we did not tie him up or dig a pit for him. We threw bones, clods of earth and pebbles at him, and he ran away, so we ran after him, until he reached the stony ground of the Harrah. He stopped there for us, and we threw the heavy stones of the Harrah at him until he stopped moving. Then the Messenger of Allâh ﷺ stood up and delivered a speech in the evening and said: “Every time we went out on a campaign for the sake of Allâh, a man would stay behind amongst our families and bleat like a male goat. It is my duty, if a man who has done that is brought to me, to make an example of him.” And he (ﷺ) did not pray for forgiveness for him or curse him.
[4429] 21 - (...) Dāwūd narrated a similar report (as no. 4428) with this chain, and he said in the Ḥadīth: “The Prophetstood up in the afternoon and praised and glorified Allāh, then he said: ‘What is the matter with people who, when we go out on a campaign, one of them stays behind and bleats like a male goat?’ and he did not say: ‘Who stays behind amongst our families.”

[4430] (...) Part of this Ḥadīth was narrated from Dāwūd (as Ḥadīth no. 4429) with this chain, except that in the Ḥadīth of Sufyān (a sub-narrator) it says: “He confessed to Zinā three times.”

[4431] 22 - (1695) It was narrated from Sulaimān bin Buraidah that his father said: “Mā‘īz bin Mālik came to the Prophet and said: ‘O Messenger of Allāh, purify me! He said: ‘Woe to you, go back and seek forgiveness from Allāh and repent to Him.’ He came back shortly after that and said: ‘O Messenger of Allāh, purify me!’ He said: ‘Woe to you, go back and seek forgiveness from Allāh and repent to Him.’
Allâh and repent to Him.’ He came back shortly after that and said: ‘O Messenger of Allâh, purify me!’ The Prophet said something similar, then when it was the fourth time the Messenger of Allâh said to him: ‘From what should I purify you?’ He said: ‘From Zinâ.’ The Messenger of Allâh asked, ‘Is he insane?’ and he was told that he was not insane. He said: Has he drunk wine? A man got up and smelt his breath, and he did not find any smell of wine. The Messenger of Allâh said: ‘Did you commit Zinâ?’ He said: ‘Yes.’ So he ordered that he be stoned. The people were of two minds about him. Some said: ‘He is doomed, he has been encompassed by his sin.’ Others said: ‘There is no repentance better than that of Mâ‘iz; he came to the Prophet and put his hand in his, and said: Kill me with stones.’ This (controversy) carried on for two or three days, then the Messenger of Allâh came when they were sitting. He greeted them with Salâm then sat down, and said: ‘Pray for forgiveness for Mâ‘iz bin Mâlik.’ They said: ‘May Allâh forgive Mâ‘iz bin Mâlik.’ The Messenger of Allâh said: ‘He has repented in such a way that if it were to be divided among a nation it would be sufficient for them.’"
Then a woman from Ghāmid from Al-Azd came to him and said: ‘O Messenger of Allâh, purify me.’ He said: ‘Woe to you! Go back and seek forgiveness from Allâh and repent to Him.’ She said: I think that you want to turn me away as you turned Mâ’îz away. He said: ‘Why is that?’ She said: ‘I am pregnant as a result of Zinâ.’ He said: ‘You have done that?’ She said: ‘Yes.’ He said to her: ‘Not until you give birth to that which is in your womb.’ A man among the Anṣâr sponsored her until she gave birth, then he came to the Prophet ﷺ and said: ‘The Ghâmidi woman has given birth.’ He said: ‘We will not stone her and leave her young child with no one to breast-feed him.’ A man among the Anṣâr said: ‘I will take responsibility for his breast-feeding, O Prophet of Allâh.’ Then he had her stoned.

[4432] 23 - (…) ‘Abdullâh bin Buraidah narrated from his father that Mâ’îz bin Mâlik Al-Aslâmî came to the Messenger of Allâh ﷺ and said: “O Messenger of Allâh, I have wronged myself and committed Zinâ, and I want you to purify me.” But he turned him away. The next day he came to him and said: “O Messenger of Allâh, I have committed Zinâ;” but he turned him away a second time, and the Messenger of Allâh ﷺ sent word to his
people saying: “Do you know whether there is anything wrong with his mind?” They said: “All we know is that he is of sound mind, and he is one of our righteous men as far as we can tell.” He came to him (ﷺ) a third time, and he sent word to them again asking them, and they told him: “There is nothing wrong with him or his mind.” When he came a fourth time, he had a pit dug for him then he ordered that he be stoned.

Then the Ghâmidî woman came and said: “O Messenger of Allâh, I have committed Zinâ, purify me;” but he turned her away. The next day she said: “O Messenger of Allâh, why are you turning me away? Perhaps you are turning me away as you turned Mâ’iz away. But by Allâh, I am pregnant.” He said: “Then no (not now), go away until you give birth.” When she gave birth, she brought the child to him wrapped in a cloth, and said: “Here he is, I have given birth.” He said: “Go away and breast-feed him until he is weaned.” When she had weaned him, she brought the boy to him, with a piece of bread in his hand and said: “Here, O Prophet of Allâh, I have weaned him, and he is eating food.” He handed the boy over to one of the Muslim men, then he ordered that a pit be dug for her, up to her chest, and he
ordered the people to stone her. Khâlid bin Al-Walîd came forward with a stone, which he flung at her head. The blood spurted onto Khâlid’s face and he cursed her. The Prophet of Allah heard him cursing her and he said: “Calm down, O Khâlid! By the One in Whose Hand is my soul, she has repented in such a manner that if the Maks‘[1] collector repented like that, he would be forgiven.” Then he ordered that the funeral prayer be offered for her, and she was buried.

[4433] 24 - (1696) It was narrated from ‘Imrán bin Huṣain that a woman from Juhainah came to the Prophet of Allah and she was pregnant as the result of Zinâ. She said: O Prophet of Allah, I have done something that incurs a Hadd punishment, so carry it out on me. The Prophet of Allah called her guardian and said: “Treat her well, then when she has given birth, bring her to me.” He did that, and the Prophet of Allah ordered that her clothes be tied around her, then he ordered that she be stoned. Then he offered the funeral prayer for her, and ‘Umar said to him: “Will you offer the funeral prayer for her, O Prophet of Allah, when she has committed Zinâ?” He said:

“She has repented in such a manner that if it were divided among seventy of the people of Al-Madinah, it would be sufficient for them. Have you seen any repentance better than that of one who sacrificed herself to Allâh, Exalted is He?”

[4434] (...) Yaḥyâ bin Abî Kathîr narrated a similar report (as Ḥadîth no. 4433) with this chain.

[4435] 25 - (1697/1698) It was narrated that Abî Hurairah and Zaid bin Khâlid Al-Juhâni said: “A man from among the Bedouin came to the Messenger of Allâh and said: ‘O Messenger of Allâh, I adjure you by Allâh to judge me according to the Book of Allâh.’ The second claimant—who was wiser than him—said: ‘Yes, judge between us according to the Book of Allâh, but let me speak.’ The Messenger of Allâh said: ‘Speak.’ He said: ‘My son was employed by this man, and he committed Zinâ with his wife. I was told that my son should be stoned, but I ransomed him for one hundred sheep and a slave girl. I asked the people of knowledge and they told me that my son should be given one hundred lashes and be exiled for one year, and that this man’s wife should be stoned.’ The Messenger of Allâh said: ‘By the One in Whose Hand is my
soul, I will judge between you according to the Book of Allah. The slave girl and the sheep should be given back, and your son should be given one hundred lashes and exiled for one year. Tomorrow, O Unais, go to the wife of this man, and if she admits it, then stone her.'

"The next day he went to her, and she admitted it, so the Messenger of Allah ordered that she be stoned."

[4436] (...) A similar report (as no. 4435) was narrated from Az-Zuhrî with this chain.

Chapter 6. Stoning Jews and Ahl Adh-Dhimmah for Zinâ

[4437] 26 - (1699) 'Abdullâh bin 'Umar narrated that a Jewish man and Jewish woman who had committed Zinâ were brought to the Messenger of Allah. The Messenger of Allah went to the Jews and said: "What do you find in the Tawrât (Torah) about..."
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the one who commits Zinā?'”

They said: “We make them sit backwards (on mounts) and parade them around.” He said:

“Bring the Tawrât (Torah) if you are telling the truth.” They brought it and read it, and when they reached the Verse of stoning, the person who was reading placed his hand over the Verse of stoning and read that which came before it and that which came after it. ‘Abdullāh bin Salâm - who was with the Messenger of Allâh - said to him: “Tell him to lift his hand,” so he lifted it, and there beneath it was the Verse of stoning. So the Messenger of Allâh ordered that they be stoned.”

‘Abdullâh bin ‘Umar said: ‘I was among those who stoned them, and I saw him shielding her from the stones with his body.”

[4438] 27 - (...) It was narrated from Ibn ‘Umar that the Messenger of Allâh stoned two Jews, a man and a woman, for Zinā. The Jews brought them to the Messenger of Allâh and he quoted a similar Ḥadîth (as no. 4437).
It was narrated from Ibn 'Umar that the Jews brought a man - of their own people - and a woman who had committed Zinâ, to the Messenger of Allah... and he quoted a Hadîth like that of ‘Ubaidullâh from Nâfi’ (no. 4437).

It was narrated that Al-Barâ’ bin ‘Azib said: A Jew whose face had been blackened and who had been whipped passed by the Messenger of Allah. He called them and said: “Is this how you find the punishment for Zinâ in your Book?” They said: “Yes.” He called one of their scholars and said: “I adjure you by Allah Who sent down the Tawrât (Torah) to Mûsâ, is this how you find the punishment for Zinâ in your Book?” He said: “No. Had you not adjured me (by Allah), I would not have told you. We find that the punishment is stoning, but it became common among our nobles, so, if we caught a noble we would let him go, but if we caught a lowly person we would carry out the punishment on him. We said: Come, let us agree on something that we can impose on noble and lowly alike. So we made (the punishment of) blackening of the face and whipping instead of stoning.” The Messenger of Allah said: “O Allah, I am the first to
revive Your command which they had made dead.” Then he ordered that he be stoned, and Allâh revealed: “O Messenger! Let not those who hurry to fall into disbelief grieve you... If you are given this, take it...” (Al-Mâ‘idah 5:41). He (the Jew) said: Go to Muhammad (s), and if he orders you to blacken the face and whip him, then accept it, but if he tells you to stone him, then beware. Then Allâh revealed the words: “And whosoever does not judge by what Allâh has revealed, such are the disbelievers (Al-Mâ‘idah 5:44), “...And whosoever does not judge by that which Allâh has revealed, such are the wrongdoers (Al-Mâ‘idah 5:45), “And whosoever does not judge by what Allâh has revealed (then) such (people) are the rebellious to Allâh” (Al-Mâ‘idah 5:47), all concerning the disbelievers.

[4441] (...) Al-A‘mash narrated a similar Hadîth (as no. 4440) with this chain, as far as the words: “Then the Prophet ordered that he be stoned,” and he did not mention what comes after that about the revelation of the Verse.

[4442] 28B - (1701) Jâbir bin ‘Abdullâh said: The Prophet
stoned a man from Aslam, and a Jewish man and his wife.

[4443] (...) Ibn Juraij narrated a similar report (as no. 4442) with this chain, except that he said: “And a woman.”

[4444] 29 - (1702) It was narrated that Ishâq Ash-Shaibâni said: “I asked ‘Abdullâh bin Abî Awfa: ‘Did the Messenger of Allah ﷺ stone anyone?’ He said: ‘Yes.’ I said: Was that after the Verse in Sûrat An-Nâr or before it? ‘He said:’ I do not know.”

[4445] 30 - (1703) It was narrated that Abû Hurairah said: “I heard the Messenger of Allâh ﷺ say: ‘If the slave woman of one of you commits Zinâ and it becomes clear, then carry out the Hadd punishment of whipping on her, but do not rebuke her. Then if she commits Zinâ (a second time) and it becomes clear, then...”
carry out the *Hadd* punishment of whipping on her, but do not rebuke her. Then if she commits *Zinâ* a third time, and it becomes clear, sell her, even for a rope of hair.”

[4446] 31 - (...) It was narrated from the Prophet  concerning the whipping of a slave woman (a *Hadîth* similar to no. 4445) if she commits *Zinâ* three times: “Then let him sell her the fourth time.”

[4447] 32 - (...) It was narrated from Abû Hurairah that the Messenger of Allâh  was asked
about a slave woman who commits Zinâ and is not married. He said:
“If she commits Zinâ, whip her; then if she commits Zinâ (again), whip her; then if she commits Zinâ, whip her, then sell her, even if it is for a rope.”

Ibn Shihâb said: I do not know whether it (the selling) was after the third time or the fourth.

[4448] 33 - (1704) It was narrated from Abû Hurairah and Zaid bin Khâlid Al-Juhanî that the Messenger of Allâh ﷺ was asked about a slave woman... a similar report (as no. 4447).

[4449] (...) A Ḥadîth like that of Mâlik (no. 4448) was narrated from Abû Hurairah and Zaid bin Khâlid Al-Juhanî from the Prophet ﷺ. The uncertainty as to whether she is to be sold after the third time or the fourth appears in all the reports.
Chapter 7. Delaying the *Hadd* punishment in the case of women who have just given birth

[4450] 34 - (1705) It was narrated that Abû 'Abdur-Rahmân said: “‘Alî (may Allâh honor his face) gave a speech and said: ‘O people, carry out the *Hadd* punishments on your slaves, those who are married and those who are not married. A slave woman of the Messenger of Allâh committed *Zinâ*, and he told me to whip her, but she had recently given birth, and I was afraid that if I whipped her, I would kill her. I mentioned that to the Prophet and he said: You have done well.”

[4451] (...) It was narrated from As-Suddî with this chain (a similar *Hadîth* as no. 4450), but he did not mention: “Those who are married and those who are not married.” And he added in the *Hadîth*: “Leave her until she recovers.”
Chapter 8. Hadd punishment for drinking alcohol

[4452] 35 - (1706) It was narrated from Anas bin Mâlik that a man who had drunk wine was brought to the Prophet ﷺ and he whipped him with two palm branches approximately forty times.

He said: “And Abû Bakr did that, but when ‘Umar was caliph he consulted the people and ‘Abdur-Rahmân said: ‘The least of the Hadd punishments is eighty,’ so ‘Umar enjoined that.”

[4453] (...) Qatâdah said: I heard Anas say: A man was brought to the Prophet ﷺ ... and he mentioned a similar report (as no. 4452).”

[4454] 36 - (...) It was narrated from Anas bin Mâlik that the Prophet of Allâh ﷺ whipped people for drinking wine with palm branches and shoes, then Abû Bakr ordered that forty lashes be given, but when ‘Umar was caliph, the people drew near to countryside and cities. He said: “What do you think about whipping for drinking wine?” ‘Abdur-Rahmân bin ‘Awf said: “I think you should make it like the
lightest of the *Hadd* punishments* so ‘Umar ordered that eighty lashes be given.

[4455] (...) Hishâm narrated a similar report (as no. 4454) with this chain.

[4456] 37 - (...) It was narrated from Anas that the Prophet used to give forty lashes with palm branches and shoes for (drinking) wine; then he mentioned a similar *Hadîth* (as no. 4454), but he did not mention countryside and cities.

[4457] 38 - (1707) Hudayn bin Al-Mundhir Abû Sasân said: “I saw when Al-Walîd was brought to ‘Uthmân bin ‘Affân after he had led two Rak‘ah of Fajr prayer and then said: ‘Shall I lead you in further prayers?’ Two men bore witness against him. One of them was Humrân, who said that he had drunk wine, and the other testified that he had seen him vomiting.

‘Uthmân said: ‘He would not have vomited unless he drank it.’ He said: ‘O ‘Ali, get up and whip him.’ ‘Ali said: ‘O Hasan, get up and whip him. Al-Hasan said: ‘Let those who are enjoying the position of leadership carry out the punishment.’ It was as if he (*‘Ali*) got upset with him and he said: ‘Get up, O ‘Abdullâh bin

النهج

اءِنَّكُمْ أَنْ تَجْعَلُوا كَآخِفٍ الْحُدُودُ، قَالَ: فَجَلَّدَ عُمَرُ ثَمانِينَ.

وَخَطَّتْهَا مُحَمَّدُ بْنُ أَبِي بَكْرٍ (٤٤٥٥)

المَنِي: حَدَّثَنَا يَحْيَى بْنُ سَعْيَدٍ، حَدَّثَنَا

هِشَامُ بْنُ هِدَا الإِسْتَادُ، مُتَّنُّهُ.

( ... ) حَدَّثَنَا أَبُو بْكْرُ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا وَقَعَعَ عَنْهُ.

هِشَامٍ، عَنْ قَالَةَ، عَنْ أَنسِ: أَنَّ الْأَبْنَاءَ كَانُوا يَطَّرِبُونَ فِي الْحَجَرِ بِالْعَالِ.

وَالْجَرِيدُ أَرْبَعَينَ، ثُمَّ ذَكَرَ نَخُوَ حَدَّثَهُمَا، وَلَمْ يَذَّكُرُ: الْرِّيْفُ وَالْقَرَى.

( ... ) حَدَّثَنَا أَبُو بْكْرُ بْنُ أَبِي شَيْبَةَ وَرَكَّزَ بْنُ حَرْبٍ وَعَلِيُّ بْنُ حَجَرٍ، قَالُوا: حَدَّثَنَا إِسْمَاعِيلٌ - وَهُوَ أَبُو عَلِيٌّ - عَنْ عَبَّادِ اللّهِ الدَّانِجَةَ، وَخَطَّتْهَا إِسْحَاقٌ بْنُ إِبْراهِيمِ الحَلْطَنِيَّ - وَالْفَظُّ لَهُ: أَخْرَيْنَا يَخْبِيْبُ بْنُ حَمَادٍ: حَدَّثَنَا عَبَّادُ الْعَزِيزِ بْنُ المُخْتَارِ.

خَطَّتْهَا عَبَّادُ اللهِ بْنُ ثَوْرَزُ مَولِيٍّ بْنُ عَمَّارٍ الْدَانِجَةَ، حَدَّثَنَا حُكْمِيُّ بْنُ المُخْتَارِ أَبُو سَانَاسُ قَالَ: شُهِّدَ عُبَيْدُ بْنُ عَمَّانٍ أَبِي بْنَ وَلِيدٍ قَدْ صَلَّى الصَّلَبُ رَكَّعَتَينِ، ثُمَّ قَالَ: أَرْيِدَكُمُ؟ فَشَهَّدَ عَلَيْهِ رَجُلٌ: أَخْدَمْهَا حُمَّارًا، أَنَّهُ شَرَبَ الْحَجَرُ وَشَهَّدَ أَخْرُ، أَنَّهُ.
Ja‘far! Get up and whip him.’ So he whipped him, and ‘Ali counted until he had reached forty, then he said: ‘Stop.’ Then he said: ‘The Prophet ﷺ gave forty lashes, and Abû Bakr gave forty, and ‘Umar gave eighty. All are Sunnah but this is dearer to me.’”

[4458] 39 - (…) It was narrated that ‘Ali said: “I did not carry out any Hadd punishment on a person who died as a result, but I did not mind, except in the case of one who had drunk wine, because if he died I would pay the Diyah, because the Messenger of Allâh ﷺ did not specify any number.”

[4459] (…) Sufyân narrated a similar report (as no. 4458), with this chain.
Chapter 9. Number of lashes in the case of Ta’zir

[4460] 40 - (1708) It was narrated from Abū Burdah Al-Anṣārī that he heard the Messenger of Allâh ﷺ say: “No one should be given more than ten lashes except in the case of one of the Hadd punishments prescribed by Allâh.”

Chapter 10. The Hadd punishments are an expiation for those on whom they are carried out

[4461] 41 - (1709) It was narrated that ‘Ubâdah bin Aś-Ṣâmit said: “We were with the Messenger of Allâh ﷺ in a gathering, and he said: ‘Swear allegiance to me, pledging that you will not associate anything with Allâh, you will not commit Zinâ, you will not steal and you will not kill any soul whom Allâh has forbidden killing except in cases dictated by (Islamic) law. Whoever among you fulfils that, his reward will be with Allâh, and whoever does any of those things
and is punished for it, that will be an expiation for him. Whoever does any of those things and Allah conceals him, his case will rest with Allah: if He wills He will forgive him and if He wills He will punish him.”

[4462] 42 - (...) It was narrated from Az-Zuhri with this chain (a Hadith similar to no. 4461). He added in the Hadith: “And he recited to us the Verse of (Sūrat) An-Nisā’: ‘...That they will not associate anything in worship with Allah...’ (Al-Mumtahanah 60:12).

[4463] 43 - (...) It was narrated that ‘Ubādah bin As-Samit said: “The Messenger of Allah ﷺ took a pledge from us as he took from the women: That we would not associate anything in worship with Allah, we would not steal, we would not commit Zinā, we would not kill our children and we would not slander one another. (The Messenger of Allah would say:) among you fulfills that, his reward is with Allah, and whoever among you does any of these things and is punished for it, that will be his expiation. If Allah conceals anyone, his case will rest with Allah: if He wills He will forgive him and if He wills He will punish him.”
It was narrated that 'Ubâdah bin Aś-Ṣâmit said: I am one of the leaders who swore allegiance to the Messenger of Allah ﷺ. He said: “We swore allegiance to him, pledging that we would not associate anything in worship with Allah, we would not commit Zinâ, we would not steal, we would not kill any soul whom Allah has forbidden killing except in cases dictated by (Islamic) law, we would not plunder and we would not disobey. Paradise (would be ours) if we did that, but if we committed any of these actions then the judgment would be decided by Allah, exalted and glorified is He.”

Chapter 11. There is no Diyah for injuries caused by animals or by falling into a mine or well

It was narrated from Abû Hurairah that the Messenger of Allah ﷺ said: “There is no Diyah for injuries caused by animals. There is no Diyah for injuries caused by falling into a well. There is no Diyah for injuries suffered when working in a mine. And the Khums is due on buried treasure.”

A similar Hadith (as no. 4465) was narrated from Az-Zuhri with the chain of Al-Laith.
A similar report (as no. 4465) was narrated from Abū Hurairah, from the Messenger of Allah ﷺ:

It was narrated from Abū Hurairah that the Messenger of Allah ﷺ said: “There is no Diyah for injuries caused by falling into a well. There is no Diyah for injuries suffered when working in a mine. There is no Diyah for injuries caused by an animal. And the Khums is due on buried treasure.”

A similar report (as no. 4468) was narrated from Abū Hurairah from the Prophet ﷺ.
Chapter 1. Oath should be sworn by the defendant

[4470] 1 - (1711) It was narrated from Ibn ‘Abbâs that the Prophet ﷺ said: “If people were given on the basis of their claims, people would claim the lives and property of men. Rather the oath should be sworn by the defendant.”

[4471] 2 - (...) It was narrated from Ibn ‘Abbâs that the Messenger of Allâh ﷺ ruled that the oath should be sworn by the defendant.

Chapter 2. The obligation of judging on the basis of a witness and an oath

[4472] 3 - (1712) It was narrated from Ibn ‘Abbâs that the Messenger of Allâh ﷺ judged on the basis of a witness and an oath.

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[4472] 3 - (1712) It was narrated from Ibn ‘Abbâs that the Messenger of Allâh ﷺ judged on the basis of a witness and an oath.
Chapter 3. The judgment of the judge does not change what happened

[4473] 4 - (1713) It was narrated that Umm Salamah said: The Messenger of Allâh ﷺ said: “You refer your disputes to me, but one of you may be more eloquent in arguing than the other, and I judge in his favor because of what I hear from him. If I allocate to a person something that is his brother’s right, let him not take it, for I have allocated him a piece of Fire.”

[4474] (...) A similar report (as no. 4473) was narrated from Hishâm with this chain.

[4475] 5 - (...) It was narrated from Umm Salamah, the wife of the Messenger of Allâh ﷺ, that the Messenger of Allâh ﷺ heard noise of a dispute by the door of his apartment. He went out to them and said: “I am only human. Disputants come to me
and one of them may be more eloquent than the other, so I think that he is telling the truth and I rule in his favor. If I rule in a person’s favor concerning the rights of another Muslim, it is no more than a piece of Fire, so let him burden himself with it or forsake it.”

[4476] 6 - (...) A Hadith like that of Yūnus (no. 4475) was narrated from Az-Zuhri with this chain.

According to the Hadith of Ma’mar: She (i.e., Umm Salamah) said: The Messenger of Allâh ḥ ﷺ heard the sound of a dispute by her door.

Chapter 4. The case of Hind

[4477] 7 - (1714) It was narrated that ‘Aishah said: Hind bint ‘Utbah, the wife of Abū Sufyān, entered upon the Messenger of Allâh ḥ ﷺ and said: O Messenger of Allâh, Abū Sufyān is a stingy man and he does not give me enough maintenance for myself and my children, unless I take from his wealth without his knowledge. Is there any sin on me for that? The
Messenger of Allâh ﷺ said: “Take from his wealth on a reasonable basis, whatever is sufficient for yourself and your children.”

[4478] (…) It was narrated from Hîshâm with this chain (a similar Hadîth as no. 4477).

[4479] 8 - (…) It was narrated that ‘Âîshah said: Hind came to the Prophet ﷺ and said: O Messenger of Allâh, by Allâh, there was no household on earth upon whom I would have loved to see Allâh bring disgrace more than your household, but now there is no household on earth upon whom I would love to see Allâh bring honor more than your household. The Prophet ﷺ said: “And that (love) will increase, by the One in Whose Hand is my soul.” Then she said: O Messenger of Allâh, Abû Súfîyân is a niggardly man. Is there any sin on me if I spend on his children from his wealth without his knowledge? The
Prophet ﷺ said: “There is no sin on you if you spend on them on a reasonable basis.”

Chapter 5. The Prohibition Of asking too much with no need. The prohibition Of withholding the rights of others and asking of them, which means refusing to give others their rights and asking for that to which one is not entitled

[4481] 10 - (1715) It was narrated that Abû Hurairah said: The Messenger of Allâh ﷺ said:
“Allâh likes three things for you and dislikes three things for you. He likes for you to worship Him and not associate anything with Him, and to hold fast to the rope of Allâh altogether and not be divided; and He dislikes for you to gossip, to ask too much and to waste money.”

[4482] 11 - (...) A similar report (as no. 4483) was narrated from Suhail with this chain, except that he said: (The Prophet ﷺ said:) He does not like three things for you. And he did not mention: and do not be divided.

[4483] 12 - (593) It was narrated from Al-Mughîrah bin Shu’bah that the Messenger of Allâh ﷺ said: “Allâh has forbidden to you disobedience to mothers, burying daughters alive, and withholding the rights of others and asking of them. And He dislikes three things for you: gossip, asking too much and wasting money.”

[4484] (...) A similar report (as no. 4483) was narrated from Mansûr with this chain, except that he said: the Messenger of Allâh ﷺ forbade to you, and he did not say: Allâh forbade to you.
[4485] 13 - (...) It was narrated from Ash-Sha'bì: The scribe of Al-Mughīrah bin Shu'bah told me: Mushahwiyyah wrote to Al-Mughīrah (saying): Write for me something that you heard from the Messenger of Allāh ﷺ. He wrote to him: I heard the Messenger of Allāh ﷺ say: “Allāh dislikes three things for you: gossip, wasting money and asking too much.”

[4486] 14 - (...) It was narrated that Warrād said: Al-Mughīrah wrote to Mushahwiyyah: I heard the Messenger of Allāh ﷺ say: “Allāh has forbidden three things and disallowed three things. He has forbidden disobedience to parents, burying daughters alive and withholding the rights of others and asking of them; and He has disallowed three things: gossip, asking too much and wasting money.”

Chapter 6. The reward of the judge if he strives to reach a decision, whether he gets it right or wrong

[4487] 15 - (1716) It was narrated from ‘Amr bin Al-‘Ās
that he heard the Messenger of Allah ﷺ say: “If a judge passes a judgment, having striven to reach a decision, and he gets it right, he will have two rewards. If he passes a judgment, having striven to reach a decision, and he gets it wrong, he will have one reward.”

[4488] (…) A similar report (as no. 4487) was narrated from ‘Abdul-‘Azîz bin Mûhammad, and at the end of the Hadîth he added: Yazîd said: I narrated this Hadîth to Abî Bakr bin Muhammad bin ‘Amr bin Ḥazm, and he said: This is what Abû Salamah narrated to me from Abû Hurairah.

[4489] (…) Yazîd bin ‘Abdullâh bin Usâmah bin Al-Hâd Al-Laithî narrated a Hadîth like that of ‘Abdul-‘Azîz bin Mûhammad (no. 4488), with both chains.

Chapter 7. It is Disliked for a judge to pass a judgment when he is angry

[4490] 16 - (1717) It was narrated that ‘Abdur-Rahîm bin Abî Bakrah said: My father wrote
- and I wrote it down for him - to ʿUbaidullāh bin Abī Bakrah, who was the Qāżī of Sijistan, (telling him): Do not pass judgment between two people when you are angry, for I heard the Messenger of Allāh ﷺ say: “No one should pass judgment between two people when he is angry.”

[4491] (...) A Hadīth like that of Abū ʿAwānah (no. 4490) was narrated from ʿAbdur-Rahmān bin Abī Bakrah, from his father, from the Prophet ﷺ.

Chapter 8. Rejection of wrong rulings and of newly-invented matters

[4492] 17 - (1718) It was narrated that ʿAīshah said: The Messenger of Allāh ﷺ said:
“Whoever introduces something into this matter of ours that is not part of it will have it rejected.”

Chapter 9. The best of witnesses

[4493] 18 - (…) It was narrated that Sa’d bin Ibrâhim said: I asked Al-Qâsim bin Muhammad about a man who had three dwellings and left a will concerning one third of each dwelling. He said: That could all be combined in one dwelling. Then he said: ‘Aishah told me that the Messenger of Allâh ﷺ said:

“Whoever does something that is not in accordance with this matter of ours will have it rejected.”

[4494] 19 - (1719) It was narrated from Zaid bin Khâlid Al-Juhâni that the Prophet ﷺ said: “Shall I not tell you of the best of witnesses?” The one who gives his testimony before being asked for it.”

(المعجم ۹ - (باب بيان خير الشهود) (التحفة ۹)
Chapter 10. Differences between 
Mujtahid

[4495] 20 - (1720) It was narrated from Abū Hurairah that the Prophet ﷺ said: "There were two women who had their sons with them. The wolf came and took away the son of one of them, and she said to her companion: 'The wolf has taken your son.' The other said: No, it has taken your son. They referred for judgment to Dâwûd ﷺ, and he ruled in favor of the elder woman. They went out to Sulaimân, the son of Dâwûd ﷺ, and told him about that, and he said: 'Bring me a knife and I will divide him between you.' The younger woman said: 'No, may Allâh have mercy on you! He is her son.' So he ruled in favor of the younger woman.'"

[4496] (...)
A Ḥadîth like that of Warqâ' (no. 4495) was narrated from Abû Az-Zinnâd with this chain.
Chapter 11. It is recommended for a judge to reconcile between disputants

It was narrated that Hammâm bin Munabbih said: This is what Abû Hurairah narrated to us from the Messenger of Allâh ﷺ. He mentioned a number of Ahâdîth, including the following: The Messenger of Allâh ﷺ said: “A man bought some property from another man, and the man who had bought the property found therein a jar full of gold. The one who had bought the property said to him: ‘Take your gold from me, for I only bought the land from you, and I did not buy the gold from you.’ The one who had sold the land said: ‘I sold you the land and whatever is in it.’ They referred to another man for judgment and one of them said: ‘I have a son.’ The other said: ‘I have a daughter.’ He said: ‘Let the son marry the daughter, and spend some of it on yourselves and give some in charity.’”
Chapter... [sic]. Memorizing the features of the bag and strap, and the ruling on lost sheep and camels

[4498] 1 - (1722) It was narrated that Zaid bin Khâlid Al-Juhanî said: A man came to the Prophet ﷺ and asked about picking up lost items. He said: "Memorize the features of its bag and strap, and announce it for a year. Then if its owner comes (give it to him), otherwise it is yours." He said: What about a lost sheep? He (ﷺ) said: "It is either for you or your brother or for the wolf." He said: What about a lost camel? He (ﷺ) said: "What have you to do with it? It has its water supply and its feet, and it can come to the water and eat from the trees, until its master finds it."

[4499] 2 - (...) It was narrated from Zaid bin Khâlid Al-Juhanî that a man asked the Messenger of Allâh ﷺ about picking up lost items. He (ﷺ) said: "Announce..."
it for one year, then memorize the features of its strap and bag, then spend from it. Then if its owner comes, pay him back.” He said: O Messenger of Allâh, what about a lost sheep? He (ﷺ) said: “Take it, for it will be either for you, for your brother or for the wolf.” He said: O Messenger of Allâh, what about a lost camel? He (the narrator) said: The Messenger of Allâh ﷺ became so angry that his cheeks turned red - or his face turned red - and he (ﷺ) said: “What have you to do with it? It has its feet and its water supply until its owner finds it.”

[4500] 3 - (...). Rabi‘ah bin ‘Abdur-Rahmân narrated a Hadîth like that of Mâlik (no. 4498) with this chain, except that he added: A man came to the Messenger of Allâh ﷺ when I was with him and asked him about picking up lost items. And he said: ‘Amr said in the Hadîth: (The Prophet ﷺ said:) “If no one comes looking for it, then spend it.”

[4501] 4 - (...). Zaid bin Khâlid Al-Juhanî said: A man came to the Messenger of Allâh ﷺ... and
he mentioned a Hadith like that of Ismā‘īl bin Ja‘far (no. 4499), except that he said: His face and forehead turned red and he became angry. And after the words ‘Announce it for a year’ he (the sub-narrator) added, “then if its owner does not come, it is a trust with you.”

[4502] 5 - (...) It was narrated from Yazīd, the freed slave of Al-Munba‘ith, that he heard Zaid bin Khālid Al-Juhanī, the Companion of the Messenger of Allāh ﷺ, say: The Messenger of Allāh ﷺ was asked about picking up lost gold and silver. He (ﷺ) said: “Memorize the features of its strap and bag, then announce it for one year. If you do not find [its owner] then spend it, but it is a trust with you. If some day its owner comes looking for it, then pay him back.” And he asked him about a lost camel. He said: “What have you to do with it? Let it be, for it has its feet and water supply with it, and it seeks water and eats the trees, until its master finds it.” And he asked him about a lost sheep. He said: “Take it, for it is either for you, for your brother or for the wolf.”
[4503] 6 - (...) It was narrated from Yazīd, the freed slave of Al-Munba’īth, from Zaid bin Khālid Al-Juhānī, that a man asked the Prophet  about a lost camel. Rabī’ah added: He (سورة) became so angry that his cheeks turned red... and he quoted a Ḥadīth similar to their (no. 4502), and added (that the Prophet  said:) “If its owner comes and recognizes its bag, amount and strap, then give it to him, otherwise it is yours.”

[4504] 7 - (...) It was narrated that Zaid bin Khālid Al-Juhānī said: The Messenger of Allāh  was asked about picking up lost items. He said: “Announce it for one year, then if it is not recognized (i.e., claimed), memorize the features of its bag and strap, then consume it, but if its owner comes, pay it back.”

[4505] 8 - (...) Ad-Dāhkhān bin ’Uthmān narrated it with this chain (a Ḥadīth similar to no. 4504), and he said in the Ḥadīth: “If it is recognized, then pay it
back, otherwise memorize the features of its strap, bag, container and amount.”

[4506] 9 - (1723) It was narrated that Salamah bin Kuhayl said: I heard Suwaid bin Ghafalah say: I went out with Zaid bin Suhân and Salmân bin Rabî’ah on a campaign, and I found a whip and picked it up. They said to me: Leave it. I said: No, but I will announce it. If its owner comes (I will give it to him), otherwise I will make use of it. I refused (to pay heed to them). When we came back from our campaign, it was decreed that I would go for Hajj. I came to Al-Madinah and met Ubayy bin Ka’b, and I told him about the whip and what they had said. He said: At the time of the Messenger of Allâh ﷺ I found a moneybag in which there was one hundred Dinâr. I brought it to the Messenger of Allâh ﷺ and he said: “Announce it for one year.” So I announced it, but no one came forward to claim it. I came to him again and he said: “Announce it for one year,” but no one came forward to claim it. Then I came to him again and he said, “Announce it for one year.” So I announced it, but no one came forward to claim it. Then he said: “Memorize its number, and the features of its bag and
strap, then if its owner comes (give it to him), otherwise make use of it.” So I made use of it.

I met him in Makkah after that and he said: I do not know if it was three years or one year.

[4507] (...) Suwaid bin Ghafalah said: I went out with Zaid bin Suhân and Salmân bin Rabî‘ah, and I found a whip... and he narrated a similar Hadîth (as no. 4506), up to the words: so I made use of it. Shu‘bah (a sub-narrator) said: And I heard him ten years later saying: I announced it for one year.

[4508] 10 - (...) A Hadîth like that of Shu‘bah (no. 4507) was narrated from Salamah bin Kuhayl with this chain. In the Hadîth of both of them it says: three years, except for Hammâd bin Salamah, in whose Hadîth it says: for two or three years. In the Hadîth of Salmân and Zaid bin Abî Unaysah and Hammâd bin Salamah it says: “If someone comes and describes to you its number, its bag and its strap, then give it to him.” Sufyan added in the report of Waki‘: “Otherwise, it is like your own property.” In the report of Ibn
Numair it says: “Otherwise, make use of it.”

Chapter 1. Picking up property lost by a pilgrim

[4509] 11 - (1724) It was narrated from ‘Abdur-Rahmân bin ‘Uthmân At-Taimî that the Messenger of Allah forbade picking up property lost by a pilgrim.

[4510] 12 - (1725) It was narrated from Zaid bin Khâlid Al-Juhani that the Messenger of Allah said: “Whoever finds a lost item is himself lost, unless he announces it.”
Chapter 2. Milking the animals is unlawful if the owner has not given permission

[4511] 13 - (1726) It was narrated from Ibn ‘Umar that the Messenger of Allâh ﷺ said: No one should milk the animals of another person without his permission. Would one of you like his store to be raided and his vessels to be broken into and his food to be taken? The udders of their livestock also store up food for them, so no one should milk the animals of another person without his permission.”

[4512] (...) A Hadîth like that of Mâlik (no. 4511) was narrated from Nâfi’ from Ibn ‘Umar, from the Prophet ﷺ, except that in their Hadîth it says: “...to be thrown on the floor,” except for Al-Laith bin Sa’d, in whose Hadîth it says: “…or his food to be taken,” as in the report of Mâlik.
Chapter 3. Hospitality etc.

[4513] 14 - (48) It was narrated that Abû Shurayh Al-'Adawi said: My ears heard and my eyes saw, when the Messenger of Allâh ﷺ spoke and said: "Whoever believes in Allâh and the Last Day, let him honor his guest with full hospitality.” They said: What is full hospitality, O Messenger of Allâh? He said: “One day and one night, and hospitality is for three days, and anything beyond that is charity towards him.” And he (ﷺ) said: “Whoever believes in Allâh and the Last Day, let him speak well or else remain silent.”

[4514] 15 - (...) It was narrated that Abû Shurayh Al-Khuzâ’i said: The Messenger of Allâh ﷺ said: “Hospitality is for three
days, and full hospitality is for one day and one night. It is not permissible for a Muslim man to stay with his brother until he causes him to sin.” They said: O Messenger of Allâh, how could he cause him to sin? He said: “When he stays with him until there is nothing left with which to entertain him.”

[4515] 16 - (...) Abû Shurayh Al-Khuzâ'i said: My ears heard, my eyes saw and my heart understood, when the Messenger of Allâh spoke of it... and he narrated a Hadîth like that of Al-Laith (no. 4513), in which he said: “It is not permissible for any one of you to stay with his brother until he causes him to sin,” as in the Hadîth of Wâkî’ (no.4514).

[4516] 17 - (1727) It was narrated that ‘Uqbah bin ‘Amir said: We said: O Messenger of Allâh, you send us and we stay with people who do not show us hospitality. What do you think? The Messenger of Allâh said to us: “If you stay with a people and they order that you be offered what is befitting to a guest, then accept it, and if they do not do that, then take from
them the right of a guest that is due to him."

Chapter 4. It is recommended to spend surplus wealth

[4517] 18 - (1728) It was narrated that Abû Sa‘eed Al-Khudrî said: Whilst we were on a journey with the Prophet ﷺ, a man came to him on a mount of his and started looking to his right and left. The Messenger of Allâh ﷺ said: "Whoever has a surplus mount, let him give it to one who has no mount, and whoever has surplus provisions, let him give them to one who has no provisions."

He mentioned various kinds of wealth, until we thought that none of us had any right to any kind of surplus.

Chapter 5. It is recommended to mix provisions if they are few, and to share them out

[4518] 19 - (1729) Iyâs bin Salamah narrated that his father said: We went out with the Messenger of Allâh ﷺ on a
campaign, and we faced hardship, so much so that we thought of slaughtering some of our mounts. The Prophet of Allah ordered us to gather together our provisions, then we spread out a sheet of leather and he gathered together the people’s provisions on that leather sheet. I measured it and found that it was the size of a spot where a goat could sit, and we were fourteen hundred men. We ate until we were all had our hunger satisfied, then we filled our bags. The Prophet of Allah said: “Is there any water for Wudâ’?” A man brought a small bucket in which there was a drop of water, and poured it into a bowl. We all did Wudâ’, using water plentifully, fourteen hundred men. Then after that eight men came and said: Is there any water for Wudâ’? And the Messenger of Allah said: “(The water for) Wudâ’ is finished.”