The Translation of the Meanings of

Sahîh Al-Bukhâri

Arabic-English

Volume 3

Translated by:

الدكتور محمد محسن خان

Dr. Muhammad Muhsin Khan
Formerly Director, University Hospital
Islamic University
Al-Madina Al-Munawwara
(Kingdom of Saudi Arabia)

دار السلام

للنشر والتوزيع

الرياض — المملكة العربية السعودية

DARUSSALAM
Publishers and Distributors
Riyadh — Saudi Arabia

http://islamsbooks.wordpress.com/
السلام عليكم ورحمة الله وبركاته، أما بعد:

فإن الرئيسة العامة لإدارات البحوث العلمية والإفتاء والدعوة والإرشاد بالمملكة العربية السعودية تقر أن الدكتور محمد تقي الدين الهلالي والدكتور محمد حسن خان قد قاما بترجمة معاني القرآن الكريم وصحيح الإمام البخاري وكتاب اللؤلؤ والمرجان فيها اتفاق عليه البخاري وتمت إرساله إلى اللغة الإنجليزية ترجمة صحيحة وذلك أثناء عملهما في الجامعة الإسلامية بالمدينة المنورة، فلا منع من الفسح لهذه الكتب بالدخول إلى المملكة وتدابرها لعدم المحدود فيها والله ولي التوفيق.

وصل الله وسلم على نبينا محمد وأله وصحبه.

الرئيس العام
إدارات البحوث العلمية والإفتاء والدعوة والإرشاد

عبد العزيز بن عبد الله بن باز

http://islamsbooks.wordpress.com/
لم يهمه الأمر

الدكتور محمد تقي الدين الهلالى:
الدكتور محمد محسن خان:
تقرر الأمانة العامة للجامعة الإسلامية بالمدينة المنورة أن المذكرین بعاليه كاـتا من ضمن العاملين بالجامعة. وأنها قد قاما أثناء ذلك بترجمة معاني القرآن الكريم باللغة الإنجليزية وترجمة صحيح البخاري بها أيضاً.
ولقد سدت بحمد الله فراـغاً كـيأ يحتاج العالم الإسلامي ملته. كما أن المذكرین يمتازان بحسن العقيدة السليمة من الشوائب، وبالصفات الحميدة.
وبناء على الرغبة أعطى هذه الشهادة، والله ولي التوفيق.
وصلى الله وسلم وبارك على نبينا محمد وعلى آله وصحبه.

الأمين العام للجامعة

عمر محمد فلاتيه

http://islamsbooks.wordpress.com/
CONTENTS OF VOLUME THREE

26 - THE BOOK OF

AL-'UMRA .................................. 21
(1) CHAPTER. 'Umra and its superiority ........................................... 21
(2) CHAPTER. 'Umra before Hajj ......................................................... 21
(3) CHAPTER. How many times did the Prophet perform 'Umra? ............... 22
(4) CHAPTER. 'Umra in (the month of) Ramadan ................................. 25
(5) CHAPTER. 'Umra on the night of departure from Mina after Hajj and on other nights ......................................................... 25
(6) CHAPTER. 'Umra from At-Tan'im ................................................... 25
(7) CHAPTER. 'Umra after performing Hajj without having a Hady .......... 27
(8) CHAPTER. The reward of 'Umra is according to the hardship. ............. 27
(9) CHAPTER. If a person departs after performing the Tawaf of 'Umra, will that Tawaf substitute for Tawaf-al-Wadâ’? ................. 28
(10) CHAPTER. The same ceremonies in 'Umra, as in Hajj ....................... 29
(11) CHAPTER. When a person performing 'Umra finish his Ihram? .......... 31
(12) CHAPTER. What to say on returning from Hajj, 'Umra, Qhazwa .......... 33
(13) CHAPTER. Reception of the returning pilgrims ................................. 34
(14) CHAPTER. Arriving in the morning .................................................. 34
(15) CHAPTER. Returning after midday till sunset .................................. 34
(16) CHAPTER. Not to go to family on arrival at night ............................. 35
(17) CHAPTER. To proceed faster on reaching his town ............................ 35
(18) CHAPTER. "...So enter houses through their proper doors..." ........... 35
(19) CHAPTER. Travelling is a kind of torture ........................................ 36
(20) CHAPTER. What to do to arrive home early? ................................... 36

27 - THE BOOK OF

AL-MUHSAR .................................. 37
(1) CHAPTER. If one is prevented from 'Umra ........................................ 37
(2) CHAPTER. One who is prevented from performing the Hajj ................. 38
(3) CHAPTER. The slaughtering before shaving the head (in case) one is prevented ................................................................. 39
(4) CHAPTER. Whoever said that the Muhsar is not supposed to perform 'Umra or Hajj in lieu of the prevented one ...................... 40
(5) CHAPTER. The Statement of Allah 1: ... And whosoever of you is ill or has an ailment in his scalp, (necessitating shaving), he must pay a Fidya ........................................ 41
(6) CHAPTER. The Saying of Allah 1: ... Or giving Sadaqa ........................................ 41
(7) CHAPTER. The Fidya for a missed or wrongly practised religious ceremony .......................................................... 42
(8) CHAPTER. The Nusuk (offering) is one sheep .................................... 43
(9) CHAPTER. The Statement of Allah 1: ... Nor commit sin nor dispute unjustly during Hajj ." ........................................ 44
## 28 – THE BOOK OF PENALTY FOR HUNTING

1. **CHAPTER.** The penalty for hunting (by a Muhrim)................. 45
2. **CHAPTER.** If a non-Muhrim hunts and gives to a Muhrim........ 45
3. **CHAPTER.** If the Muhrimün saw game and laughed and a non-Muhrim understood, they are allowed to eat the game.................. 46
4. **CHAPTER.** A Muhrim should not help a non-Muhrim in the hunting of a game................................. 47
5. **CHAPTER.** A Muhrim should not point at a game .................... 48
6. **CHAPTER.** If a person gave onager to a Muhrim then he should not accept it............................ 49
7. **CHAPTER.** (What kind of) animals can be killed by a Muhrim. 50
8. **CHAPTER.** It is not permissible to cut the trees of the Haram....... 52
9. **CHAPTER.** The game in the Haram should not be chased....... 53
10. **CHAPTER.** Fighting is prohibited in Makkah. 53
11. **CHAPTER.** Cupping for a Muhrim................................. 54
12. **CHAPTER.** The marrying of a Muhrim............................... 55
13. **CHAPTER.** What is forbidden for a Muhrim as regards perfumes. 55
14. **CHAPTER.** The taking of a bath by a Muhrim..................... 56
15. **CHAPTER.** Wearing of Khuff by a Muhrim if slippers are not available.......................... 57
16. **CHAPTER.** If an Izār is not available, one can wear trousers.... 58
17. **CHAPTER.** Carrying of arms by a Muhrim.......................... 58
18. **CHAPTER.** Entering the Haram and Makkah without Ihram.... 59
19. **CHAPTER.** If somebody Ignorantly assumed Ihram while wearing a shirt (will Fidyā be compulsory?)... 60

## 29 – THE BOOK ABOUT THE VIRTUES OF AL-MADĪNA

1. **CHAPTER.** Haram (sanctuary) of Al-Madīna......................... 68
2. **CHAPTER.** Superiority of Al-Madīna. It expels (evil) persons..... 69
3. **CHAPTER.** Al-Madīna is also called Ṭaba. ............................ 70
4. **CHAPTER.** The two mountains of Al-Madīna.......................... 70
5. **CHAPTER.** The one who avoids living in Al-Madīna?.............. 70
6. **CHAPTER.** Iman (Belief) returns and goes back to Al-Madīna. 71
7. **CHAPTER.** Sin of that person who harms the people of Al-Madīna........................................ 72
8. **CHAPTER.** The high buildings of Al-Madīna......................... 72
9. **CHAPTER.** Ad-Dajjal will not be able to enter Al-Madīna........ 72
10. **CHAPTER.** Al-Madīna expels all the evil and bad persons......... 74
CHAPTER. ............................... 75
(11) CHAPTER. The dislike of the
Prophet ﷺ that Al-Madina should
be vacated. ................................ 75
(12) CHAPTER.......................... 76

30 – THE BOOK OF AS-SAUM
THE FASTING) .......................... 78

(1) CHAPTER. Fasting is obligatory
in (the month of) Ramadân. ........ 78
(2) CHAPTER. The superiority of
As-Saum (the fasting) ................ 79
(3) CHAPTER. As-Saum (the fast-
ing) is an expiation (for sins) .... 80
(4) CHAPTER. Ar-Raiyân is for
people observing Saum ........................ 80
(5) CHAPTER. Should it be said
"Ramadân" or “the month of Ra-
madân?” And whoever thinks that
both are permissible ..................... 82
(6) CHAPTER. Whoever observed
fast in Ramadân out of sincere Faith
with honest intention ................... 83
(7) CHAPTER. The Prophet ﷺ used to be most generous in the
month of Ramadân .................... 83
(8) CHAPTER. Whoever does not
give up lying speech while observing
Saum ........................................ 84
(9) CHAPTER. Should one say, "I
am observing Saum (fast)" on being
abused? ...................................... 84
(10) CHAPTER. As-Saum for those
who fear committing illegal sexual
acts............................................ 85
(11) CHAPTER. “Start observing
Saum on seeing the crescent of
Ramadân, and stop on seeing the
crescent (of Shawwâl).’ .................. 85
(12) CHAPTER. The two months of
‘Eid do not decrease ........................ 87
(13) CHAPTER. “We neither write
nor know accounts.” ...................... 88
(14) CHAPTER. Not to observe
Saum for a day or two ahead of
Ramadân .................................. 88
(15) CHAPTER. “It is made lawful
for you to have sexual relations with
your wives on the night of the As-
Saum…” ....................................... 88
(16) CHAPTER. The Statement of
Allâh ﷻ: “…And eat and drink
until the white thread of dawn appears
to you distinct from the black…” .... 90
(17) CHAPTER. “The Adhân of
Bilâl should not stop you from
taking Sahûr.” .............................. 91
(18) CHAPTER. Taking the Sahûr
hurriedly (shortly before dawn). . 91
(19) CHAPTER. Interval between
the Sahûr and Salât-ul-Fajr .......... 92
(20) CHAPTER. Sahûr is a blessing
but it is not compulsory ............ 92
(21) CHAPTER. If the intention of
Saum was made in the daytime….. 93
(22) CHAPTER. If a person obser-
ving Saum gets up in the morning in
the state of Janâba ...................... 93
(23) CHAPTER. To embrace while
one is observing Saum (fast) ...... 94
(24) CHAPTER. Kissing by a fasting
person........................................ 95
(25) CHAPTER. Taking a bath by a
person observing Saum (fast) ..... 96
(26) CHAPTER. If a person obser-
ving Saum ate or drank forgetfully. . 97
(27) CHAPTER. Siwâk for the
person observing Saum (fast) ...... 98
(28) CHAPTER. “Whoever per-
forms ablution should put water in
his nose and then blow it out.” ....... 99
(29) CHAPTER. Sexual intercourse
with wife in Ramadân .................. 99
(30) CHAPTER. Sexual intercourse
with wife in Ramadân and the
expiation of that......................... 100
(31) CHAPTER. To feed family
from expiation sin if they are needy. 101
(32) CHAPTER. Cupping and vo-
miting in Saum (fast) .................... 102
(33) CHAPTER. To observe Saum
(fast) or not during journeys ...... 103
(34) CHAPTER. If a person ob-
served Saum for some days and then
went on a journey ....................... 105
(35) CHAPTER. It is not righteousness to observe Saum on a journey... 105
(36) CHAPTER. Not to criticize each other for observing Saum or not (on journeys)........... 106
(37) CHAPTER. Whoever broke his Saum (fast) on a journey (publicly). 106
(38) CHAPTER. Those who can fast with difficulty have to feed a poor person....................... 107
(39) CHAPTER. To make up for the missed days of fasting...................... 108
(40) CHAPTER. The menstruating should leave the Saum and Salāt... 109
(41) CHAPTER. Can somebody else observe Saum instead the dead? ... 109
(42) CHAPTER. When to break the Saum (fast)?................................. 111
(43) CHAPTER. Iftar [to break the Saum (fast)]............................. 112
(44) CHAPTER. To hasten the Iftar........................................ 112
(45) CHAPTER. If somebody breaks the Saum thinking that the sun has set........ 113
(46) CHAPTER. Saum (fasting) of boys (children etc.)..................... 113
(47) CHAPTER. To observe Saum (fast) continuously........................ 114
(48) CHAPTER. The punishment for the person who practises Al-Wīsāl very often............... 115
(49) CHAPTER. To observe Saum continuously ................................ 114
(50) CHAPTER. The right of the family (wife) in observing As-Saum........ 118
(51) CHAPTER. The right of the guest in fasting............................. 120
(52) CHAPTER. Saum (fasting) in the month of Sha'bān........ 118
(53) CHAPTER. Fasting and non-fasting (periods) of the Prophet ﷺ. 118
(54) CHAPTER. The right of the body in observing As-Saum............... 120
(55) CHAPTER. Observing Saum (fasting) daily throughout the life... 121
(56) CHAPTER. Observing Saum (fasting) on alternate days.............. 123
(57) CHAPTER. To hasten the Iftar. ........................................ 112
(58) CHAPTER. Observing Saum (fast) on Friday............................. 126
(59) CHAPTER. Observing Saum (fast) on the day of ‘Arafah........... 126
(60) CHAPTER. Observing Saum (fast) on the first day of ‘Eid-ul-Fitr...... 128
(61) CHAPTER. Observing Saum (fast) on the first day of ‘Eid-ul-Adha.... 129
(62) CHAPTER. Observing Saum (fast) on the day of ‘Ashūra’........... 131
(63) CHAPTER. The right of the guest in fasting............................. 120
(64) CHAPTER. To look for the night of Qadr in the last seven nights (of Ramaḍān)...... 138
(65) CHAPTER. To search for the night of Qadr in the odd nights.... 139
(66) CHAPTER. The superiority of Nawāfīl at night in Ramaḍān. 135
(67) CHAPTER. The right of the family (wife) in observing As-Saum. 122
(68) CHAPTER. The right of the guest in fasting............................. 120
(69) CHAPTER. To search for the night of Qadr in the odd nights.... 139
CONTENTS OF VOLUME THREE

(4) CHAPTER. The knowledge of the night of Qadr was taken away because of the quarrelling.................. 142
(5) CHAPTER. Good deeds in the last ten days of Ramadân.................. 142

33 – THE BOOK OF I'TIKÂF .. 143
(1) CHAPTER. The I'tikāf in the last ten days of Ramadân............... 143
(2) CHAPTER. A menstruating woman is permitted to comb the hair of a man in I'tikāf........................... 144
(3) CHAPTER. Mu’takif not to enter the house except for a need.. 145
(4) CHAPTER. The taking of a bath by a Mu’takif.................. 145
(5) CHAPTER. The I’tikāf at night.......................... 145
(6) CHAPTER. Women’s I’tikāf... 146
(7) CHAPTER. Tents in mosque... 146
(8) CHAPTER. Mu’takif going to the gate of the mosque......... 147
(9) CHAPTER. Coming out of I’Itikâf in the morning of the twentieth (of Ramadân)......... 148
(10) CHAPTER. I’Itikâf of a woman who has bleeding in between her periods.......................... 148
(11) CHAPTER. The visit of the wife to her husband in I’tikâf..... 149
(12) CHAPTER. Is it permissible for the Mu’takif to defend himself.. 150
(13) CHAPTER. Whoever went out of his I’tikâf in the morning........ 150
(14) CHAPTER. I’tikâf in the month of Shawâl.......................... 151
(15) CHAPTER. I’Itikâf without fasting..................... 152
(16) CHAPTER. Vow in the pre-Islamic period to perform I’tikâf.... 152
(17) CHAPTER. I’tikâf in the middle ten days of Ramadân............ 152
(18) CHAPTER. Whoever intended I’Itikâf and then changed his mind.. 153
(19) CHAPTER. A Mu’takif can let his head in the house for washing........................... 153

34 – THE BOOK OF SALES (BARGAINS).................. 155
(1) CHAPTER. What has come in the Statement of Allâh: ‘Then when the Salât is ended, you may disperse through the land, and seek of the Bounty of Allâh…”............ 155
(2) CHAPTER. Legal, illegal and doubtful things.................. 158
(3) CHAPTER. Explanation of doubtful (unclear) things............. 159
(4) CHAPTER. What doubtful (unclear) things should be avoided? 161
(5) CHAPTER. Whoever does not consider dark suggestions........ 161
(6) CHAPTER. The Statement of Allâh: “And when they see some merchandise or some amusement they disperse headlong to it…”........................................... 162
(7) CHAPTER. One who does not care from where he earns........... 162
(8) CHAPTER. Trade of cloth and other things........................ 163
(9) CHAPTER. Going out for trading............................. 164
(10) CHAPTER. Trading in sea.......................... 164
(11) CHAPTER.......................... 165
(12) CHAPTER. Allâh’s Statement: “...Spend of the good things which you have earned...”.......................... 166
(13) CHAPTER. Whoever liked to expand in his sustenance........ 166
(14) CHAPTER. The Prophet’s Statement: purchased (foodgrains) on credit... 167
(15) CHAPTER. The earnings of a person and his manual labour... 168
(16) CHAPTER. One should be lenient and generous in bargaining. 169
(17) CHAPTER. Whoever gave time to a rich person to pay at his convenience.............. 170
(18) CHAPTER. A person in hard circumstances to pay debt (when able to repay).................. 170
(19) CHAPTER. To explain the good and bad points of the transaction.. 171

http://islamsbooks.wordpress.com/
(20) CHAPTER. Selling of mixed dates................................................................. 172
(21) CHAPTER. What is said about the meat seller and the butcher...... 172
(22) CHAPTER. The loss (of blessing) if one tells lies or hides the facts in a deal......................... 173
(23) CHAPTER. The Statement of Allâh تعلیم: "... Eat not Ribâ doubled and multiplied.".............. 173
(24) CHAPTER. The sin of Ribâ, its witness and its writer.......................... 173
(25) CHAPTER. The Ribâ-giver... 175
(26) CHAPTER.: "Allâh will destroy Ribâ and will give increase for Ṣadaqat.".......................... 175
(27) CHAPTER. Giving oaths (swearing) while selling...................... 176
(28) CHAPTER. What is said about the goldsmiths.............................. 176
(29) CHAPTER. The mentioning of blacksmiths................................. 178
(30) CHAPTER. The mentioning of the tailor.................................... 178
(31) CHAPTER. The weaver........ 179
(32) CHAPTER. The carpenter.... 179
(33) CHAPTER. The purchase by the ruler himself......................... 180
(34) CHAPTER. The purchase of animals and donkeys......................... 181
(35) CHAPTER. The markets of the Pre-Islâmic Period of Ignorance...... 182
(36) CHAPTER. Purchasing of camel suffering from disease............. 183
(37) CHAPTER. Selling of arms during the period of Al-Fitnah .......... 183
(38) CHAPTER. The perfume seller and the selling of musk............... 184
(39) CHAPTER. Al-Hajjam (i.e., the one who practises cupping),...... 184
(40) CHAPTER. The trade of cloth, wearing of which is undesirable... 185
(41) CHAPTER. The owner of a thing has to suggest a price.............. 186
(42) CHAPTER. For what period to confirm or cancel the bargain?..... 186
(43) CHAPTER. If the time for the option is not fixed, will the deal be considered as legal?......................... 187
(44) CHAPTER. To cancel or confirm the bargain......................... 188
(45) CHAPTER. The option of cancelling the bargain....................... 188
(46) CHAPTER. If the seller has the option of cancelling the bargain..... 189
(47) CHAPTER. To buy a thing and give it as a present......................... 190
(48) CHAPTER. What is disliked as regards cheating in business........ 191
(49) CHAPTER. What is said about markets.......................................................... 191
(50) CHAPTER. The dislike of raising voices in the market............... 194
(51) CHAPTER. Weighing goods by the seller or the giver.................. 195
(52) CHAPTER. What is considered preferable regarding measuring..... 196
(53) CHAPTER. Allâh's Blessing in the Šâ‘ and Mudd of the Prophet ﷺ................................................. 197
(54) CHAPTER. The selling of the foodstuff and its storage................. 197
(55) CHAPTER. The selling of foodstuff before receiving it.............. 199
(56) CHAPTER. Whoever bought foodstuff without measuring or weighing should not sell before bringing into house......................... 200
(57) CHAPTER. If somebody buys some goods or (an) animal and let it with the seller, or it dies before he takes it into his possession........ 200
(58) CHAPTER. Not to cancel a bargain already agreed upon.............. 201
(59) CHAPTER. Selling by auction................................................................. 202
(60) CHAPTER. An-Najsh ........... 202
(61) CHAPTER. Al-Gharar and Habal-il-Habala.............................. 203
(62) CHAPTER. Al-Limas or Mulamasa.......................................................... 203
(63) CHAPTER. Munâbadha........ 204
(64) CHAPTER. The seller is not allowed to keep animal unmilked for a long time.......................... 205
(65) CHAPTER. Returning an animal after milking it......................... 206
66) CHAPTER. The selling of an adulterer slave. ........................... 207
67) CHAPTER. Dealing with women in selling and buying. ............ 207
68) CHAPTER. Is it permissible for a person from the town to sell the goods of a desert dweller?........ 208
69) CHAPTER. Whoever hated that an urban person should sell the goods of a desert dweller and charge him for that............. 209
70) CHAPTER. A town dweller should not buy goods for a desert dweller and charge commission as a broker. ............................ 210
71) CHAPTER. It is forbidden to meet the caravans on the way (to buy the goods away from the market). ................................. 210
72) CHAPTER. The limits to which one can go ahead to meet the caravan. .......................................................... 211
73) CHAPTER. If somebody imposes conditions in selling against the Islāmīc Law. .......................................................... 212
74) CHAPTER. Selling of dates for dates. .................................... 213
75) CHAPTER. The selling of dried grapes for dried grapes and meals for meals. ......................................................... 214
76) CHAPTER. Selling of barley for barley. ................................ 214
77) CHAPTER. Selling of gold for silver. ....................................... 215
78) CHAPTER. Selling of silver for silver. ........................................ 215
79) CHAPTER. Selling of Dinār for Dinār on credit. ...................... 216
80) CHAPTER. Selling of silver for gold on delayed payment. ........ 217
81) CHAPTER. Selling of gold for silver from hand to hand. ........... 217
82) CHAPTER. Al-Muzābana, Al-'Arāyā. .................................. 217
83) CHAPTER. The selling of dates still on trees. ......................... 219
84) CHAPTER. 'Arāyā ................................................. 220
85) CHAPTER. The sale of fruits before their benefit is evident. ...... 221
86) CHAPTER. The sale of date-palms before their benefit is evident. .......................................................... 223
87) CHAPTER. If somebody sells fruits before their benefit is evident. .......................................................... 223
88) CHAPTER. To buy foodstuff on credit. .................................. 224
89) CHAPTER. To buy dates for Ribā-Al-Fadl. ............................... 224
90) CHAPTER. Sold or rented date-palms which were pollinated, or land which was sown. ................................. 225
91) CHAPTER. The sale of un-harvested crops for a measured quantity of foodstuff. ......................................................... 226
92) CHAPTER. The sale of date-palms completely. ....................... 226
93) CHAPTER. Bai' Al-Mukhādara ........................................... 226
94) CHAPTER. The sale and eating of spadix. ............................. 227
95) CHAPTER. Where there is no fixed judgement, the traditions and conventions of community are to be referred. ...................... 227
96) CHAPTER. Selling of a joint property by one to the other. ........ 229
97) CHAPTER. The sale of un-divided common belongings. ........... 229
98) CHAPTER. If somebody buys something for another without his permission and the latter accepts it. ................................. 230
99) CHAPTER. Buying and selling with Mushrikun and the enemy. 232
100) CHAPTER. The purchase of a slave from the enemy. ............. 232
101) CHAPTER. The hides of dead animals before tanning. ............ 235
102) CHAPTER. Killing of pigs.. ............................................ 235
103) CHAPTER. The fat of the dead animal should not be sold. ....... 236
104) CHAPTER. The selling of the pictures. ................................. 237
105) CHAPTER. Trade of alcoholic drinks is illegal. ...................... 238
106) CHAPTER. The sin of a person who sells a free man. ............. 238
CONTENTS OF VOLUME THREE

(107) CHAPTER. The Prophet ordered the Jews to sell their land. 238
(108) CHAPTER. The sale of a slave (for a slave) and an animal for an animal on credit. 238
(109) CHAPTER. The sale of slaves. 239
(110) CHAPTER. The sale of a slave who is promised to be manumitted. 240
(111) CHAPTER. Travel with a slave-girl. 241
(112) CHAPTER. The sale of dead animals and idols. 242
(113) CHAPTER. Price of a dog. 243

35 – THE BOOK OF AS-SALAM 244

(1) CHAPTER. As-Salam by a definite known specified measure. 244
(2) CHAPTER. As-Salam for a known specified weight. 244
(3) CHAPTER. As-Salam to a person who has got nothing. 246
(4) CHAPTER. As-Salam for (the fruits of) date-palms. 247
(5) CHAPTER. The guarantor in As-Salam. 248
(6) CHAPTER. Mortgaging in As-Salam. 248
(7) CHAPTER. As-Salam for a fixed specified period. 249
(8) CHAPTER. As-Salam in buying a she-camel to be delivered after it has given birth. 250

36 – THE BOOK OF PRE-EMPTION 251

(1) CHAPTER. Shuf'a is valid if the property is undivided. 251
(2) CHAPTER. The partner should inform his partner before selling. 251
(3) CHAPTER. Who is considered as the nearer neighbour? 252

37 – THE BOOK OF HIRING 253

(1) CHAPTER. To hire a pious man. 253
(2) CHAPTER. To shepherd sheep for Qirat. 253
(3) CHAPTER. The employment of Mushrikun (by Muslims). 254
(4) CHAPTER. It is legal if somebody hires someone to work for him. 255
(5) CHAPTER. Employing labourers for services in holy battles. 255
(6) CHAPTER. If somebody employs someone. 256
(7) CHAPTER. To employ someone to repair a wall which is about to collapse. 256
(8) CHAPTER. Employment up to midday. 257
(9) CHAPTER. Employment up to the 'Asr. 257
(10) CHAPTER. The sin of him who withholds the wages of employee. 258
(11) CHAPTER. Employment from 'Asr till night. 259
(12) CHAPTER. The labourer left the wages and went away. 260
(13) CHAPTER. To employ himself to carry loads, and the wages of porters. 262
(14) CHAPTER. Wages of a broker. 262
(15) CHAPTER. To work as an employee for Mushrikun. 263
(16) CHAPTER. What is paid for Ruqya. 263
(17) CHAPTER. The taxes imposed on the slaves by their masters. 265
(18) CHAPTER. The wages of one who has the profession of cupping. 265
(19) CHAPTER. Whoever appealed to the masters to reduce his taxes. 266
(20) CHAPTER. The earnings of prostitutes and female-slaves. 266
(21) CHAPTER. (Charging for) the semen of a male animal. 267
(22) CHAPTER. If somebody rents land and he or the owner dies. 267
CONTENTS OF VOLUME THREE

38 – THE BOOK OF
AL-ḤAWĀLAT....................... 269

(1) CHAPTER. Al-Ḥawāla (the
transference of a debt from one
person to another)..................... 269
(2) CHAPTER. If somebody's debt
are transferred to a rich debtor..... 269
(3) CHAPTER. If the debts due on a
dead person are transferred to
somebody, the transference is legal. 270

39 – THE BOOK OF
AL-KAFALA.......................... 271

(1) CHAPTER. Al-Kafāla............. 271
(2) CHAPTER. The Statement of
Allāh: "... To those also
with whom you have made a pledge,
give them their due portion by
Wasāya...".................................... 273
(3) CHAPTER. He who undertakes
to repay the debts of a dead person. 275
(4) CHAPTER. The pledge of
protection given to Abū Bakr......... 275
(5) CHAPTER. The debts.............. 278

40 – THE BOOK OF
REPRESENTATION.............. 280

(1) CHAPTER. A partner can
deputize for another................... 280
(2) CHAPTER. If a Muslim deputi-
tizes a non-Muslim...................... 280
(3) CHAPTER. To deputize one in
exchanging money and weighing
goods........................................... 281
(4) CHAPTER. To save the thing
liable to be spoiled........................ 282
(5) CHAPTER. To depute a person,
present or absent......................... 283
(6) CHAPTER. To depute a person
to repay debts............................. 283
(7) CHAPTER. To give a gift to a
deputy or to their intercessor......... 284
(8) CHAPTER. If someone deputes
a person to give something......... 285
(9) CHAPTER. A woman can
depute the ruler in marriage........ 286
(10) CHAPTER. If a person deputes
somebody, and the deputy leaves
something.................................. 287
(11) CHAPTER. If a deputy sells
something (in an illegal manner).... 289
(12) CHAPTER. The deputyship for
managing the Waqf and the expenses
of the trustee. The trustee can
provide his friends and can eat from
it reasonably................................ 289
(13) CHAPTER. To depute a
person to carry out a punishment... 290
(14) CHAPTER. To depute some-
one to sacrifice Budn (camels for
sacrifice) and to look after them.... 291
(15) CHAPTER. If a person tells his
deputy, “Spend it as Allāh directs
you,”........................................... 291
(16) CHAPTER. To depute a
trustworthy treasurer.................... 292

41 – THE BOOK OF
CULTIVATION AND
AGRICULTURE............... 293

(1) CHAPTER. Sowing seeds and
planting trees........................... 293
(2) CHAPTER. The results
of indulging in agricultural equip-
ment........................................... 293
(3) CHAPTER. Keeping a watch-
dog for the farm......................... 294
(4) CHAPTER. Employing oxen for
ploughing.................................. 295
(5) CHAPTER. To say to another,
"Look after my date-palm trees...... 296
(6) CHAPTER. The cutting of trees
and date-palm trees.................... 297
(7) CHAPTER:............................. 297
(8) CHAPTER. Temporary share-
cropping contract........................ 297
(9) CHAPTER. The contract of
share-cropping.......................... 299
(10) CHAPTER:............................. 299
(11) CHAPTER. Share-cropping
with the Jews............................. 299
(12) CHAPTER. What conditions
are disliked in share-cropping...... 300
CONTENTS OF VOLUME THREE

(13) CHAPTER. If a person invests the money of someone else in cultivation. 300
(14) CHAPTER. The Aqāf, Kharāj, share-cropping and other agreements. 302
(15) CHAPTER. Cultivating the neglected land. 302
(16) CHAPTER. .............................. 303
(17) CHAPTER. The lease can be continued according to the approval of both the parties. 304
(18) CHAPTER. To share the yields and fruits. 305
(19) CHAPTER. To rent the land for gold and silver. 307
(20) CHAPTER: ............................. 308
(21) CHAPTER. What is said about planting trees. 308

42 – THE BOOK OF WATERING .......................... 311

CHAPTER. The Statement of Allāh “... And We have made from water every living thing...”
(1) CHAPTER. Giving water in charity, or as a gift. 311
(2) CHAPTER. Superfluous water should not be withheld from others. 312
(3) CHAPTER. If one digs a well and somebody falls in it and dies... 313
(4) CHAPTER. Disputes and controversies about wells. 313
(5) CHAPTER. The sin of him who withholds water from travellers. 314
(6) CHAPTER. The dams of rivers. 315
(7) CHAPTER. The land near the source of water to be irrigated first. 316
(8) CHAPTER. The land to be covered with water up to the ankles. 316
(9) CHAPTER. The superiority of providing water. 317
(10) CHAPTER. The owner of a tank or a leather water-container... 318
(11) CHAPTER. Ḥimā (private pasture) ............................. 320
(12) CHAPTER. Drinking water by people and animals from rivers. 321
(13) CHAPTER. The selling of wood and grass. 322
(14) CHAPTER. The uncultivated pieces of land. 324
(15) CHAPTER. Documentation of the land grants. 325
(16) CHAPTER. Milking she-camels at water places. 325
(17) CHAPTER. To pass through a garden or to have a share in date-palms. 325

43 – THE BOOK OF LOANS, FREEZING OF PROPERTY, AND BANKRUPTCY ................. 328

(1) CHAPTER. Whoever buys a thing on credit. 328
(2) CHAPTER. Borrowing money from people. 328
(3) CHAPTER. Repayment of debts. 329
(4) CHAPTER. To buy camels on credit. 330
(5) CHAPTER. Demanding debts handsomely. 331
(6) CHAPTER. Can one give an older (camel) than that he owes?... 331
(7) CHAPTER. Repaying debts handsomely. 331
(8) CHAPTER. If somebody repays less than what he owes. 332
(9) CHAPTER. To settle one’s accounts by repaying. 333
(10) CHAPTER. To seek refuge with Allāh from being in debt... 334
(11) CHAPTER. The funeral Salāt (prayer) for a dead person in debt. 334
(12) CHAPTER. Procrastination (delay) in repaying debts by a wealthy person is injustice. 335
(13) CHAPTER. The owner of the right has the permission to demand his right. 335

http://islamsbooks.wordpress.com/
(14) CHAPTER. If somebody lends something and the possessor gets bankrupt. 336
(15) CHAPTER. Delay in the repayment of debts for a day or so. 336
(16) CHAPTER. The property of a bankrupt. 337
(17) CHAPTER. To lend money or sell on credit for a fixed time. 337
(18) CHAPTER. Intercession for the reduction of debts. 338
(19) CHAPTER. Wasting money. 339
(20) CHAPTER. A slave is a guardian of the property of his master. 340

44 – THE BOOK OF QUARRELS 341

(1) CHAPTER. About the people and quarrels. 341
(2) CHAPTER. The deals done by a weak-minded or an extravagant person. 343
(3) CHAPTER. If somebody sells a thing for a weak-minded person. 343
(4) CHAPTER. The talk of opponents against each other. 344
(5) CHAPTER. Turning out the sinners and the quarrelsome people of the houses. 346
(6) CHAPTER. To file a case for fulfilling the will of the deceased. 346
(7) CHAPTER. Tying the person liable to do mischievous things. 347
(8) CHAPTER. Fastening and imprisoning in the Haram. 347
(9) CHAPTER. (The creditor’s) pursuit (after his debtors). 348
(10) CHAPTER. Demanding one’s debts. 348

45 – THE BOOK OF AL-LUQATA 350

(1) CHAPTER. Owners’ proof. 350
(2) CHAPTER. Lost camels. 350
(3) CHAPTER. Lost sheep. 351
(4) CHAPTER. If the owner of a lost thing is not found for one year. 352
(5) CHAPTER. If someone finds a thing in the sea. 352
(6) CHAPTER. If somebody finds a date on the way. 352
(7) CHAPTER. How the Luqata at Makkah is to be announced. 353
(8) CHAPTER. No animal may be milked without the permission of its owner. 355
(9) CHAPTER. If the owner of lost property comes back after a year. 355
(10) CHAPTER. Should one pick up a fallen thing? 356
(11) CHAPTER. Whoever announced the Luqata in public. 357
(12) CHAPTER. 

46 – THE BOOK OF AL-MAZÁLIM 359

(1) CHAPTER. Retaliation (on the Day of Judgement). 359
(2) CHAPTER. The Statement of Allah: “...No doubt! The curse of Allah is on the Zalimun.” 360
(3) CHAPTER. A Muslim should not oppress another Muslim. 361
(4) CHAPTER. Help your brother. 361
(5) CHAPTER. To help the oppressed. 362
(6) CHAPTER. To retaliate upon an oppressor. 363
(7) CHAPTER. Forgiveness granted by the oppressed person. 363
(8) CHAPTER. Az-Zulm (oppression) will be a darkness. 364
(9) CHAPTER. The curse of the oppressed. 364
(10) CHAPTER. If the oppressed one forgives the oppressor. 364
(11) CHAPTER. If the oppressed person forgives the oppressor, he has no right to back out. 365
(12) CHAPTER. If a person allows another to have his right. 365
CONTENTS OF VOLUME THREE

(13) CHAPTER. The sin of him who usurps the land of others.............. 366
(14) CHAPTER. If somebody allows another to do something.............. 367
(15) CHAPTER. The Statement of Allâh ﴿تَلَّبَّسَنَّكَ ﻣِنَ الْبَاقِينَ﴾: “Yet he is the most quarrelsome of the opponents…” 368
(16) CHAPTER. The sin of a man who quarrels unjustly..................... 368
(17) CHAPTER. The person who behaves impudently.......................... 369
(18) CHAPTER. The retaliation of the oppressed person...................... 369
(19) CHAPTER. About sheds.................................................. 370
(20) CHAPTER. Not to prevent a neighbour from fixing a peg............... 371
(21) CHAPTER. Spilling wine on the way.................................... 371
(22) CHAPTER. Open courtyards of houses and sitting on the ways...... 372
(23) CHAPTER. The digging of wells on the ways................................................. 372
(24) CHAPTER. To remove harmful things from the roads...................... 373
(25) CHAPTER. Looking or not looking upon other houses................. 373
(26) CHAPTER. Whoever tied his camel at the gate of the mosque.... 378
(27) CHAPTER. Standing and urinating at the dumps............................. 379
(28) CHAPTER. Removing a thing from the way which harms the people.............................. 379
(29) CHAPTER. When there is a dispute about a public way.............. 379
(30) CHAPTER. Robbing away somebody’s property publicly............ 380
(31) CHAPTER. The breaking of the cross and the killing of the pigs... 381
(32) CHAPTER. To break the pots containing wine.......................... 381
(33) CHAPTER. One who fights to protect his property...................... 382
(34) CHAPTER. If a person breaks something belonging to somebody.. 383
(35) CHAPTER. If one pulls down a wall, should build a similar one in its place.............................. 383

47 – THE BOOK OF PARTNERSHIP........................................ 385

(1) CHAPTER. About (sharing) meals and the Nahd and ‘Urûd…….. 385
(2) CHAPTER. Partners possessing joint property have to pay its Zakât equally....................................................... 387
(3) CHAPTER. Division of sheep.............................................. 387
(4) CHAPTER. A partner should not eat two dates at a time............ 388
(5) CHAPTER. To get a joint property evaluated with a price.......... 389
(6) CHAPTER. Can one draw lots for divisions and shares?......... 390
(7) CHAPTER. The partnership of orphans and other inheritors........ 390
(8) CHAPTER. Sharing land, etc............................................. 392
(9) CHAPTER. If partners divide the houses, etc.,.......................... 392
(10) CHAPTER. Sharing gold, silver and other articles.................. 392
(11) CHAPTER. Partnership with a Qâmmî in share-cropping......... 393
(12) CHAPTER. Distribution of sheep and dividing them justly........ 393
(13) CHAPTER. The sharing of food, etc.................................... 393
(14) CHAPTER. Sharing the slaves......................................... 394
(15) CHAPTER. Sharing the Hady and Budn.............................. 395
(16) CHAPTER. Ten sheep as equal to one camel in distribution....... 396

48 – THE BOOK OF MORTGAGING IN PLACES OCCUPIED BY SETTLED POPULATION. 398

(1) CHAPTER. The Statement of Allâh ﴿وَإِذَا بَلَغْتُمْ يَوْمَ الْحَقِّ﴾: “And if you are on a journey and cannot find a scribe, then let there be a pledge taken…” 398
(2) CHAPTER. Mortgaging an armour...................................... 398
(3) CHAPTER. Mortgaging the arms....................................... 398
49 – THE BOOK OF MANUMISSION (OF SLAVES) .......................... 402

(1) CHAPTER. The manumission and its superiority ................. 402
(2) CHAPTER. What is the best kind of manumission (of slaves)?... 402
(3) CHAPTER. Manumitting slaves at the time of eclipses........... 403
(4) CHAPTER. If one manumits a male slave owned by two persons... 403
(5) CHAPTER. Whoever manumits his portion of a common slave..... 405
(6) CHAPTER. Manumission and divorce by mistake or forgetfulness. 406
(7) CHAPTER. The witness for manumission............................ 407
(8) CHAPTER. Umm Al-Walad ........................................ 408
(9) CHAPTER. The selling of a Mudabbar.............................. 409
(10) CHAPTER. The Wala‘ of a manumitted slave..................... 410
(11) CHAPTER. If the brother or the uncle of somebody was taken as
to ransom a Mushrik ............................................. 410
(12) CHAPTER. Manumission of a Mushrik.............................. 411
(13) CHAPTER. Whoever possessed Arab slaves.......................... 412
(14) CHAPTER. The superiority of him who teaches his slave-girl good
manners. ................................................................... 415
(15) CHAPTER. “Slaves are your brothers, so feed them with the like
of what you eat.” ....................................................... 415
(16) CHAPTER. A slave who worships his Lord and he is also honest
and faithful to his master............................................. 416
(17) CHAPTER. It is disliked to look down upon a slave.................. 417
(18) CHAPTER. When your servant brings your meal to you?........... 420
(19) CHAPTER. The slave is a guardian of the property of his
master. ....................................................................... 420
(20) CHAPTER. If somebody beats a slave, he should avoid his face.... 421

50 – THE BOOK OF AL-MUKÁTAB ........................................ 422

CHAPTER. The sin of one who falsely accuses his slave of illegal
sexual intercourse ....................................................... 422
(1) CHAPTER. Al-Mukatab and payment of his price by installments.. 422
(2) CHAPTER. Writing of emancipation and conditions................ 423
(3) CHAPTER. Al-Mukatab is permitted to ask others to help him.... 424
(4) CHAPTER. The selling of a Mukatab on his agreement........... 425
(5) CHAPTER. If a Mukatab slave asks somebody to buy and free him. 426

51 – THE BOOK OF GIFTS AND THE SUPERIORITY
OF GIVING GIFTS .............. 428

(1) CHAPTER. Superiority of giving gifts............................... 428
(2) CHAPTER. Giving a little gift. ................................. 428
(3) CHAPTER. Whoever asks his friends to grant him a gift.......... 429
(4) CHAPTER. Whoever asks others to give him water................. 430
(5) CHAPTER. The gift of game..................................... 431
(6) CHAPTER. Accepting a gift ..................................... 431
(7) CHAPTER. Accepting a gift ..................................... 432
(8) CHAPTER. Chosing the to give a gift............................. 434
(9) CHAPTER. Gift should not be rejected............................. 436
(10) CHAPTER. To give as a gift, something not present.............. 437
(11) CHAPTER. Compensation for a gift............................... 437
(12) CHAPTER. Giving gifts to one’s sons. .............................. 438
(13) CHAPTER. The witnesses for the gifts................................. 438
(14) CHAPTER. Giving gifts by a husband to his wife, and by a wife to her husband.................. 439
(15) CHAPTER. A woman giving gifts to someone other than husband.............................. 440
(16) CHAPTER. Who is to be given the gift first?........................................... 441
(17) CHAPTER. Whoever refused to accept a present............................................. 442
(18) CHAPTER. If somebody gives another a present and dies before the gift reaches the other person... 444
(19) CHAPTER. To take over the slave and property (given as gift).................................. 445
(20) CHAPTER. The receiver taking the gift into his possession........................................ 446
(21) CHAPTER. If a creditor gives the debt, due to him, as a gift...................................... 447
(22) CHAPTER. The giving of a gift by one person to a group.......................................... 448
(23) CHAPTER. The received, unreceived, divided and undivided gifts................................ 449
(24) CHAPTER. If a group of persons gives a gift to some people........................................... 450
(25) CHAPTER. Whosoever is given a gift while some people are sitting with him, he only has the right to have it................................................................. 451
(26) CHAPTER. If someone gives a camel as a gift to a man riding it.................................... 452
(27) CHAPTER. A gift of clothes, wearing of which is disliked.............................................. 453
(28) CHAPTER. The acceptance of presents from Al-Mushrikūn................................................. 454
(29) CHAPTER. Giving presents to Al-Mushrikūn................................................................. 455
(30) CHAPTER. Not to take back presents or Sadaqa............................................................ 456
(31) CHAPTER......................................................... 457
(32) CHAPTER. 'Umra and Ruqba......................................................... 458
(33) CHAPTER. Borrowing a horse from some people.......................................................... 459
(34) CHAPTER. To borrow something for the bride............................................................... 460
(35) CHAPTER. The superiority of the Manīha........................................................................ 459
(36) CHAPTER. It is permissible if somebody says, “I give this slave-girl to you for your service.”..... 461
(37) CHAPTER. If somebody gives another person a horse (as a gift)...................................... 462

52 – THE BOOK OF WITNESSES.............................................. 463
(1) CHAPTER. The plaintiff has to produce a proof............................................................. 463
(2) CHAPTER. If a person attests the honourable record of a witness................................. 464
(3) CHAPTER. The witness of an eavesdropper...................................................................... 465
(4) CHAPTER. When a witness or witnesses give an evidence.............................................. 466
(5) CHAPTER. The just witnesses........................................................................................... 467
(6) CHAPTER. How many witnesses are sufficient to attest............................................... 468
(7) CHAPTER. To give witness concerning lineage, foster sucking relations and dead persons.... 469
(8) CHAPTER. The witness of a person falsely accusing somebody of illegal sexual intercourse and the witness of a thief or an adulterer.............................. 470
(9) CHAPTER. Do not be a witness for injustice, if asked for that............................................. 471
(10) CHAPTER. False witness.................................................................................................... 472
(11) CHAPTER. The witness of a blind man, his marriage, his affairs..................................... 473
(12) CHAPTER. The witness of women.................................................................................... 474
(13) CHAPTER. The witness of male and female slaves......................................................... 475
(14) CHAPTER. The witness of a wet nurse.............................................................................. 476
(15) CHAPTER. The women attesting each other...................................................................... 477
(16) CHAPTER. If only one man attests the conduct of another.............................................. 478
(17) CHAPTER. One should say only what he knows............................................................ 479
(18) CHAPTER. The boys attaining the age of puberty and their witness................................. 480
(19) CHAPTER. The question of the judge to the plaintiff, “Have you a proof?” ................ ..................... 488
(20) CHAPTER. The defendant must take an oath........................ 488
(21) CHAPTER. If someone claims something or accuses somebody he should be given respite to get evidence. ................ 490
(22) CHAPTER. The taking of an oath after the ‘Asr prayer ............. 490
(23) CHAPTER. The defendant has to take an oath wherever it becomes legally compulsory....................... 491
(24) CHAPTER. If (some people have to take an oath) and each of them wants to take it first............. 492
(25) CHAPTER. The Statement of Allāh ﷺ: “Verily, those who purchase a small gain at the cost of Allāh’s Covenant and their oaths, they shall have no portion in the Hereafter................................... 492
(26) CHAPTER. How to swear?... 493
(27) CHAPTER. The proof after (the defendant) has taken the oath. 494
(28) CHAPTER. Whoever sees that promises should be fulfilled. .... 495
(29) CHAPTER. Al-Mushrikūn should not be asked to give witness. ........................................................................ 497
(30) CHAPTER. Drawing lots to solve problems...................... 498

53 – THE BOOK OF PEACEMAKING ............... 501

(1) CHAPTER. What has been said regarding (re)conciliation between the people........................................... 501
(2) CHAPTER. He who makes peace between the people is not a liar......................................................... 503
(3) CHAPTER. “Let us go to bring about a (re)conciliation.”........ 503
(4) CHAPTER. The Statement of Allāh ﷺ: “... If they make terms of peace between themselves; and making peace is better…” ................. 504

54 – THE BOOK OF CONDITIONS.............. 516

(1) CHAPTER. The conditions permissible on embracing Islām, and in contracts and transactions... 516
(2) CHAPTER. The sale of pollinated date-palms ......................... 518
(3) CHAPTER. The conditions of selling........................................ 518
(4) CHAPTER. It is permissible for the seller to ride the (sold) animal up to a certain place. ......................... 519
(5) CHAPTER. Conditions in contracts (of share-cropping etc.).... 520
(6) CHAPTER. The terms and the conditions of Mahr.................. 521
(7) CHAPTER. The conditions in share-cropping. ..................... 521
(8) CHAPTER. The conditions not permissible in marriage contracts... 522
(9) CHAPTER. The conditions not permissible in legal punishments.... 522
(10) CHAPTER. The conditions permissible in the case of a slave who has a writing for emancipation. 523
(11) CHAPTER. Conditions concerning divorce. 524
(12) CHAPTER. Verbal conditions with the people. 524
(13) CHAPTER. Conditions for Walā'. 525
(14) CHAPTER. If the landlord stipulates that he would terminate the contract whenever he likes. 526
(15) CHAPTER. The conditions of Jihad and peace treaties. 527
(16) CHAPTER. Conditions in loans. 538
(17) CHAPTER. Al-Mukātab conditions which contradict Allāh’s Laws. 538
(18) CHAPTER. What kinds of conditions are permissible; and what is exempted from the decision. 539
(19) CHAPTER. Conditions in Waqf (i.e., religious endowment). 540
(1) CHAPTER. The obligation of performing 'Umrah and its superiority.

Ibn ‘Umar Ṭābi‘ī said, “Hajj and ‘Umrah are obligatory for everybody.” And Ibn ‘Abbās Ṭābi‘ī said, “‘Umrah is mentioned in conjunction with Hajj in the Book of Allāh, ‘And perform properly (i.e., all the ceremonies according to the ways of Prophet Muhammad ﷺ) Hajj and ‘Umra for Allāh.’” (V.2:196)

1773. Narrated Abū Hurairah: Allāh’s Messenger ﷺ said, “(The performance of) ‘Umra is an expiation for the sins committed between it and the previous one. And the reward of Al-Hajj Al-Mabrūr (the one accepted by Allāh) is nothing but Paradise.”

(2) CHAPTER. The performance of ‘Umra before Hajj.


Narrated ‘Ikrima bin Khālid: “I asked Ibn ‘Umar Ṭābi‘ī the same (as above).”
(3) CHAPTER. How many times did the Prophet ﷺ perform ‘Umra?

1775. Narrated Mujahid: ‘Urwa bin Az-Zubair and I entered the mosque and saw ‘Abdullâh bin ‘Umar رضي الله عنهما sitting near the dwelling place of ‘Aishah and some people were offering the Salât-ud-Duḥâ (Duha prayer). We asked him about their Salât and he replied that it was a heresy. He (‘Urwa) then asked him how many times the Prophet ﷺ had performed ‘Umra. He replied, “Four times; one of them was in the month of Rajab.” We disliked to contradict him.

1776. Then we heard ‘Aishah رضي الله عنها, the Mother of faithful believers cleaning her teeth with Siwak in the dwelling place. ‘Urwa said, “O Mother! O Mother of the believers! Don’t you hear what Abû ‘Abdur Raḥmān is saying?” She said, “What does he say?” ‘Urwa said, “He says that Allah’s Messenger ﷺ performed ‘Umra four times and one of them was in the month of Rajab.” ‘Aishah said, “May Allah be Merciful to Abû ‘Abdur Raḥmān! The Prophet ﷺ did not perform any ‘Umra except that he was with him, and he never performed any ‘Umra in Rajab.”

1777. Narrated ‘Urwa bin Az-Zubair: I asked ‘Aishah رضي الله عنها (whether the
The Prophet \( \text{SAW} \) had performed 'Umra in Rajab.

She replied, “Allah’s Messenger \( \text{SAW} \) never performed any ‘Umra in Rajab.”

1778. Narrated Qatada: I asked Anas \( \text{RA} \): How many times the Prophet \( \text{SAW} \) had performed ‘Umra. He replied, “Four times:
1. ‘Umra of Ḥudaibiya in Dhil-Qa’dah when the Mushrīkun hindered him; 2. ‘Umra in the following year in Dhil-Qa’dah after the peace treaty with them (the Mushrīkun); 3. ‘Umra from Al-Jîrānā where he distributed the war booty.” I think he meant the booty (of the battle) of Hunain. 4. ‘Umra along with his Ḥajj (Ḥajjat-ul-Wada) I asked, “How many times did he perform Ḥajj?” He (Anas) replied, “Once.”

1779. Narrated Qatada: I asked Anas \( \text{RA} \): (about the Prophet’s ‘Umra) and he replied, “The Prophet \( \text{SAW} \) performed ‘Umra when the Mushrīkun made him return, and ‘Umra of Al-Ḥudaibiya (the next year), and another ‘Umra in Dhil-Qa’dah, and another ‘Umra in combination with his Ḥajj.”

1780. Narrated Hammām: (Qatada said: Anas said): The Prophet \( \text{SAW} \) performed four ‘Umra (three) in Dhil-Qa’dah except the (one) ‘Umra which he performed with his Ḥajj: His ‘Umra from Al-Ḥudaibiya, and the one of the following year, and the one from Al-Jîrānā where he distributed the booty (of the battle) of Hunain, and another ‘Umra along with his Ḥajj.

http://islamsbooks.wordpress.com/

1782. Narrated ‘Atā‘: I heard Ibn ‘Abbas saying, “Allāh’s Messenger asked an Ansārī woman (Ibn ‘Abbas named her but ‘Atā‘ forgot her name), ‘What prevented you from performing Hājj with us?’ She replied, ‘We have a camel and the father of so-and-so and his son (i.e., her husband and her son) rode it and left one camel for us to use for irrigation.’ He ﷺ said (to her), ‘Perform ‘Umra when Ramaḍān comes, for ‘Umra in Ramaḍān is equal to Hājj (in reward),’ or said something similar.”
(5) CHAPTER. The performance of 'Umra on the night of Ḥaṣba (the night of departure from Mina) after finishing Ḥajj and on other nights.

1783. Narrated ‘Aishah: We set out along with Allāh’s Messenger shortly before the appearance of the new moon (crescent) of the month of Dhil-ijjah and he said to us, “Whoever wants to assume Ḥārām for Ḥajj may do so; and whoever wants to assume Ḥārām for ‘Umra may do so. Hadn’t I brought the Hady (animal for sacrifice) (with me), I would have assumed Ḥārām for ‘Umra.” (‘Aishah added): So some of us assumed Ḥārām for ‘Umra while the others for Ḥajj. I was amongst those who assumed Ḥārām for ‘Umra. The day of ‘Arafah approached and I was still menstruating. I complained to the Prophet (about that) and he said, “Abandon your ‘Umra, undo and comb your hair, and assume Ḥārām for Ḥajj.” When it was the night of Ḥaṣba, he sent ‘Abdur Raḥmān with me to At-Tan‘im and I assumed Ḥārām for ‘Umra (and performed it) in lieu of my missed ‘Umra.

(6) CHAPTER. ‘Umra from At-Tan‘im.

1784. Narrated ‘Amr bin Aūs: ‘Abdur Raḥmān bin ‘Abū Bakr told me that the Prophet had ordered him to let ‘Aishah ride behind him and to make her perform ‘Umra from At-Tan‘im.
1785. Narrated Jābir bin ‘Abdullah: The Prophet and his Companions assumed Ḥijrām for Hajj and none except the Prophet and Talha had the Hady with them. ‘Ali had come from Yemen and he had the Hajj with him. He (‘Ali) said, “I have assumed Ḥijrām with an intention like that of Allāh’s Messenger. The Prophet ordered his Companions to intend the Ḥijrām with which they had come for ‘Umra, i.e., to perform the Tawāf of the Ka’bah [and Sāy (going) between As-Safā and Al-Marwā], to get their hair cut short and then to finish their Ḥijrām with the exception of those who had the Hajj with them. They asked, “Shall we go to Mina and the private organs of some of us are dribbling (if we finish Ḥijrām and have sexual relations with our wives)”? The Prophet heard that and said, “Had I known formerly what I know now, I would not have brought the Hady. If I did not have the Hady with me I would have finished my Ḥijrām.” ‘Aishah got her menses and performed all the ceremonies (of Hajj) except the Tawāf. So when she became clean from her menses, she had performed the Tawaf of the Ka’bah, she said, “O Allāh’s Messenger! You (people) are returning with Hajj and Umra and I am returning only with Hajj!” So, he ordered ‘Abdur Razzāk bin ‘Abdu Bakr to go with her to At-Tan’im. Thus she performed ‘Umra after the Hajj in the month of Dhil-Hijjah. Sūrāqah bin Malik bin Ju’sham met the Prophet at Al-Aqabah (Jamrat-ul-Aqabah) while the latter was stoning it and said, “O Allāh’s Messenger! Is this permissible only for you?” The Prophet replied, “No, it is for ever (i.e., it is permissible for all Muslims to perform ‘Umra before Hajj.”

(1) (H.1785) This may also mean that the performance of ‘Umra during the months of Hajj was permissible, contrary to what the pagans of the Pre-Islamic Period believed. (Fath Al-Bārī)
(7) CHAPTER. The performance of ‘Umra after performing Hajj without having a Hady.

1786.Narrated ‘Aishah: We set out with Allâh’s Messenger shortly before the appearance of the new moon of Dhîl-Hijjah and he said, “Whoever wants to assume Ihram for ‘Umra may do so, and whoever wants to assume Ihram for Hajj may do so. Had not I brought the Hady with me, I would have assumed Ihram for ‘Umra.” Some of the people assumed Ihram for ‘Umra while others for Hajj. I was amongst those who had assumed Ihram for ‘Umra. I got my menses before entering Makkah, and was menstruating till the day of ‘Arafât. I complained to Allâh’s Messenger about it, he said, “Abandon your ‘Umra, undo and comb your hair, and assume Ihram for Hajj.” So, I did that accordingly. When it was the night of Hasba (day of departure from Mina), the Prophet sent ‘Abdur Rahmân with me to At-Tan’im. The subnarrator adds: He (‘Abdur Rahmân) let her ride behind him. And she assumed Ihram for ‘Umra in lieu of the abandoned one. ‘Aishah completed her Hajj and ‘Umra, and no Hady, Ṣadaqa (charity), or fasting was obligatory for her.

(8) CHAPTER. The reward of ‘Umra is according to the hardship which one encounters in performing it.

1787. Narrated Al-Aswad that ‘Aishah said, “O Allâh’s Messenger! The
people are returning after performing the two Nusuk (i.e., Hajj and 'Umra) but I am returning with one only?” He said, “Wait till you become clean from your menses and then go to At-Tan’im, assume Ihram (and after performing 'Umra) join us at such and such a place. But it (i.e., the reward of 'Umra) is according to your expenses or the hardship (which you encounter while performing it).”

(9) CHAPTER. If a person performing 'Umra departs after performing the Tawaf of ‘Umra, will that Tawaf substitute for Tawaf-al-Wada’ as well?

1788. Narrated 'Aishah : We set out assuming the Ihram for Hajj in the months of Hajj towards the sacred precincts of Haff. We dismounted at Sarif and the Prophet said to his Companions, “Whoever has not got the Hady with him and likes to make it as 'Umra, he should do it, but he who has got the Hady with him should not do it.” The Prophet and some of his wealthy Companions had the Hady with them, so they did not finish Ihram after performing the ‘Umra. The Prophet came to me while I was weeping. He asked me the reason for it. I replied, “I have heard of what you have said to your Companions and I cannot do the ‘Umra.” He asked me, “What is the matter with you?” I replied, “I am not offering prayers.” He said, “There is no harm in it as you are one of the daughters of Adam and the same is written for you as for others. So, you should perform Hajj and I

(1) (H.1788) This expression is an indirect way to say: “I have got menses and thus I cannot perform my prayers. Consequently, I cannot perform the ceremonies of ‘Umra.”
hope that Allah will enable you to perform the 'Umra as well.' So, I carried on till we departed from Minâ and halted at Al-Mu'ââshab. The Prophet ﷺ called 'Abdur-Rahmân and said, "Go out of the sanctuary with your sister and let her assume Ihrām for 'Umra, and after both of you have finished the 'Tawâf I will be waiting for you at this place." We came back at mid-night and the Prophet ﷺ asked us, "Have you finished?" I replied in the affirmative. He announced the departure and the people set out for the journey and some of them had performed the 'Tawâf of the Ka'bah before the morning prayer, and after that the Prophet ﷺ set out for Al-Madina.

(10) CHAPTER. A person should perform (the same ceremonies) in 'Umra, as he performs in Hajj.

1789. Narrated Sâwâb bin Ya"lã bin Umaiyya that his father said, "A man came to the Prophet ﷺ while he was at Ji'râna. The man was wearing a cloak which had traces of Khâlîq of Sufra (a kind of perfume). The man asked (the Prophet ﷺ), 'What do you order me to perform in my 'Umra?' So, Allah inspired the Prophet ﷺ Divinely and he was screened by a piece of cloth. I wished to see the Prophet ﷺ being Divinely inspired. 'Umar said to me, 'Come! Will you be pleased to look at the Prophet ﷺ while Allah is inspiring him?' I replied in the affirmative. 'Umar lifted one corner of the cloth and I looked at the Prophet ﷺ who was snoring. When that state was over, the Prophet ﷺ asked, "Where is the questioner who asked about 'Umra? Put off your cloak and wash away the traces of Khâlîq from your body and clean the Sufra (yellow colour)
and perform in your ʿUmra what you perform in your Ḥajj [i.e., the Tawāf round the Kaʿbah and the Sāʾy (going) between Aṣ-Ṣafā and Al-Marwa].”

1790. Narrated ‘Urwa: While I was a youngster, I asked ‘Aishah, the wife of the Prophet ﷺ, "What about the meaning of the Statement of Allah جرب "Verily! A-Safā and Al-Marwā (two mountains in Makkah), are of the Symbols of Allah. So it is not a sin on him who performs Ḥajj or ʿUmra of the House (Kaʿbah at Makkah) to perform the Tawāf [Sāʾy (going)] between them?" (V.2:158) I understand (from that) that there is no sin if somebody does not perform the Tawāf between them." ‘Aishah replied, "No, for if it were as you are saying, then the recitation would have been like this: 'It is not sinful not to perform Tawāf between them.' This Verse was revealed in connection with the Ansār who used to assume the Ihrām for the idol Manāt which was put beside a place called Qudaid and those people thought it not right to perform the Tawāf of Aṣ-Ṣafā and Al-Marwā. When Islām came, they asked Allah’s Messenger ﷺ about that, and Allah revealed:

‘Verily! Aṣ-Ṣafā and Al-Marwā (two mountains in Makkah) are of the Symbols of Allah.’

So, it is not a sin on him who performs Ḥajj or ʿUmra (pilgrimage of the House Kaʿbah at Makkah) to perform Tawāf [Sāʾy (going)] between them.” (V.2:158)

Sufyān and Abū Muʿāwiya added:

Hishām added (from ‘Aishah): “The Ḥajj
or ‘Umra of the person who does not perform the Tawaf between Aş-Şafā and Al-Marwa is incomplete before Allah.”

(11) CHAPTER. When should a person performing ‘Umra finish his Ihram?

Jabir said, “The Prophet ordered his Companions to perform ‘Umra (with the Ihram they had intended for Hajj) and to perform the Tawaf (of Ka’bah, Aş-Şafā and Al-Marwa), and then cut short their hair and finish the Ihram.”

1791. Narrated Ismā’īl: ‘Abdullāh bin Abū Aufa said: “Allah’s Messenger performed ‘Umra and we too performed ‘Umra along with him. When he entered Makkah he performed the Tawaf (of Ka’bah) and we too performed it along with him, and then he came to the Aş-Şafā and Al-Marwa (i.e., performed the Sa’y) and we also came to them along with him. We were shielding him from the people of Makkah lest they may hit him with an arrow.”

A friend of his asked him (i.e., ‘Abdullāh bin Abū Aufa), “Did the Prophet enter the Ka’bah (during that ‘Umra)?” He replied in the negative.

1792. Then he said, “What did he (the Prophet) say about Khadija?” He (‘Abdullāh bin Abū Aufa) said, “(He said) ‘Give Khadija the good tidings that she will have a palace made of Qasab’ in Paradise and there will be neither noise nor any toil (fatigue trouble etc.) in it.’”

1793. Narrated ‘Amr bin Dinār: We asked Ibn ‘Umar whether a man who had performed the Tawaf of the Ka’bah but had not performed the Tawaf [Sa’y (going)] between Aş-Şafā and Al-

(1) (H.1792) Qasab: An Arabic word meaning pipes made of gold or pearls and other precious stones.
Marwa yet, was permitted to have sexual relation with his wife. He replied, "The Prophet arrived (at Makkah) and circumambulated the Ka'bah seven times and then offered two-Rakah prayer behind Maqâm Ibrahîm and then performed the Tawâf (going) between As-Safâ and Al-Marwa seven times. And verily, in Allah's Messenger you have a good example to follow".

1794. And we asked Jabîr bin 'Abdullâh (the same question) and he replied, "He should not go near her till he has finished the Tawâf (going) between As-Safâ and Al-Marwa."

1795. Narrated Abû Mûsâ Al-Ash'ârî: I came to the Prophet at Al-Batbâ while his camel was kneeling down and he asked me, "Have you intended to perform the Hajîj?" I replied in the affirmative. He asked me, "With what intention have you assumed Ihîrâm?" I replied, "I have assumed Ihîrâm with the same intention as that of the Prophet."
He said, "You have done well. Perform the Tawâf of the Ka'bah and (the Sâ'y) between As-Safâ and Al-Marwa and then finish the Ihîrâm." So, I performed the Tawâf around the Ka'bah and (the Sâ'y) between As-Safâ and Al-Marwa and then went to a woman of the tribe of Qais who cleaned my head from lice. Later I assumed the Ihîrâm for Hajîj. I used to give the verdict of doing the same till the caliphate of 'Umar who said, "If you follow Allah's Book (the Qur'ân) then it orders you to remain in the state of Ihîrâm till you finish from Hajîj, if you follow the Prophet then he did not

(1) (H.1795) i.e., to not to finish the Ihîrâm' either perform Hajîj-al-Qinân (if you have a Hady) or perform Hajîj alone without the 'Umra and that is the opinion of 'Umar. [See Hadîth No.1724 and its footnote Vol.2, Sahîh Al-Bukhârî]
1796. Narrated Al-Aswad: ‘Abdullāh the slave of Asmā’ bint Abū Bakr, told me that he used to hear Asmā’, whenever she passed by Al-Hajūn, saying, “May Allāh bless His Messenger Muḥammad ﷺ. Once we dismounted here with him, and at that time we were travelling with light luggage; we had a few riding animals and a little food ration. I, my sister ‘Aishah, Az-Zubair and such and such persons performed ‘Umra, and when we had passed our hands over the Ka’bah (i.e., performed Tawāf round the Ka’bah and between As-Ṣafā and Al-Marwa) we finished our Ḥiṭām. Later on we assumed Ḥiṭām for Ḥajj the same evening.”

1797. Narrated ‘Abdullāh bin ‘Umar: Whenever Allāh’s Messenger ﷺ returned from a Ghazwa, Ḥajj or ‘Umra, he used to say Takbīr (Allāhu-Akbar) thrice at every elevation of the ground and then would say, Lā ilāha illallāhu Waḥdahū lā shārīka lahhū, lahul-mulk, wa lahul-hamdu, wa Huwa ‘alā kulli sha‘īn Qadir. Ayibān, ta‘ibūn, ‘abīdūn, sājidūn, lurabbinā ĥāmidūn. Sadaqal-lahu wa ‘dahu, wa nasara ‘abdahu, wahazamat-ahzaba Waḥdahū [None has the right to be worshipped but Allāh; He is One and has no partner. All the kingdom is for Him, and all the praises are for Him, and He is Omnipotent. We are returning with repentance, worshipping, prostrating, and praising our Lord. He has kept up His
promise and made his slave victorious, and
he alone defeated all the confederates (of
disbelievers)].
(13) CHAPTER. Reception of the returning
pilgrims; and the riding of three persons on
one animal.

1798. Narrated Ibn 'Abbas: When the Prophet arrived at Makkah,
some boys of the tribe of Banu 'Abd Muttalib went to receive him, and
the Prophet made one of them ride in front of him and the other behind him.

(14) CHAPTER. Arriving in the morning.

1799. Narrated Ibn 'Umar: Whenever Allah's Messenger left for
Makkah, he used to offer Salat (prayer) in
the mosque of Ash-Shajarah, and when he
returned (to Al-Madina), he used to offer
Salat in the middle of the valley of Dhul-
Hulaifa and used to pass the night there till
morning.

(15) CHAPTER. Returning (home) at Al-
'Ashi (after midday till sunset).

1800. Narrated Anas: The Prophet never returned to his family from
a journey at night. He used to return either in
the morning or in the afternoon.
(16) CHAPTER. Not to go to one’s family on arrival at one’s town, at night. [See Fath Al-Bāri]

1801. Narrated Jābir: The Prophet forbade going to one’s family at night (on arrival from a journey).

(17) CHAPTER. Whoever made his she-camel proceed faster on reaching his town (destination).

1802. Narrated Humaid: Anas said, “Whenever Allāh’s Messenger returned from a journey, he, on seeing the high places of Al-Madīna, would make his she-camel proceed faster; and if it were another animal, even then he used to make it proceed faster.”

Narrated Humaid that the Prophet used to make it proceed faster out of his love for Al-Madīna.

Narrated Anas as above, but mentioned “the walls of Al-Madīna” instead of “the high places of Al-Madīna.” Al-Ḥarīth bin ‘Umair agrees with Anas.

(18) CHAPTER. The Saying of Allāh: “...So enter houses through their proper doors...” (V.2:189)

1803. Narrated Abū Ishaq: I heard Al-Barā saying, “The above Verse was revealed regarding us, for the Ansār on returning from Hajj never entered their houses through the proper doors but from behind. One of the Ansār came and entered through the door and he was taunted for it. Therefore, the following was revealed:

“...It is not Al-Bīr (piety, righteousness)
that you enter the houses from the back, but *Al-Birr* (is the quality of one) who fears Allah. So, enter houses through their proper doors…” (V.2:189)

(19) CHAPTER. Travelling is a kind of torture.

1804. Narrated Abū Hurairah: The Prophet ﷺ said, “Travelling is a kind of torture as it prevents one from eating, drinking and sleeping (properly). So, when one’s needs are fulfilled, one should return quickly to one’s family.”

(20) CHAPTER. What may a traveller do if he has to proceed fast to arrive home early?

1805. Narrated Zaid bin Aslam that his father said: , “I was with Ibn ‘Umar ﷺ on the way to Makkah, and he got the news that Saﬁyya bint Abū ‘Ubaid was seriously ill. So, he hastened his pace, and when the twilight disappeared, he dismounted and offered the *Maghrib* and *’Ishā* prayer together. Then he said, “I saw that whenever the Prophet ﷺ had to hasten when travelling, he would delay the *Maghrib* prayer and join them together (i.e., offer the *Maghrib* and the *’Ishā* prayer together).”
And the Statement of Allah:
“...But if you are prevented (from completing them), sacrifice a Hady (animal i.e., a sheep or a cow or a camel etc.) such as you can afford, and do not shave your heads until the Hady reaches the place of sacrifice...” (V.2:196)

(1) CHAPTER. If one, intending to perform ‘Umra, is prevented from performing it.

1806. Narrated Nafi': When ‘Abdullah bin ‘Umar set out for Makkah intending to perform ‘Umra, at the time of Al-Fitnah (trial or affliction)(2), he said, “If I should be prevented from reaching the Ka’bah, then I would do the same as Allah’s Messenger did, so I assume the Ihram for ‘Umra as Allah’s Messenger assumed the Ihram for ‘Umra in the year of Hudaibiya.”

1807. Narrated Nafi that ‘Ubaidullah bin ‘Abdullah and Salim bin ‘Abdullah informed him that they told Ibn ‘Umar when Ibn Az-Zubair was attacked by the army saying, “There is no harm for you if you did not perform Hajj this year. We are afraid that you may be prevented from reaching the Ka’bah.” Ibn ‘Umar said, “We set out with Allah’s Messenger and the Quraish disbelievers prevented us from reaching the Ka’bah, and so the Prophet slaughtered his Hady and got his head shaved.” Ibn

(1) (Ch. 27) Al-Muhsar is a Muhrim who intends to perform Hajj or ‘Umra but is prevented from performing it because of some obstacle.
(2) (H. 1806) The fighting between Al-Ḥajjāj and Ibn Az-Zubair.
'Umar added, “I make you witness that I have made 'Umra obligatory for me. And if Allah will, I will go and then if the way to Ka'bah is clear, I will perform the Tawaf, but if I am prevented from going to the Ka'bah then I will do the same as the Prophet did while I was in his company.” Ibn 'Umar then assumed Ihram for 'Umra from Dhul-Hulaifa and proceeded for a while and said, “The conditions of 'Umra and Hajj are similar and I make you witnesses that I have made 'Umra and Hajj obligatory for myself.” So, he did not finish the Ihram till the day of Nahr (slaughtering) came, and he slaughtered his Hady. He used to say, “I will not finish the Ihram till I perform the Tawaf, one Tawaf on the day of entering Makkah (i.e., one Sa'y of As-Saf and Al-Marwa for both 'Umra and Hajj).”

1808. Narrated Nafi': Some of the sons of ‘Abdullâh told him (i.e., ‘Abdullâh) if he had stayed (and not performed Hajj that year).

1809. Narrated Ibn ‘Abbas. Allah's Messenger was prevented from performing ('Umra). Therefore, he shaved his head and had sexual relations with his wives and slaughtered his Hady and performed 'Umra in the following year.

(2) CHAPTER. One who is prevented from performing the Hajj.

1810. Narrated Sâlim: ('Abdullâh) bin 'Umar used to say, “Is not (the
following of) the Sunna (legal ways) of Allah’s Messenger sufficient for you? If anyone of you is prevented from performing Hajj, he should perform the Tawaf of the Ka’bah and [Sāy (going)] between Aṣ-Ṣafā and Al-Marwa and then finish the Ihrãm and everything will become legal for him which was illegal for him (during the state of Ihrãm); and he can perform Hajj in a following year and he should slaughter a Hady or observe Saum (fasting) in case he cannot afford the Hady.”

(3) CHAPTER. The slaughtering (of Hady) before shaving the head (in case) one is prevented from performing (Hajj or ‘Umra).

1811. Narrated Al-Miswar: Allah’s Messenger slaughtered the Hady before he had his head shaved and then he ordered his companions to do the same.

1812. Narrated Nāfi’ that ‘Abdullāh and Sālim said to ‘Abdullāh bin ‘Umar: “(You should not go for Hajj this year).” ‘Abdullāh bin ‘Umar replied, “We set out with the Prophet (to Makkah for performing ‘Umra) and the infidels of Quraish prevented us from reaching the Ka’bah. Allāh’s Messenger slaughtered his Budn (camels for sacrifice) and got his head shaved.”
(4) CHAPTER. Whoever said that the Muḥṣar is not supposed to perform 'Umra or Hajj in lieu of the prevented one.

Ibn 'Abbas said, "The performing of Hajj is only obligatory in lieu of that Hajj which is abandoned because of personal pleasure (having sexual intercourse with his wife), and not for that which is abandoned because some genuine excuse or a similar thing (e.g., disease or lack of money), then he should finish his Ihram and there is no need for him to make up for it. And if he has a Hady with him and is prevented from performing Hajj, and he is unable to send it to its place of slaughtering, then he should slaughter it. But if he can send it, then he should not finish his Ihram till the Hady has reached its place (i.e., has been slaughtered)."

Malik and others said, "He should slaughter his Hady and have his head shaved wherever he is and does not have to make up for it, because the Prophet and his companions slaughtered the sacrifice and had their heads shaved in Al-Hudaibiya and finished their Ihram before performing the Tawaf and before the Hady reached the Ka'bah. It is not mentioned that the Prophet ordered anybody to make up for any of the missed ceremonies or to repeat anything. And Al-Hudaibiya is outside the boundaries of the sanctuary of Makkah."

1813. Narrated Nafi': When 'Abdullāh bin 'Umar set out for Makkah with the intention of performing 'Umra in the period of Al-Fitnah (trial and affliction), he said, "If I should be prevented from reaching the Ka'bah, then I would do the same as we did while in the company of Allah's Messenger ." So, he assumed the Ihram for 'Umra since the Prophet had assumed the Ihram for 'Umra in the year of Al-Hudaibiya. Then 'Abdullāh bin 'Umar
thought about it and said, “The conditions for both Hajj and ‘Umra are similar.” He then turned towards his companions and said, “The conditions of both Hajj and ‘Umra are similar and I make you witness that I have made the performance of Hajj obligatory for myself along with ‘Umra.” He then performed one Tawaf [Sā'y (going) between Aš-Šafā and Al-Marwa] for both of them (i.e., Hajj and ‘Umra) and considered that to be sufficient for him and offered a Hady.

(5) CHAPTER. The Statement of Allah 

“...And whosoever of you is ill or has an ailment in his scalp, (necessitating shaving), he must pay a Fidya (ransom), of either observing Saum (fasts) (three days), or giving Sadaqa (charity - feeding six poor persons), or offer sacrifice (one sheep)…”

(V.2:196)

He has the option. As for fasting, it should be for three days.

1814. Narrated ‘Abdur-Rahmān bin Abū Lailā: Ka'b bin ‘Ujra: Allah’s Messenger ﷺ said that Allah’s Messenger ﷺ said to him (Ka'b), “Perhaps your lice have troubled you?” Ka'b replied, “Yes! O Allah's Messenger.” Allah’s Messenger ﷺ said, “Have your head shaved and then either fast three days, or feed six poor persons or slaughter one sheep as a sacrifice.”

(6) CHAPTER. The Saying of Allah ﷺ

“... Or giving Sadaqa…” (V.2:196)
Here *Ṣadaqa* is in the form of feeding six poor persons.

1815. Narrated Ka'b bin 'Ujra: Allah's Messenger stood beside me at Al-Hudaibiya and the lice were falling from my head in great number. He asked me, "Have your lice troubled you?" I replied in the affirmative. He ordered me to get my head shaved. Ka'b added, "This Verse: '...And whosoever of you is ill, or has ailment in his scalp...' (V.2:196) was revealed regarding me." The Prophet then ordered me either to observe *Saum* (fast) for three days, or to feed six poor persons with one *Faraq* (three *Sa*) of dates, or to slaughter a sheep, (as sacrifice) whatever was available."

(7) CHAPTER. The *Fidya* (compensation for a missed or wrongly practised religious ceremony) in the form of feeding (six persons) each with one-half a *Ṣā* (of food).

1816. Narrated 'Abdullāh bin Ma'qal: I sat with Ka'b bin 'Ujra and asked him about the *Fidya*. He replied, "This revelation was revealed concerning my case especially, but it is also for you in general. I was brought before Allah's Messenger and the lice were falling in great numbers on my face. The Prophet said, 'I have never thought that your ailment (or struggle) has reached to such an extent as I see. Can you afford a sheep?' I replied in the negative. He then said, 'Observe *Saum* (fasts) for three days, or to feed six poor persons each with one-half a *Ṣā* of food (1 *Ṣā* = 3 kilograms approx.) [and get your head shaved]."
CHAPTER. The Nusuk (offering) is one sheep.

1817. Narrated ‘Abdur-Rahmān bin Abū Lailā reporting the speech of Ka‘b bin ‘Ujra to Allah’s Messenger while the lice were falling on his face. He asked (him), “Have your lice troubled you?” He replied in the affirmative. So, he ordered him to get his head shaved while he was at Al-‘Udāibiyya. At that time they were not permitted to finish their Ihram, and were still hoping to enter Makkah. So, Allah revealed the Verses of Al-Fidya. Allah’s Messenger ordered him to feed six poor persons with one Faraq of food or to slaughter one sheep (as a sacrifice) or to observe Saum (fast) for three days.

1818. Narrated Ka‘b bin ‘Ujra to Allah’s Messenger while the lice were falling on his face.

(1) (H.1817) Ka‘b was permitted to finish his Ihram because of ailment in his head and had to pay Fidya, although later on, all his Companions finished Ihram because they were prevented from reaching the Ka‘bah.
(9) CHAPTER. The Statement of Allah:

“...Then he should not have sexual relations (with his wife) ...” (V.2:197)

1819. Narrated Abū Hurairah

Allah’s Messenger  said, “Whoever performs Hajj to this House (Ka’bah) and does not approach his wife for sexual relations nor commits sins (while performing Hajj), he will come out as sinless as a newborn child (just delivered by his mother).”

(10) CHAPTER. The Statement of Allah

...nor commit sin nor dispute unjustly during Hajj...” (V.2:197)

1820. Narrated Abū Hurairah

The Prophet  said, “Whoever performs Hajj to this House (Ka’bah) and does not approach his wife for sexual relations nor commit sins (while performing Hajj), he will come out as sinless as a newborn child (just delivered by his mother).”
28 – THE BOOK OF PENALTY FOR HUNTING [BY A MUHRIM] AND SIMILAR THINGS.

(1) CHAPTER. The penalty for hunting (by a Muhrim) and similar things. And the Statement of Allah Taurah:

"...Kill not game while you are in the state of Ihrãm for Hajj or Umra (pilgrimage), and whosoever of you kills it intentionally, the penalty is an offering, brought to the Ka'bah, of an eatable animal (i.e., sheep, goat, cow, etc.) brought to the Ka'bah, equivalent to the one he killed... to the end of the Verse... And fear Allàh to Whom you shall be gathered back." (V.5:95-96)

(2) CHAPTER. If a non-Muhrim hunts (an animal) and gives it as a present to a Muhrim, (it is permissible for) the latter to eat it.

Ibn 'Abbãs and Anas considered that there was no harm for a Muhrim to slaughter animals which were not game, like camels, sheep, cows, hens, or horses.

1821. Narrated 'Abdullãh bin Abû Qatada: My father set out (for Makkah) in the year of Al-ðudaibíya, and his companions assumed Ihrãm, but he did not. At that time the Prophet was informed that an enemy wanted to attack him, so the Prophet proceeded onwards. While my father was among his companions, some of them laughed among themselves. (My father said), "I looked up and saw an onager(1). I attacked, stabbed and caught it.

(1) (H.1821) They were laughing because they saw an onager and could not hunt it.
I then sought my companions’ help but they refused to help me. (Later) we all ate its meat. We were afraid that we might be left behind (separated) from the Prophet. So, I went in search of the Prophet and made my horse to run at a galloping speed at times and let it go slow at an ordinary speed at other times till I met a man from the tribe of Banī Ghifār at midnight. I asked him, "Where did you leave the Prophet?" He replied, "I left him at Ta’hun and he had the intention of having the midday rest at As-Suqyā. I followed the traces and joined the Prophet and said, 'O Allah’s Messenger! Your people (Companions) send you their compliments, and (ask for) Allah’s Blessings upon you. They are afraid lest they may be left behind; so please wait for them.' I added, 'O Allah’s Messenger I hunted an onager and some of its meat is with me. The Prophet told the people to eat it, though all of them were in the state of Ihrām.'

(3) CHAPTER. If the Muḥrīmūn saw game and then laughed and a non-Muhrīm understood (why they laughed) (then their laughing is not to be considered as an intentional sign to draw the non-Muhrīm’s attention. Therefore they are allowed to eat the game).

1822. Narrated ‘Abdollāh bin Abū Qatāda that his father said, “We proceeded with the Prophet in the year of Al-Ḥudaiḥiyā and his companions assumed Ihrām but I did not.
We were informed that some enemies were at Ghaiqa and so we went on towards them. My companions saw an onager and some of them started laughing among themselves. I looked and saw it. I chased it on my horse and stabbed and caught it. I wanted some help from my companions but they refused. (I slaughtered it all alone). We all ate from it (i.e., its meat). Then I followed Allâh’s Messenger lest we should be left behind. At times I urged my horse to run at a galloping speed and at other times at an ordinary slow speed. On the way I met a man from the tribe of Banî Ghifâr at midnight. I asked him where he had left Allâh’s Messenger. The man replied that he had left the Prophet at a place called Ta’hun and he had the intention of having the midday rest at As-Suqyâ. So, I followed Allâh’s Messenger till I reached him and said, “O Allâh’s Messenger I have been sent by my companions who send you their greetings and compliments and ask for Allâh’s Mercy and Blessings upon you. They were afraid lest the enemy might intervene between you and them; so please wait for them.” So he did. Then I said, “O Allâh’s Messenger! We have hunted an onager and have some of it (i.e., its meat) left over.” Allâh’s Messenger told his companions to eat the meat, although all of them were in a state of Ihrâm.

(4) CHAPTER. A Muhrîm should not help a non-Muhrîm in the hunting of a game.

1823. Narrated Abû Qatâda: We were in the company of the Prophet at a place called Al-Qâba (which is at a distance of three stages of journey from Al-Madîna). Abû Qatâda narrated through another group of narrators: We were in the company of the Prophet when a man from the tribe Tâhâ onager. He was making some sound. We were afraid lest the enemy might intervene between you and them; so please wait for them.” So he did. Then I said, “O Allâh’s Messenger! We have hunted an onager and have some of it (i.e., its meat) left over.” Allâh’s Messenger told his companions to eat the meat, although all of them were in a state of Ihrâm.

(4) CHAPTER. A Muhrîm should not help a non-Muhrîm in the hunting of a game.

1823. Narrated Abû Qatâda: We were in the company of the Prophet at a place called Al-Qâba (which is at a distance of three stages of journey from Al-Madîna). Abû Qatâda narrated through another group of narrators: We were in the company of the Prophet when a man from the tribe Tâhâ onager. He was making some sound. We were afraid lest the enemy might intervene between you and them; so please wait for them.” So he did. Then I said, “O Allâh’s Messenger! We have hunted an onager and have some of it (i.e., its meat) left over.” Allâh’s Messenger told his companions to eat the meat, although all of them were in a state of Ihrâm.

(4) CHAPTER. A Muhrîm should not help a non-Muhrîm in the hunting of a game.

1823. Narrated Abû Qatâda: We were in the company of the Prophet at a place called Al-Qâba (which is at a distance of three stages of journey from Al-Madîna). Abû Qatâda narrated through another group of narrators: We were in the company of the Prophet when a man from the tribe Tâhâ onager. He was making some sound. We were afraid lest the enemy might intervene between you and them; so please wait for them.” So he did. Then I said, “O Allâh’s Messenger! We have hunted an onager and have some of it (i.e., its meat) left over.” Allâh’s Messenger told his companions to eat the meat, although all of them were in a state of Ihrâm.

(4) CHAPTER. A Muhrîm should not help a non-Muhrîm in the hunting of a game.

1823. Narrated Abû Qatâda: We were in the company of the Prophet at a place called Al-Qâba (which is at a distance of three stages of journey from Al-Madîna). Abû Qatâda narrated through another group of narrators: We were in the company of the Prophet when a man from the tribe Tâhâ onager. He was making some sound. We were afraid lest the enemy might intervene between you and them; so please wait for them.” So he did. Then I said, “O Allâh’s Messenger! We have hunted an onager and have some of it (i.e., its meat) left over.” Allâh’s Messenger told his companions to eat the meat, although all of them were in a state of Ihrâm.

(4) CHAPTER. A Muhrîm should not help a non-Muhrîm in the hunting of a game.

1823. Narrated Abû Qatâda: We were in the company of the Prophet at a place called Al-Qâba (which is at a distance of three stages of journey from Al-Madîna). Abû Qatâda narrated through another group of narrators: We were in the company of the Prophet when a man from the tribe Tâhâ onager. He was making some sound. We were afraid lest the enemy might intervene between you and them; so please wait for them.” So he did. Then I said, “O Allâh’s Messenger! We have hunted an onager and have some of it (i.e., its meat) left over.” Allâh’s Messenger told his companions to eat the meat, although all of them were in a state of Ihrâm.

(4) CHAPTER. A Muhrîm should not help a non-Muhrîm in the hunting of a game.
company of the Prophet at a place called Al-Qãha and some of us had assumed Ihrãm while the others had not. I noticed that some of my companions were watching something, so I looked up and saw an onager. (I rode my horse and took the spear and whip) but my spear fell down (and I asked them to pick it up for me) but they said, “We will not help you by any means as we are in a state of Ihrãm.” So, I picked up the whip myself and attacked the onager from behind a hillock and slaughtered it and brought it to my companions. Some of them said, “Eat it.” While some others said, “Do not eat it.” So, I went to the Prophet who was ahead of us and asked him about it. He replied, “Eat it, as it is Halâl (i.e., it is legal to eat it).”

(5) CHAPTER. A Muhrim should not point at a game with the intention that a non-Muhrim may hunt it.

1824. Narrated ‘Abdullãh bin Abü Qatada that his father had told him that Allãh’s Messenger set out for Hajj and so did his Companions. He sent a batch of his Companions by another route and Abû Qatada was one of them. The Prophet said to them, “Proceed along the sea-shore till we meet all together.” So, they took the route of the sea-shore, and when they started all of them assumed Ihrãm except Abû Qatada. While they were proceeding on, his companions saw a group of onagers. Abû
Qatada chased the onagers and attacked and wounded a she-onager. They got down and ate some of its meat and said to each other: "How do we eat the meat of the game while we are in a state of *Izram*?" So, we (they) carried the rest of the she-onager's meat, and when they met Allah's Messenger ᴩ they asked saying, "O Allah's Messenger! We assumed *Izram* with the exception of Abu Qatada and we saw (a group) of onagers. Abu Qatada attacked them and wounded a she-onager from them. Then we got down and ate from its meat. Later, we said, (to each other), 'How do we eat the meat of the game and we are in a state of *Izram*?" So, we carried the rest of its meat." The Prophet ᴩ asked, "Did anyone of you order Abu Qatada to attack it or point at it?" They (we) replied in the negative. He said, "Then eat what is left of its meat."

(6) CHAPTER. If any person gave a living onager as a present to a *Muhrim* then he should not accept it.

1825. Narrated 'Abdullāh bin 'Abbās ṭ on the authority of Aś-Ṣa'b bin Jaththāma Al-Laithi that the latter presented an onager to Allah's Messenger ᴩ while he was at Al-Abwā' or at Waddān, and he refused to accept it. On noticing the signs of some unpleasant feeling of disappointment on his (Aś-Ṣa'b's) face, the Prophet ᴩ said to him, "I have only returned it because I am *Muhrim*."

http://islamsbooks.wordpress.com/
(7) CHAPTER. (What kind of) animals can be killed by a Muhrim.

1826. Narrated ‘Abdullāh bin ‘Umar: Allāh’s Messenger said, “It is not sinful on a Muhrim to kill five kinds of animals.”  (A crow, a kite, a scorpion, a mouse and a rabid dog).

1827. One of the wives of the Prophet narrated:  The Prophet said, “A Muhrim can kill (five kinds of animals).”

1828. Narrated Hafṣa: Allāh’s Messenger said, “It is not sinful (on a non-Muhrim or a Muhrim) to kill five kinds of animals, namely: a crow, a kite, a mouse, a scorpion and a rabid dog.”

1829. Narrated ‘Āishah: Allāh’s Messenger said, “Five kinds of animals are harmful and could be killed in the Haram
(sanctuary). These are: a crow, a kite, a scorpion, a mouse and a rabid dog.”

1830. Narrated ‘Abdullãh: While we were in the company of the Prophet in a cave at Mina, when Sûrat Al-Mursalat was revealed and he recited it and I heard it (directly) from his mouth as soon as he recited it, then suddenly a snake sprang at us and the Prophet said (ordered us): “Kill it.” We ran to kill it but it escaped quickly. The Prophet said, “It has escaped your evil and you too have escaped its evil.”

1831. Narrated ‘Aishah: Allah’s Messenger called a house-lizard, a bad animal, but I did not hear him ordering that it should be killed.” [See H.3306].
(8) CHAPTER. It is not permissible to cut the trees\(^{(1)}\) of the Haram (the sanctuary of Makkah).

Narrated Ibn 'Abbás: The Prophet ﷺ said, “Its (the Haram's) thorny bushes are not allowed to be cut off.”

1832. Narrated Sa'īd bin Abū Sa'īd Al-Maqburi: Abū Shurail Al-'Adawi said that he had said to ‘Amr bin Sa'īd when he was sending the troops to Makkah (to fight 'Abdullãh bin Az-Zubair), “O Chief! Allow me to tell you what Allāh’s Messenger ﷺ said on the day following the conquest of Makkah. My ears heard that and my heart understood it thoroughly and I saw with my own eyes the Prophet when he, after glorifying and praising Allāh, said, ‘Allāh, not the people, made Makkah a sanctuary, so anybody who has belief in Allāh and the Last Day should neither shed blood in it, nor should he cut down its trees. If anybody tells (argues) that fighting in it is permissible on the basis that Allāh’s Messenger ﷺ did fight in Makkah, say to him: Allāh allowed His Messenger ﷺ and did not allow you.’ The Prophet ﷺ added: “[Allah allowed me only for a few hours on that day (of the conquest) and today its sanctity is valid as it was before. So, those who are present should inform those who are absent (concerning this fact).”’ Abū Shurail was asked, “What did ‘Amr reply?” He said, (‘Amr said) “O Abū Shurail! I know better than you in this respect, Makkah does not give protection to a sinner, a murderer or a thief.”’

---

\(^{(1)}\) (Ch.8) Trees: Naturally grown only, neither planted nor sowed by you.
(9) CHAPTER. The game in the Haram (Sanctuary) should not be chased or disturbed.

1833. Narrated Ibn ‘Abbãs: The Prophet ﷺ said, “Allâh has made Makkah a sanctuary, so it was a sanctuary before me and will continue to be a sanctuary after me. It was made legal for me (i.e., I was allowed to fight in it) for a few hours of a day. It is not allowed to uproot its shrubs or to cut its trees, or to chase (or disturb) its game, or to pick up its Luqata (fallen things) except by a person who would announce that (what he has found) publicly.” Al-‘Abbãs said, “O Allâh’s Messenger! Except Al-I’dhkir (a kind of grass) (for it is used) by our goldsmiths and for our graves.” The Prophet ﷺ then said, “Except Al-I’dhkir.” ‘Ikrima said, “Do you know what ‘chasing or disturbing’ the game means? It means driving it out of the shade to occupy its place.”(1)

(10) CHAPTER. Fighting is prohibited in Makkah.

Narrated Abû Shuraîh that the Prophet ﷺ said, “It is forbidden to shed blood in Makkah.”

1834. Narrated Ibn ‘Abbãs: On the day of the conquest of Makkah, the Prophet ﷺ said, “There is no more emigration (from Makkah) but Jihad and intentions(2), and whenever you are called for Jihad, you should go immediately. No doubt, Allâh has made this place (Makkah) a

(1) (H.1833) ‘Atâ’ and Mujähid disagree with ‘Ikrima for they think that it is permissible to dismiss the game, unless that brings about its death.
(2) (H.1834) i.e., you must have intention to participate in Jihad when there is call for it.
sanctuary since the creation of the heavens and the earth, and will remain a sanctuary till the Day of Resurrection as Allah has ordained its sanctity. Fighting was not permissible in it for anyone before me, and even for me it was allowed only for a portion of a day. So, it is a sanctuary with Allah's sanctity till the Day of Resurrection. Its thorns should not be uprooted and its game should not be chased; and its Luqata (fallen things) should not be picked up except by one who would announce that publicly, and its vegetation (grass etc.) should not be cut.”

Al-'Abbās said, “O Allah's Messenger! Except Al-Idhāhir (for it is used by their blacksmiths, and for their domestic purposes).” So, the Prophet ﷺ said, “Except Al-Idhāhir.”

(11) CHAPTER. Cupping (i.e., letting out of the blood medically) for a Muḥrim.

Ibn ‘Umar branded his son while he was in a state of Ḥiṭam, and it is permissible for a Muḥrim to take medicine on condition that it does not contain any perfume.

1835. Narrated Ibn ‘Abbās: Allah's Messenger ﷺ was cupped while he was in a state of Ḥiṭam.

1836. Narrated Ibn Buhaina: The Prophet ﷺ, while in the state of Ḥiṭam,
was cupped at the middle of his head at Lahye-Jamal.

(12) CHAPTER. The marrying of a Muhrim.

1837. Narrated Ibn ‘Abbas: The Prophet married Maimuna while he was in the state of Ihram, (only the ceremonies of marriage were held).

(13) CHAPTER. What is forbidden for a Muhrim (male or female) as regards perfumes.

‘Aishah said, “A woman in the state of Ihram should not wear clothes perfumed with Wars or saffron.”

1838. Narrated ‘Abdullāh bin ‘Umar: A person stood up and asked, “O Allah’s Messenger! What clothes may be worn in the state of Ihram?” The Prophet replied, “Do not wear a shirt or trousers, or any headgear (e.g., a turban), or a hooded cloak; but if somebody has no shoes he can wear leather stockings, provided they are cut short off the ankles, and also, do not wear anything perfumed with Wars or saffron, and the Muhrima (a woman in the state of Ihram) should not cover her face, and should not wear gloves.”
28 - THE BOOK OF PENALTY FOR HUNTING

1839. Narrated Ibn 'Abbas: "A man was crushed to death by his she-camel and was brought to Allah's Messenger who said, "Give him a bath and shroud him, but do not cover his head, and do not bring any perfume near to him, as he will be resurrected reciting Talbiya."

(14) CHAPTER. The taking of a bath by a Muhrim.

And Ibn 'Abbās said that a Muhrim could enter a bathroom (for a bath), and Ibn 'Umar and 'Āishah did not think that there was any harm in scratching the body.

1840. Narrated 'Abdullāh bin Ḥunain: 'Abdullāh bin Al-'Abbās and Al-Miswar bin Makhrama differed at Al-Abwā'; Ibn 'Abbās said that a Muhrim could wash his head; while Al-Miswar maintained that he should not do so. 'Abdullāh bin 'Abbās sent me to
Abū Ayyūb Al-Anṣārī and I found him bathing between the two wooden posts (of the well) and was screened with a sheet of cloth. I greeted him and he asked who I was. I replied, “I am ‘Abdullāh bin Ḥunain, and I have been sent to you by Ibn ‘Abbās to ask you how Allah's Messenger ﷺ used to wash his head while in the state of Ἰḥ्रām.” Abū Ayyūb Al-Anṣārī caught hold of the sheet of cloth and lowered it till his head appeared before me, and then told somebody to pour water on his head. He poured water on his head, and he (Abū Ayyūb) rubbed his head with his hands by bringing them from back to front and from front to back and said, “I saw the Prophet ﷺ doing like this.”

(15) CHAPTER. Wearing of Khuff (leather stockings) by a Muḥrim if slippers are not available (but one has to cut short the Khuff below the ankles).

1841. Narrated Ibn ‘Abbās: I heard the Prophet ﷺ delivering a Khutbah (religious talk) at ‘Arafāt saying, “If a Muḥrim does not find slippers, he could wear Khuff (but he has to cut short the Khuff below the ankles), and if he does not find an Izār (a waist-sheet for wrapping the lower-half of the body) he could wear trousers.”
1842. Narrated ‘Abdullāh Allah’s Messenger was asked: What sort of clothes a Muhrim should wear? He replied, “He should not wear a shirt, turbans, trousers, a hooded cloak, or a dress perfumed with saffron or Wars; and if slippers are not available he can wear Khuff but he should cut them so that they reach below the ankles.

(16) CHAPTER. If an Izār is not available, one (i.e., a Muhrim) can wear trousers.

1843. Narrated Ibn ‘Abbās: The Prophet delivered a Khutba (religious talk) at ‘Arafat and said, “Whoever does not get an Izār can wear trousers, and whoever cannot get a pair of shoes (slippers) can wear Khuff.”

(17) CHAPTER. Carrying of arms by a Muhrim.

According to ‘Ikrima one can carry arms if he fears the enemy, but the Fidya (compulsory penalty) has to be paid. No religious scholar agrees with him on necessitating the Fidya.

1844. Narrated Al-Barāʾ: The Prophet assumed İhrām for ‘Umra in the
month of Dhul-Qa'da but the (Mushrikûn) people of Makkah refused to admit him into Makkah till he agreed on the condition that he would not bring into Makkah any arms but sheathed.

(18) CHAPTER. Entering the Haram and Makkah without assuming Ihram.

And Ibn 'Umar entered (without Ihram); but the Prophet ordered those intending to perform Hajj or 'Umra to assume Ihram, but he did not mention the wood-cutters and the like (i.e., those who frequent the sanctuary of Makkah).

1845. Narrated Ibn 'Abbas: The Prophet fixed Dhul-Hulaifa as the Miqat (the place for assuming Ihram) for the people of Al-Madîna, and Qarn-al-Manâzil for the people of Najd, and Yalâlîm for the people of Yemen. These Mawâqît are for those people and also for those who come through these Mawâqît (from places other than the abovementioned) with the intention of (performing) Hajj and 'Umra. And those living inside these Mawâqît can assume Ihram from the place where they start; even the people of Makkah can assume Ihram (for Hajj only) from Makkah.

1846. Narrated Anas bin Malik: Allah's Messenger entered Makkah in the year of its conquest wearing an Arabian helmet on his head(1), and when the Prophet took it off, a person came and said, "Ibn Khâtal is holding the covering of the Ka'bah...

---

(1) (H.1846) A Muhrîm is not allowed to cover his head. The fact that the Prophet's head was covered while entering Makkah indicates that he had entered Makkah as a non-Muhrîm.
(taking refuge in the Ka'bah).” The Prophetﷺ said, “Kill him.”(1)

(19) CHAPTER. If somebody ignorantly assumed Ḥijrām while wearing a shirt (will Fidya be compulsory?).

‘Aṭā’ said, “There is no penalty on a Mujrim who perfumes himself or wears stitched clothes out of ignorance or forgetfulness.”

1847. Narrated Ya'la: While I was with Allah's Messenger ᴾﷺ there came to him a man wearing a cloak having a trace of yellowish perfume or a similar thing on it. ‘Umar used to say to me, “Would you like to see the Prophet ᴾﷺ at the time when he is being inspired Divinely?” So, it happened that he was inspired (then) and when the Revelation was over the Prophet ᴾﷺ said (to that man), “Do in your 'Umra the same as you do in your Hajj.”

1848. A man bit the hand of another man but in that process the latter broke one incisor tooth of the former, and the Prophet ᴾﷺ forgave the latter.(2)

1849. Narrated Ibn ‘Abbās: Rückah, Allah’s Messenger ᴾﷺ, on conquering Makkah, forgave all the people of Makkah except some persons who had committed nasty crimes against Islam and Muslims.

(1) (H.1846) Allah’s Messenger ᴾﷺ, on conquering Makkah, forgave all the people of Makkah except some persons who had committed nasty crimes against Islam and Muslims.

(2) (H.1848) This piece of narration is a part of Hadith No. 6892, Vol. 9.
While a man was standing with the Prophet ﷺ at ‘Arafat, he fell from his Rahila (mount) and his neck was crushed by it. The Prophet ﷺ said, “Wash the deceased with water and Sidr and shroud him in two pieces of cloth, and neither perfume him nor cover his head, for Allâh will resurrect him on the Day of Resurrection and he will be reciting Talbiya.”

1850. Narrated Ibn ‘Abbâs: A man was in the company of the Prophet ﷺ and his she-camel crushed his neck while he was in a state of Ihram and he died. Allâh’s Messenger ﷺ said, “Wash him with water and Sidr and shroud him in his two garments; neither perfume him nor cover his head, for he will be resurrected on the Day of Resurrection reciting Talbiya.”

(21) CHAPTER. The legal way of (burying) a dead Muhrim.

1851. Narrated Ibn ‘Abbâs: A man was in the company of the Prophet ﷺ and his she-camel crushed his neck while he was in a state of Ihram and he died. Allâh’s Messenger ﷺ said, “Wash him with water and Sidr and shroud him in his two garments; neither perfume him nor cover his head, for he will be resurrected on the Day of Resurrection reciting Talbiya.”
(22) CHAPTER. To perform *Hajj* on behalf of a dead person and to fulfil his vows. A man can perform *Hajj* on behalf of a woman.

1852. Narrated Ibn 'Abbas: A woman from the tribe of Juhaïna came to the Prophet and said, "My mother had vowed to perform *Hajj* but she died before performing it. May I perform *Hajj* on my mother’s behalf?" The Prophet replied, "Perform *Hajj* on her behalf. Had there been a debt on your mother, would you have paid it or not? So, pay Allâh’s debt as He has more right to be paid.”

(23) CHAPTER. Performing *Hajj* for a person who cannot sit firmly on the mount.

1853. Narrated Fadl bin ‘Abbas: A woman…

1854. Narrated Fadl bin ‘Abbas: A woman from the tribe of Khath’am came in the year (of *Hajjat-ul-Wada’*) of the Prophet and said, “O Allâh’s Messenger! My father has come under Allâh’s obligation of performing *Hajj* but he is a very old man and cannot sit properly on his *Rahilâ* (mount). Will the obligation be fulfilled if I..."
(24) CHAPTER. Performing *Hajj* by a woman on behalf of a man.

1855.Narrated 'Abdullãh bin 'Abbas رضي الله عنهم: Al-Façl was riding behind the Prophet ﷺ and a woman from the tribe of Khath'am came up. Al-Façl started looking at her and she looked at him. The Prophet ﷺ turned Al-Fadl's face to the other side. She said, “My father has come under Allah's obligation of performing *Hajj* but he is a very old man and cannot sit properly on his *Rahila* (mount). Shall I perform *Hajj* on his behalf? The Prophet ﷺ replied in the affirmative. That happened during *Hajjat-ul-Wadã* of the Prophet ﷺ.

(25) CHAPTER. The *Hajj* of boys (children etc.)

1856. Narrated Ibn 'Abbãs رضي الله عنهم: The Prophet ﷺ sent me (to Mina) with the luggage from *Jam* (i.e., Al-Muzdalifa) at night.
1857. Narrated ‘Abdullāh bin ‘Abbās: I came riding on my she-ass and had (just) then attained the age of puberty. Allāh’s Messenger was offering Salāt at Mina. I passed in front of a part of the first row and then dismounted from it, and the animal started grazing. I aligned with the people behind Allāh’s Messenger. (The subnarrator added that this happened in Mina during the Prophet’s Ḥajjat-ul-Wadā’.)

1858. Narrated As-Sā’ib bin Yazīd: I was made to perform Ḥajj with Allāh’s Messenger and I was a seven-year-old boy then. (Fath-Al-Bārī, Vol. 4, Page 442)

1859. Narrated Al-Ju’āid bin ‘Abdur-Rahmān: I heard ‘Umar bin ‘Abdul ‘Azīz telling about As-Sā’ib bin Yazīd that he had performed Ḥajj (while carried) with the belongings of the Prophet.

(26) CHAPTER. Ḥajj of women.

1860. Narrated Ibrahim’s grand-father that ‘Umar Rāḥmān in his last Ḥajj allowed the wives of the Prophet to perform Ḥajj; and he sent with them ‘Uthmān bin ‘Affān and ‘Abdur-Rahmān.
bin ‘Aūf as escorts.

1861. Narrated ‘Āishah (Mother of the faithful believers): I said, “O Allāh’s Messenger! Shouldn’t we participate in Holy battles and Jihad along with you?” He replied, “The best and the most superior Jihad (for women) is Hajj – Hajj Mabrūr, – which is accepted by Allāh.” ‘Āishah added: Ever since I heard that from Allāh’s Messenger  I have determined not to miss Hajj.

1862. Narrated Ibn ‘Abbās: The Prophet  said, “A woman should not travel except with a Dhu-Mahram (her husband or a man with whom that woman cannot marry at all according to the Islamic Jurisprudence), and no man may visit a woman except in the presence of a Mahram.” A man got up and said, “O Allah’s Messenger! I intend to go (for Jihad) with such and such an army and my wife wants to perform Hajj.” The Prophet  said (to him), “Go along with her (to Hajj).”

1863. Narrated Ibn ‘Abbās: When the Prophet  returned after performing his Hajj, he asked Umm Sinān Al-Ansāriyāh, “What forbid you from performing Hajj?” She replied, “Father of so-and-so (i.e., her husband) had two camels
and he performed Hajj on one of them, and the second is used for the irrigation of our land.” The Prophet ﷺ said (to her), “Perform ‘Umra in the month of Ramadaan, (as it) is equivalent to Hajj or performing Hajj with me (in reward).”

[See H.1782]

1864. Narrated Qaza’a, the slave of Ziyād: Abū Sa’īd who participated in twelve Ghazwāt with the Prophet ﷺ said, “I heard four things from Allāh’s Messenger ﷺ (or I narrate them from the Prophet ﷺ) which won my admiration and appreciation. They are:

1. “No lady should travel without her husband or without a Dhū-Mahram for a two days’ journey.
2. No observance of Saum (fasting) is permissible on two days of ‘Eid-al-Fitr, and ‘Eid-al-Adhā.
3. No Salāt (prayer) (may be offered) after two Salāt: after the ‘Asr prayer till the sunset and after the morning Salāt (prayer) till the sun rises.
4. Not to travel (for visiting) except for three mosques: Masjid-al-Harām (in Makkah), my Mosque (at Al-Madina), and Masjid-al-Aqṣā (in Jerusalem).”
28 – THE BOOK OF PENALTY FOR HUNTING

(27) CHAPTER. Whoever vowed to go on foot to the Ka'bah.

1865. Narrated Anas Z. The Prophet saw an old man walking, supported by his two sons, and asked about him. The people informed him that he had vowed to go on foot (to the Ka'bah). He said, “Allāh is not in need of this old man’s torturing himself;” and ordered him to ride.

1866. Narrated ‘Uqba bin ‘Amir: My sister vowed to go on foot to the Ka'bah, and she asked me to take the verdict of the Prophet about it. So, I did and the Prophet said, “She should walk and also should ride.”
(1) CHAPTER. Haram (sanctuary) of Al-Madina.

1867. Narrated Anas: The Prophet said, Al-Madina is a sanctuary from that place to that. Its trees should not be cut and no heresy should be innovated nor any sin should be committed in it, and whoever innovates in it an heresy or commits sins (bad deeds), then he will incur the curse of Allâh, the angels, and all the people."

[See Vol. 9, Hadith No. 7306]

1868. Narrated Anas: The Prophet came to Al-Madina and ordered a mosque to be built and said, "O Bani Najjar! Suggest to me the price (of your land)." They said, "We do not want its price except from Allâh" (i.e., they wished for a reward from Allâh for giving up their land free). So, the Prophet ordered the graves of the Mushrikun to be dug out and the land to be levelled, and the date-palm trees to be cut down. The cut date-palms were fixed in the direction of the Qiblah of the mosque.

1869. Narrated Abu Hurairah: The Prophet said, "I have made Al-Madina a sanctuary between its two (Harra) mountains." The Prophet went to the tribe of Bani Harth and said (to them), "I see that you have gone out of the sanctuary," but looking around, he added, "No, you are inside the sanctuary."
1870. Narrated 'Ali: We have nothing except the Book of Allah (the Qur’an) and this written paper from the Prophet (wherein it written:) “Al-Madîna is a sanctuary from the ‘Aer mountain to such and such a place, and whoever innovates in it an herey or commits a sin, or gives shelter to such an innovator or sinner in it, will incur the curse of Allah, the angels, and all the people, none of his compulsory or optional good deeds of worship will be accepted. And the asylum (of protection) granted by any Muslim is to be secured (respected) by all the other Muslims; and whoever betrays a Muslim in this respect incurs the curse of Allah, the angels, and all the people, and none of his compulsory or optional good deeds of worship will be accepted, and whoever (freed slave) takes as masters other than his manumitters without their permission incurs the curse of Allah, the angels, and all the people, and none of his compulsory or optional good deeds of worship will be accepted.”

(2) CHAPTER. Superiority of Al-Madîna. And that it expells (evil, vicious) persons.

1871. Narrated Abû Hurairah: Allah’s Messenger said, “I was ordered to migrate to a town which will swallow (conquer) other towns and is called Yathrib and that is Al-Madîna, and it turns out (bad) persons as a furnace removes the impurities of iron.
1872. Narrated Abū Humaid:
We came with the Prophet from Tabūk, and when we reached near Al-Madīna, the Prophet said, “This is Tāba.”

1873. Narrated Abū Hurairah:
If I saw deers grazing in Al-Madīna, I would not chase them, for Allāh’s Messenger said, “(Al-Madīna is a sanctuary) between its two mountains.”

1874. Narrated Abū Hurairah:
I heard Allāh’s Messenger saying, “The people will leave Al-Madīna in spite of the best state it will have, and none except the wild birds and the beasts of prey will live in it,”
and the last persons who will die will be two shepherds from the tribe of Muzaina, who will be driving their sheep towards Al-Madina, but will find nobody in it, and when they will reach the valley of Thaniyat al-Wadâ’, they will fall down on their faces, dead.”

1875. Narrated Sufyân bin Abû Zuhair: I heard Allah’s Messenger saying, “Yemen will be conquered and some people will migrate (from Al-Madina) and will urge their families, and those who will obey them to migrate (to Yemen), although Al-Madina will be better for them; if they but knew. Sham will also be conquered and some people will migrate (from Al-Madina) and will urge their families and those who will obey them to migrate (to Sham), although Al-Madina will be better for them; if they but knew. Iraq will be conquered and some people will migrate (from Al-Madina) and will urge their families and those who will obey them to migrate (to Iraq), although Al-Madina will be better for them; if they but knew.”

(6) CHAPTER. *Imân* (Belief) returns and goes back to Al-Madina.

1876. Narrated Abû Hurairah: Allah’s Messenger said, “Verily, Belief returns and goes back to Al-Madina as a
snake returns and goes back to its hole (when in danger)."

(7) CHAPTER. Sin of that person who betrays and harms the people of Al-Madina.

1877. Narrated Sa'd: I heard the Prophet saying, "None plots against the people of Al-Madina but that he will be dissolved (destroyed) like the salt is dissolved in water."

(8) CHAPTER. The high buildings of Al-Madina.

1878. Narrated Usama: Once the Prophet stood at the top of a castle amongst the castles (or the high buildings) of Al-Madina and said, "Do you see what I see? (No doubt) I see the places or spots of Al-Fitan (trials and afflictions) among your houses (and these Fitan will be) as numerous as the spots where rain-drops fall."

(9) CHAPTER. Ad-Dajjal will not be able to enter Al-Madina.

1879. Narrated Abū Bakra: The
Prophet said, “The terror caused by Al-Masih Ad-Dajjāl will not enter Al-Madina and at that time Al-Madina will have seven gates and there will be two angels at each gate (guarding Al-Madina).”

1880. Narrated Abū Hurairah: Allāh’s Messenger said, “There are angels guarding the entrances (or roads) of Al-Madina, neither plague nor Ad-Dajjāl can enter it.”

1881. Narrated Anas bin Malik: The Prophet said, “There will be no town in which Ad-Dajjāl will not enter except Makkah and Al-Madīna, and there will be no entrance (road) (of both Makkah and Al-Madīna) but the angels will be standing in rows guarding it against him, and then Al-Madīna will shake with its inhabitants thrice (i.e., three earth-quakes will take place) and Allāh will expel all the disbelievers and the hypocrites from it.”

1882. Narrated Abū Sa‘īd Al-Khudri: Allāh’s Messenger told us a long narrative about Ad-Dajjāl, and among the many things he mentioned, was his saying, “Ad-Dajjāl will come and it will be forbidden
for him to pass through the entrances of Al-Madina. He will land in some of the salty barren areas (outside) Al-Madina; on that day the best man or one of the best men will come up to him and say, 'I testify that you are the same Ad-Dajjal whose description was given to us by Allah's Messenger نك. Ad-Dajjal will say to the people, 'If I kill this man and bring him back to life again, will you doubt my claim?' They will say, 'No.' Then Ad-Dajjal will kill that man and bring him back to life. That man will say, 'Now I know your reality better than before.' Ad-Dajjal will say, 'I want to kill him (again) but I cannot.'"

(10) CHAPTER. Al-Madina expels Al-Khabath (all the evil and bad persons, etc.).

1883.Narrated Jäbir بن عَنْهُ: A bedouin came to the Prophet ﷺ and gave the Bai'a (pledge) for embracing Islam. The next day he came with fever and said (to the Prophet ﷺ), "Please cancel my pledge (of emigrating to Al-Madina)." The Prophet ﷺ refused (that request) three times and said, "Al-Madina is like a furnace, it expels out its Khabath (the impurities - evil and bad persons etc.) and selects the good ones and makes them perfect."

1884.Narrated Zaid bin Thabit ﷺ: When the Prophet ﷺ went out for (the
battle of) Uḥud, some of his companions (hypocrites) returned (home). A party of the believers remarked that they would kill those (hypocrites) who had returned, but another party said that they would not kill them. So, this Divine Revelation was revealed:

"Then what is the matter with you that you are divided into two parties about the hypocrites..." (V.4:88)

The Prophet ﷺ said, "Al-Madina expels (the bad) persons from it, as fire expels the impurities of iron."

CHAPTER.

1885. Narrated Anas Ṭ. ﷺ: The Prophet ﷺ said, "O Allah! Bestow on Al-Madīnā twice the blessings You bestowed on Makkah."

1886. Narrated Anas Ṭ. ﷺ: Whenever the Prophet ﷺ returned from a journey and sighted the walls of Al-Madīnā, he would make his mount go fast, and if he was on an animal (i.e., a horse), he would make it gallop because of his love for Al-Madīnā.

(11) CHAPTER. The dislike of the Prophet ﷺ that Al-Madīnā should be vacated.

1887. Narrated Anas Ṭ. ﷺ: (The people of) Bani Salāma intended to shift near...
the mosque (of the Prophet) but Allâh’s Messenger disliked to see Al-Madîna vacated and said, “O the people of Bani Salama! Don’t you think that you will be rewarded for you footsteps which you take towards the mosque?” So, they stayed at their old places.

(12) CHAPTER.

1888. Narrated Abû Hurairah: The Prophet said, “There is a garden from the gardens of Paradise between my house and my pulpit, and my pulpit is on my Haud [Tank (Al-Kauthar)]”.

1889. Narrated ‘Aishah: When Allâh’s Messenger reached Al-Madîna, Abû Bakr and Bilâl became ill. When Abû Bakr’s fever got worse, he would recite (this poetic verse):

“Everybody is staying alive with his people, yet death is nearer to him than his shoe laces.”

And Bilâl, when his fever deserted him, would recite:

“Would that I could stay overnight in a valley wherein I would be surrounded by Idhkhir and Jalîl (kinds of good-smelling grass).

Would that one day I could drink the water of the Majinna, and would that (the two mountains) Shâma and Tafeel would appear to me!”

http://islamsbooks.wordpress.com/
The Prophet said, “O Allah! Curse Shaiba bin Rabia and ‘Utba bin Rabia and Umaiyya bin Khalaf as they turned us out of our land to the land of epidemics.” Allâh’s Messenger then said, “O Allâh! Make us love Al-Madîna as we love Makkah or even more than that. O Allâh! Give blessings in our Sâ and our Mudd (measures symbolising food) and make the climate of Al-Madîna suitable for us, and divert its fever towards Al-Juhfa.”

‘Aishah added: When we reached Al-Madîna, it was the most unhealthy of Allâh’s lands, and the valley of Buthân (the valley of Al-Madîna) used to flow with impure, coloured water.

1890. Narrated Zaid bin Aslam that his father said, “Umar said, ‘O Allâh! Grant me martyrdom in Your Cause, and let my death be in the city of Your Messenger.’”
30 – THE BOOK OF AS-SAUM

(1) CHAPTER. Fasting is obligatory in (the month of) Ramaḍān.

And the Statement of Allāh تعالى:
"O you who believe! Observing As-Saum (the fasting) is prescribed for you as it was prescribed for those before you, that you may become Al-Muttaqūn" (2). [V.2:183].

1891. Narrated Ṭalḥā bin ʿUbayd-Ullāh:
A bedouin with unkempt hair came to Allah’s Messenger ﷺ and said, “O Allah’s Messenger! Inform me what Allah has made compulsory for me as regards Ṣaʿlāt (the prayer).” He replied: “You have to perform the five compulsory Ṣalāt (Iqāmāt-As-Salāt) in a day and night (24 hours), unless you want to offer Nawāfīl.”

The bedouin further asked, “Inform me what Allah has made compulsory for me as regards fasting.” He replied, “You have to observe Ṣaʿum (fast) during the whole month of Ramaḍān, unless you want to fast more as Nawāfīl.”

The bedouin further asked, “Tell me how much Zakāt Allah has enjoined on me.” Thus, Allah’s Messenger ﷺ informed him about all the laws (i.e., fundamentals) of Islam. The bedouin then said, “By Him Who has honoured you, I will neither perform any Nawāfīl nor will I decrease what Allah has enjoined on me.” Allah’s Messenger ﷺ said, “If he is saying the truth, he will succeed (or said, he will be granted Paradise).”

(1) (Bk 30) The fasting, i.e., to not to eat or drink or have sexual relation etc. from before the ʿAdhān of the Fajr (early morning) prayer till the sunset.

(2) (Ch.1) Al-Muttaqūn means pious and righteous persons who fear Allāh much (abstain from all kinds of sins and evil deeds which He has forbidden) and love Allāh much (perform all kinds of good deeds which He has ordained).
1892. Narrated Ibn 'Umar: The Prophet observed the *Saum* (fast) on the 10th of Muharram ('Ashura'), and ordered (Muslims) to observe *Saum* (fast) on that day, but when the fasting of the month of Ramadan was prescribed, the fasting of the 'Ashura' was abandoned. 'Abdullāh did not use to observe fast on that day unless it coincided with his routine fasting by chance.

1893. Narrated 'Āishah: (The tribe of) Quraisy used to observe *Saum* (fast) on the day of 'Ashura' in the Pre-Islamic Period, and then Allah's Messenger ordered (Muslims) to observe *Saum* (fast) on it till the fasting in the month of Ramadan was prescribed; whereupon the Prophet said, "He who wants to fast (on 'Ashura') may fast, and he who does not want to observe *Saum* (fast) may not fast."

(2) CHAPTER. The superiority of As-Saum (the fasting).

1894. Narrated Abu Hurairah: Allah's Messenger said, "*Saum* (fasting) is a shield (or a screen or a shelter from the Hell-fire). So, the person observing *Saum* (fast) should avoid sexual relation with his wife and should not behave foolishly and impudently, and if somebody fights with him or abuses him, he should say to him twice, 'I am observing *Saum* (fast).'" The Prophet added, "By Him in Whose Hands my soul is, the smell coming out from the mouth of a person observing *Saum* (fast) is better with

---

(1) (H.1894) See *Fath Al-Bārī*. 

---

http://islamsbooks.wordpress.com/
Allāh than the smell of musk. (Allāh says about the fasting person), 'He has left his food, drink and sexual desires for My sake. The Saum (tast) is for Me.' So I will reward (the fasting person) for it and the reward of good deeds is multiplied ten times.'

**CHAPTER. As-Ṣaum (the fasting) is an expiation (for sins).**

1895. Narrated Abū Wā’il from Hudhaifa: ‘Umar asked the people, “Who remembers the narration of the Prophet s about the Al-Fītnah (trial or affliction)?” Hudhaifa said, “I heard the Prophet s saying, ‘The Al-Fītnah of a person in his property, family and neighbours is expiated by his Ṣalāt (prayer), Ṣaum (fasting), and giving in charity.”’ ‘Umar asked, “I do not ask about that, but I ask about the Al-Fītnah which will spread like the waves of the sea.” Hudhaifa replied, “There is a closed gate in front of it.” ‘Umar asked, “Will that gate be opened or broken?” He replied, “It will be broken.” ‘Umar said, “Then the gate will not be closed again till the Day of Resurrection.” We said to Maṣrūq, “Would you ask Hudhaifa whether ‘Umar knew what that gate symbolized?” He asked him and he replied “He (‘Umar) knew it as one knows that there will be night before tomorrow morning.”

(4) **CHAPTER. Ar-Raiyān (one of the gates of Paradise) is for people observing Ṣaum (fast) people.**

1896. Narrated Sahil: The Prophet s said: ‘If anyone observes Ṣaum (fasting) for the sake of Al-Lāh, his smell is as if he performed Ṣalāt (prayer).’

(1) (H.1894) Although all practices of worshipping are for Allāh, here Allāh singles out Ṣaum (fasting), because Ṣaum (fast) cannot be practised for the sake of showing off as nobody can know whether one is observing Ṣaum (fast) or not, except Allāh. Therefore, Ṣaum (fasting) is a pure performance that cannot be blemished with hypocrisy. (Fath Al-Bārî)
Prophet ﷺ said, “There is a gate in Paradise called Ar-Raiyûn, and those who observe Saum (fasts) will enter through it on the Day of Resurrection and none except them will enter through it. It will be said, ‘Where are those who used to observe Saum (fast)?’ They will get up, and none except them will enter through it. After their entry the gate will be closed and nobody will enter through it.”

1897. Narrated Abû Hurairah: Allah’s Messenger ﷺ said, “Whoever gives two kinds (of things or property) in charity for Allah’s Cause, will be called from the gates of Paradise and will be addressed, ‘O slaves of Allah! Here is prosperity.’ So, whoever was amongst the people who used to offer their Ṣalāt (prayers), will be called from the gate of the Ṣalāt; and whoever was amongst the people who used to participate in Jihâd, will be called from the gate of Jihâd; and whoever was amongst those who used to observe fasts, will be called from the gate of Ar-Raiyûn; whoever was amongst those who used to give As-Ṣadaqa (charity), will be called from the gate of As-Ṣadaqa.” Abû Bakr ﷺ said, “Let my parents be sacrificed for you, O Allah’s Messenger! No distress or need will befall him who will be called from those gates. Will there be any one who will be called from all these gates?” The Prophet ﷺ replied, “Yes, and I hope you will be one of them.”
CHAPTER. Should it be said “Ramadân” or “the month of Ramadân?”
And whoever thinks that both are permissible.

And the Prophet ﷺ said, “Whoever observe ِSaum (fasts) in Ramadân.” And also said, “Do not observe ِSaum before Ramadân.”(1)

1898. Narrated Abû Hurairah ﷺ:
Allah’s Messenger ﷺ said, “When (the month of) Ramadân begins, the gates of Paradise are opened.”

1899. Narrated Abû Hurairah ﷺ:
Allah’s Messenger ﷺ said, “When the month of Ramadân starts, the gates of the heaven are opened and the gates of Hell are closed and the devils are chained.”

1900. Narrated Ibn ‘Umar ﷺ:
I heard Allah’s Messenger ﷺ saying, “When you see the crescent (of the month of Ramadân), start observing ِSaum (fast) and when you see the crescent (of the month of Shawwâl), stop observing ِSaum; and if the sky is overcast (and you can’t see it) then regard the crescent (month) of Ramadân (as of 30 days).”

(1) (Ch.5) Do not observe fast one or two days before Ramadân immediately, fearing to miss the right beginning of the month. (See Ḥadîth 1914).
(6) CHAPTER. Whoever observed fast in Ramaḍān out of sincere faith (that it is an enjoined duty), and hoping for a reward from Allāh and with honest intention (i.e., only for Allāh's sake).

And 'Āishah narrated from the Prophet ﷺ, “The people will be resurrected (and judged) according to their intentions.”

1901. Narrated Abū Hurairah: The Prophet ﷺ said, “Whoever established Salāt (prayer) on the night of Qadr with sincere faith and hoping for a reward from Allāh, then all his previous sins will be forgiven; and whoever observes Saum (fasts) in the month of Ramaḍān with sincere faith and hoping for a reward from Allāh, then all his previous sins will be forgiven.”

(7) CHAPTER. The Prophet ﷺ used to be most generous in the month of Ramaḍān.

1902. Narrated Ibn ‘Abbās: The Prophet ﷺ was the most generous amongst the people, and he used to be more so in the month of Ramaḍān when Jibrīl (Gabriel) visited him, and Jibrīl used to meet him on every night of Ramaḍān till the end of the month. The Prophet ﷺ used to recite the Noble Qur'ān to Jibrīl, and when Jibrīl met him, he used to be more generous than the fair wind [sent by Allāh with glad tidings (rain) in readiness and haste to...
do charitable deeds.]

(8) CHAPTER. Whoever does not give up lying speech (false statements i.e., telling lies) and acting on those while observing Ṣaum (fast).

1903. Narrated Abū Hurairah

The Prophet ﷺ said, “Whoever does not give up lying speech (false statements) and acting on those lies and evil actions etc., Allāh is not in need of his leaving his food and drink [i.e., Allāh will not accept his Ṣaum (fasting)].”

[See Fath Al-Bārī]

(9) CHAPTER. Should one say, “I am observing Ṣaum (fast)” on being abused?

1904. Narrated Abū Hurairah

Allāh’s Messenger ﷺ said, “Allāh said, ‘All the deeds of Adam’s sons (people) are for them, except Ṣaum (fasting) which is for Me, and I will give the reward for it.’ Observing Ṣaum (fast) is a shield or protection (from the Hell-fire and from committing sins). If one of you is observing Ṣaum (fast), he should avoid sexual relation with his wife and quarrelling, and if somebody should fight or quarrel with him, he should say, ‘I am observing Ṣaum (fast).’ By Him in Whose Hands my soul is, the smell coming out from the mouth of a fasting person is better before Allāh than the smell of musk. There are two pleasures for
the person observing *Saum*, one at the time of *Iftar* (breaking his fast), and the other at the time when he will meet his Lord; then he will be pleased because of his *Saum* (fasting).

(10) CHAPTER. *Aṣ-Saum* (the fasting) (is recommended) for those who fear committing illegal sexual acts, i.e., those who are unmarried.

1905. Narrated 'Alqāma: While I was walking with 'Abdullāh, he said, "We were in the company of the Prophet and he said, 'He who can afford to marry should marry, because it will help him to lower his gaze (from looking at forbidden things and other women), and save his private parts (from committing illegal sexual acts etc.), and he who cannot afford to marry is advised to observe *Saum* (fasting), as *Saum* (fasting) will restrain his sexual power."

(11) CHAPTER. The statement of the Prophet : "Start observing *Saum* (fasts) on seeing the crescent-moon of Ramadān, and stop observing *Saum* on seeing the crescent-moon (of Shawwāl)."

And 'Ammār said, "Whoever observes *Saum* (fasting) on a doubtful day(1) is disobeying Abūl-Qasīm (i.e., the Prophet )."

1906. Narrated 'Abdullāh bin 'Umar: Allah's Messenger mentioned Ramadān and said, "Do not observe fasting unless you see the crescent-moon (of Ramadān), and do not give up fasting till...

---

(1) (Ch.11) The doubtful day is the day that is not certainly the first of Ramadān, but perhaps the last of *Sha'bān*, the preceding month.
you see the crescent-moon of (Shawwâl), but if the sky is overcast and you can’t see the moon, then act on estimation (i.e., count Sha’bân as 30 days and Ramadan also as 30 days)."

1907. Narrated ‘Abdullâh bin ‘Umar: Allah’s Messenger said, “The month (can be) 29 nights (i.e., days), and do not fast till you see the crescent-moon, and if the sky is overcast, then complete Sha’bân as thirty days.”

1908. Narrated Ibn ‘Umar: The Prophet said, “The month is like this and this,” (at the same time he showed the fingers of both his hands thrice) and left out one thumb on the third time.

1909. Narrated Abû Hurairah: The Prophet, or said Abûl-Qasim said, “Start observing Saum (fasts) on seeing the crescent-moon (of Ramadan), and give up observing Saum (fast) on seeing the crescent-moon (of Shawwâl), and if the sky is overcast (and you cannot see it), complete thirty days of Sha’bân.”

1910. Narrated Umm Salama: The Prophet vowed to keep aloof from his wives for a period of one month, and after the completion of 29 days he went either in the morning or in the afternoon to his wives. Someone said to him “You vowed that you...
would not go to your wives for one month.” He replied, “The month is of 29 days.”

1911. Narrated Anas: Allâh’s Messenger vowed to keep aloof from his wives for one month, and he had dislocation of his leg. So, he stayed in a Mashrûba for 29 nights and then came down. Some people said, “O Allâh’s Messenger! You vowed to stay aloof for one month,” He replied, “The month is of 29 days.”

[See H. 378]

(12) CHAPTER. The two months of ‘Eid do not decrease.

Narrated Abû ‘Abdullâh, “Ishâq said that if Ramadân is of 29 days, even then it is complete (in its superiority);Muhammad said, “It will not happen that there will be any decrease in their number and superiority.”

1912. Narrated Abû Bakra: The Prophet said, “The two months of ‘Eid (i.e., Ramadân and Dhul-Hijjah), do not decrease (in superiority).”

(1) (H.1912) There are many interpretations of this Hadîth, but the most common one is this: The good deeds done in these two months are rewarded fully whether these months are of 29 or 30 days. There is no harm if Muslims unknowingly start observing Saum (fast) on a wrong day, or stay at ‘Arafât during Hajj on a day other than the prescribed one, on condition that the crescent should be watched carefully. For example, if two persons witness that they have seen the crescent and the people observe Saum (fasts) or stay at ‘Arafât accordingly, and later the two witnesses turn to be liars, the acts of worshipping performed by the Muslims will not be rejected by Allâh. (Fath-Al-Bârî).
(13) CHAPTER. The Statement of the Prophet ﷺ: “We neither write nor know accounts.”

1913.Narrated Ibn ‘Umar The Prophet ﷺ said, “We are an illiterate nation; we neither write, nor know accounts. The month is like this and this, i.e., sometimes of 29 days and sometimes of 30 days.”

(14) CHAPTER. Not to observe Șaum (fast) for a day or two ahead of Ramaḏân.

1914.Narrated Abū Hurairah The Prophet ﷺ said, “None of you should observe Șaum (fast) for a day or two ahead of Ramaḏân unless he has the habit of observing Șaum (Nawâfîl) (and if his fasting coincides with that day) then he can observe Șaum (fast) on that day.”

(15) CHAPTER. The Statement of Allâh ﷻ “It is made lawful for you to have sexual
relations with your wives on the night of the As-Saum (the fasts). They are Libās [i.e., body cover or screen or Sakan (سکن) (i.e., ‘you enjoy the pleasure of living with her’ — as in the Verse 7:189) — Tafsir At-Tabari], for you, and you are the same for them. Allāh knows that you used to deceive yourselves, so He turned to you (accepted your repentance) and forgave you. So, now have sexual relations with them and seek that which Allāh has ordained for you (offspring)...” (V.2:187)

1915. Narrated A1-Bara‘: It was the custom among the companions of Muḥammad ﷺ that if any of them was observing As-Saum (fast) and the food was presented [for Iftar — breaking his Saum (fast)], but he slept before eating, he would not eat that night and the following day till sunset.

Qais bin Ṣūma Al-Anṣārī was observing Saum (fast) and came to his wife at the time of Iftar and asked her whether she had anything to eat. She replied, “No, but I would go and bring something for you.” He used to do hard work during the day, so he was overwhelmed by sleep and slept. When his wife came and saw him, she said, “Disappointment for you.” When it was midday on the following day, he fainted and the Prophet ﷺ was informed about the whole matter; upon which the following Verses were revealed: “It is made lawful for you to have sexual relations with your wives on the night of As-Saum (the fasts)…”

So they were rejoiced greatly by it. And then Allāh also revealed:

“...And eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night)…” (V.2:187)
(16) CHAPTER. The Statement of Allāh Ṭalā‘: 

...And eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your Saum (fast) till the nightfall..." (V.2:187)

Narrated Al-Barā': The Prophet ﷺ said as above.

1916. Narrated 'Adi bin Ḥātim: When the following Verses were revealed: "Until the white thread appears to you distinct from the black thread, I took two (hair) strings, one black and the other white, and kept them under my pillow and went on looking at them throughout the night but could not make anything out of it. So, the next morning I went to Allāh’s Messenger ﷺ and told him the whole story. He explained to me, “That Verse means the darkness of night and the whiteness of dawn.”

1917. Narrated Sahl bin Sa’d: When the following Verses were revealed: “...Eat and drink until the white thread appears to you, distinct from the black thread...” and ‘of dawn’ was not revealed, some people who intended to observe Saum (fast), tied black and white threads to their legs and went on eating till they differentiated between the two. Allāh then revealed the words, ‘of dawn’, and it became clear that, that meant night and day.
(17) CHAPTER. The statement of the Prophet ﷺ: The Adhan of Bilal should not stop you from taking Sahur (late-night meals).

1918, 1919. Narrated 'Aishah: Bilal used to pronounce the Adhan at night, so Allah's Messenger ﷺ said, "Carry on taking your meals (eat and drink) till Ibn Umm Maktum pronounces the Adhan, for he does not pronounce it till it is dawn."

(18) CHAPTER. Taking the Sahur (late night meals taken before dawn) hurriedly (shortly before dawn). (1)

1920. Narrated Sahl bin Sa'd: I used to take my Sahur (late night meals taken before dawn) meals with my family and then hurry up for presenting myself for the Fajr prayer with Allah's Messenger ﷺ.

(1) (Ch.18) They used to take the meal of Sahur (late night meals taken before dawn) so late at night that they hurried in eating so that they might offer the Fajr prayer with Allah's Messenger ﷺ.
(19) CHAPTER. What is the interval between the (end of) Sahūr and the Salāt-ul-Fajr (early morning prayer)?

1921. Narrated Anas bin Thābit: Zayd bin Thābit said, “We took the Sahūr (late night meals) with the Prophet. Then he stood for As-Salāt (the prayer).” I asked, “What was the interval between the Sahūr and the Adhān?” He replied, “The interval was sufficient to recite fifty Verses of the Qur'ān.”

(20) CHAPTER. The Sahūr (late night meals) is a blessing but it is not compulsory.

For the Prophet and his companions kept observing fasting continuously for more than one day and (of course) no Sahūr (late night meals) was taken (during that prolonged fast).

1922. Narrated 'Abdullāh: The Prophet observed fasting for days continuously; the people also did the same but it was difficult for them. So, the Prophet forbade them (to observe fast continuously for more than one day). They said, “But you observe fast without break (no food was taken in the evening or in the morning).” The Prophet replied, “I am not like you, for I am provided with food and drink (by Allāh).”

1923. Narrated Anas bin Mālik: The Prophet said, “Take Sahūr (late night meals) as there is a blessing in it.”
(21) CHAPTER. If the intention of observing Saum (fast) was made in the daytime...

Umm Ad-Darda’ said: Abū Ad-Darda’ used to ask, “Do you have food?” If we answered in the negative, he would say, “Then I am observing Saum (fasting) today.” Abū Ṭalḥā, Abū Hurairah, Ibn ‘Abbās and Ḥudhayfah did the same.

1924. Narrated Salama bin A‘l-Akwa‘: Once the Prophet ﷺ ordered a person on the day of Ḥisāra (the tenth of Muharram) to announce, “Whoever has eaten, should not eat any more, but observe Saum (fast), and who has not eaten should not eat, but complete his Saum (fast) (till the end of the day).”

1925, 1926. Narrated ‘Aishah and Umm Salama: At times, Allâh’s Messenger ﷺ used to get up in the morning in the state of Jannaba [will his Saum (fast) be valid?]

(22) CHAPTER. If a person observing Saum (fast) gets up in the morning in the state of Janâba [will his Saum (fast) be valid?]

1925. “When you set the breaking of the fast, do not break it as the other nations.”

[according to: 2265]
(23) CHAPTER. To embrace while one is observing Saum (fast).

'Aishah رضي الله عنها said: "A person observing Saum (fast) is forbidden to have sexual intercourse."

1927. Narrated 'Aishah رضي الله عنها: The Prophet ﷺ used to kiss and embrace (his wives) while he was observing Saum (fast), and he had more power to control his desires than any of you.

Jabir bin Zaid said, "If a man gets a
sexual discharge as a result of casting a look (at his wife) should complete his Saum (fast).”

(24) CHAPTER. What is said regarding kissing by a fasting person.

1928. Narrated Hisham’s father: ‘Aishah رضي الله عنها said, “Allah’s Messenger ﷺ used to kiss some of his wives while he was observing Saum (fast),” and then she smiled.

1929. Narrated Zainab, daughter of Umm Salama that her mother said: While I was (lying) with Allah’s Messenger ﷺ underneath a woollen sheet, I got the menstruation, and then slipped away and put on the clothes (which I used to wear) in menses. He asked, “What is the matter? Did you get your menses?” I replied in the affirmative and then entered underneath that woollen sheet. I and Allah’s Messenger ﷺ used to take a bath from one waterpot and he used to kiss me while he was observing Saum (fast).
(25) CHAPTER. Taking a bath by a person observing Saum (fast).

Ibn ‘Umar soaked a garment in water and then put it over himself while he was observing Saum (fasting). Ash-Sha‘bî entered a bathroom while he was observing Saum. Ibn ‘Abbâs said, “There is no harm in tasting the food of the pots or other meals. Al-Hasan said, “There is no harm for the person observing Saum (fast) to rinse his mouth with water and to cool his body.” Ibn Mas‘ûd said, “At the night of your fasting day, you had better oil and comb your hair.” Anas said, “I had a tub in which I used to sit while observing Saum (fast).” It is mentioned that the Prophet cleaned his teeth with a Siwâk while observing Saum (fast), and Ibn ‘Umar used to clean his teeth with Siwâk in the early and the late hours of the day without swallowing the resultant saliva [while observing Saum (fast)]. ‘Atâ ‘ said, “The swallowing of saliva does not break the Saum (fast).” Ibn Sirîn said, “There is no harm in cleaning the teeth with a green fresh Siwâk.” He was told that it had taste. Ibn Sirîn replied, “Water also has taste; yet you people rinse your mouth with it.” Anas, Al-Hasan and Ibrâhîm did not see any harm in smearing one’s eyes with kohl while observing Saum (fast).

1930. Narrated ‘Aishah: (At times) in Ramaḍân the Prophet used to be in a state of Janâba not because of a wet dream, then he would take a bath and continue his Saum (fast).
1931. Narrated Abū Bakr bin 'Abdur-Rahmān: My father and I went to 'Aīshah and she said, “I testify that Allāh’s Messenger at times used to get up in the morning in a state of Janāba from sexual intercourse, not from a wet dream and then he would observe Saum (fast) that day.”

1932. Then he went to Umm Salama and she also narrated a similar thing.

(26) CHAPTER. If a person observing Saum (fast) ate or drank forgetfully (should he observe Saum another day in lieu of that day)?

‘Āṭā’ said, “There is no harm if water goes in the throat and one is unable to bring it out while putting it in the nose and then blowing it out.”

Al-Ḥasan said, “If a fly enters one’s throat (while one is observing Saum), there is no harm in it.” Al-Ḥasan and Mujāhid said, “If one has sexual intercourse forgetfully (with one’s wife) then no penalty will be imposed on him.”

1933. Narrated Abū Hurairah: The Prophet ﷺ said, “If somebody eats or drinks forgetfully then he should complete his Saum (fast), for what he has eaten or drank, has been given to him by Allāh.”
(27) CHAPTER. Dry or green Siwak for the person observing Saum (fast).

Narrated `Abîr bin Rabî‘a: I saw the Prophet ﷺ cleaning his teeth with Siwak while he was observing Saum (fast) so many times as I can not count.

Narrated Abû Hurairah: The Prophet ﷺ said, “But for my fear that it would be hard for my followers, I would have ordered them to clean their teeth with Siwak on every performance of ablution.” The same is narrated by Jâbir and Zaid bin Khâlid from the Prophet ﷺ who did not differentiate between a fasting and a non-fasting person in this respect (using Siwak).

‘Aishah said, “The Prophet ﷺ said, ‘It (i.e., Siwak) is a purification for the mouth and it is a way of seeking Allâh’s Pleasures.’”

Aţâ’ and Qatâda said, “There is no harm in swallowing the resultant saliva.”

1934. Narrated Ħumrân: I saw `Uthmân performing ablution; he washed his hands thrice rinsed his mouth and then washed his nose, by putting water in it and then blowing it out, and washed his face thrice, and then washed his right forearm up to the elbow thrice, and then the left forearm up to the elbow thrice, then smeared his head with water, washed his right foot thrice, and then his left foot thrice and said, “I saw Allâh’s Messenger ﷺ performing ablution similar to my present ablution, and then he said, ‘Whoever performs ablution like my present ablution and then offers two Rakâ in which he does not think of worldly things, all his previous sins will be forgiven.’”
(28) CHAPTER. The statement of the Prophet ﷺ: “Whoever performs ablution should put water in his nose and then blow it out.” The Prophet ﷺ did not differentiate between the fasting and non-fasting person (in this respect).

Al-Ḥasan said, “There is no harm for a person observing ʿAṣ-Ṣaum (fast) (in this respect).

Al-Ḥasan said, “There is no harm for a person observing ʿAṣ-Ṣaum (fast) to use snuff if it does not reach the throat, or to smear his eyes with kohl.”

‘Atá’ said, “If a person observing ʿAṣ-Ṣaum (fast), after rinsing his mouth with water, throws it out, then; there is no harm, unless he swallows his saliva and what is left in his mouth. (1) And he should not chew gum, for if he swallows his saliva, I do not say that it will break his ʿAṣ-Ṣaum (fast), but it is prohibited, and if, during the putting of water in the nose and then blowing it out, some water enters the throat and he is unable to bring it back, there is no harm in that.”

(29) CHAPTER. Whoever has a sexual intercourse with his wife in Ramaḍān, (intentionally, he has to pay expiation).

Narrated Abū Hurairah on the authority of the Prophet ﷺ, “Whoever did not observe ʿAṣ-Ṣaum (fast) for one day of Ramaḍān without genuine excuse or a disease, then even if he observed ʿAṣ-Ṣaum (fast) for a complete year, it would not compensate for that day.” The same is narrated by Ibn Masʿūd.

Saʿīd bin Al-Musayyab, Ash-Sha’bi, Ibn

(1) (Ch.28) The question here means: after emptying the mouth of water there is nothing left in it, so there is no harm if one swallows his saliva.
Jubair, Ibrahim, Qatada and Hammad said, “He should observe Saum (fast) one day in lieu of that missed day.”

1935. Narrated ‘Aishah: A man came to the Prophet and said that he had been burnt (ruined). The Prophet asked him what is the matter. He replied, “I had sexual intercourse with my wife in Ramadhan while I was observing Saum (fast).” Then a basket full of dates was brought to the Prophet and he asked, “Where is the burnt (ruined) man?” He replied, “I am present.” The Prophet told him to give that basket full of dates in charity (as expiation).

1936. Narrated Abu Hurairah: While we were sitting with the Prophet a man came and said, “O Allah’s Messenger! I have been ruined.” Allah’s Messenger asked what was the matter with him. He replied, “I had sexual intercourse with my wife while I was observing Saum (fast).” Allah’s Messenger asked him, “Can you afford to manumit a slave?” He replied in the negative. Allah’s Messenger asked him, “Can you observe Saum (fast) for two successive months?” He replied in the negative. The Prophet asked him, “Can you afford to feed sixty poor persons?” He replied:

(30) CHAPTER. If somebody had a sexual intercourse with his wife in Ramadhan and has got nothing, then if he is given something in charity, he should give the expiation of that sinful act.
replied in the negative. The Prophet ﷺ kept silent and while we were in that state, a big basket full of dates was brought to the Prophet ﷺ. He asked, “Where is the questioner?” He replied, “I (am here).” The Prophet ﷺ said (to him), “Take this (basket of dates) and give it in charity.” The man said, “Should I give it to a person poorer than I? By Allāh; there is no family between its (i.e., Al-Madina’s) two mountains who are poorer than I.” The Prophet ﷺ smiled till his premolar teeth became visible and then said, “Feed your family with it.”

(31) CHAPTER. Can a person who has had sexual intercourse (with his wife) in Ramadān feed his family from things given as expiation of his sin if they are needy?

1937. Narrated Abū Hurairah: A man came to the Prophet ﷺ and said, “I had sexual intercourse with my wife in Ramadān [while observing Saum (fasting)].” The Prophet ﷺ asked him, “Can you afford to manumit a slave?” He replied in the negative. The Prophet ﷺ asked him, “Can you observe Saum (fast) for two successive months?” He replied in the negative. He asked him, “Can you afford to feed sixty poor persons?” He replied in the negative. (Abū Hurairah added): Then a basket full of dates was brought to the Prophet ﷺ and he said (to that man), “Feed (poor people) with this on your
behalf (by way of expiation).” He said, 

“(Should I feed it) to poorer people than we? There is no poorer house than ours between its (Al-Madina’s) mountains.” The Prophet  said, “Then feed your family with it.”

(32) CHAPTER. Cupping (letting out blood medically) and vomiting of a person observing Saum (fast).

Narrated Abü Hurairah رَضِيَ اللَّهُ عَنْهَا: “If a person observing Saum (fast) vomits, that does not break his Saum (fast), for while he vomits he expels something and does not swallow anything.”

It is mentioned from Abü Hurairah that vomiting breaks the Saum (fast), but the former narration is more authentic. Ibn ‘Abbās and ‘Ikrima said, “Observing Saum (fast) means to stop taking food in, not taking it out.” And Ibn ‘Umar ابْنُ يُمَارٍ said: “A person observing Saum (fast) was cupped while he was observing Saum (fast) but later on he abandoned it and began to be cupped at night. Abū Mūsā was cupped at night. It is narrated that Sa’d, Zaid bin Arqam and Umm Šalama were cupped while observing Saum (fast). Bukār said: Umm ‘Alqama, said: “We used to be cupped [during observing Saum (fast)] in ‘Aisha’s presence and she did not object. Al-Ḥasan and others narrate on the authority of the Prophet  ‘The cupping and the cupped persons break Saum (fast) on practising this operation while Saum (fast).’ ‘Aishah told me (Al-Bukhārī) that ‘Abdul-‘Alî narrated from Yūnus from Al-Ḥasan as above. Somebody asked him, “Was that statement reported from the Prophet?” He replied, “Yes,” and then added, “Allāh knows better.”
1938. Narrated Ibn ‘Abbās: The Prophet was cupped while he was in the state of Ḥiṣām, and also while he was observing a ʿSaum (fast).

1939. Narrated Ibn ‘Abbās: The Prophet was cupped while he was observing ʿSaum (fast).

1940. Narrated Thābit Al-Bunānī: Anas bin Malik was asked whether they disliked the cupping for a person observing ʿSaum (fast). He replied in the negative and said, “Only if it causes weakness.”

Narrated Shu‘bāh: In the lifetime of the Prophet.

(33) CHAPTER. To observe ʿSaum (fast) or not to observe ʿSaum during journeys.

1941. Narrated Ibn Abī Aūfā: We were in the company of Allāh’s Messenger on a journey. He said to a

(H.1938) Hadith No.1938 contradicts the Hadith of Al-Ḥasan. Apparently the Muslim jurists have given various interpretations to discard this contradiction: Ash-Shafī’ī says, “Both Hadith are correct, but the one narrated by Ibn ‘Abbās is stronger as regards its series of narrators; yet it is better to avoid cupping while observing ʿSaum (fast). But the verdict is to be taken from the Hadith of Ibn ‘Abbās. I have the knowledge that the Prophet’s Companions and their followers and all Muslim scholars think that cupping does not break one’s ʿSaum.”

Ibn Hazm thinks that Al-Ḥasan’s Hadith is invalidated by another authentic Hadith narrated by Abū Sa‘īd which goes: “The Prophet permitted cupping for person observing ʿSaum (fast)” (Fath Al-Bārī).
man, “Get down and mix Sawiq\(^{(1)}\) (powdered roasted barley or wheat grain) with water for me.” The man said, “The sun (has not set yet),\(^{(2)}\) O Allâh’s Messenger” The Prophet ﷺ again said to him, “Get down and mix Sawiq with water for me.” The man again said, “O Allâh’s Messenger! The sun”! The Prophet ﷺ said to him (for the third time), “Get down and mix Sawiq with water for me.” The man dismounted and mixed Sawiq with water for him. The Prophet ﷺ drank it and then beckoned with his hand (towards the east) and said, “When you see the night falling from this side, then a person observing \(\text{Saum} \text{ (fast)}\) should break his \(\text{Saum} \text{ (fast)}\)”.

1942. Narrated ‘Aishah رضي الله عنها: Ḥâmza bin ’Amr Al-Aslâmi said, “O Allâh’s Messenger! I observe \(\text{Saum} \text{ (fast)}\) continuously.”

1943. Narrated ‘Aishah رضي الله عنها, the wife of the Prophet ﷺ: Ḥâmza bin ’Amr Al-Aslâmi asked the Prophet ﷺ, “Should I observe \(\text{Saum} \text{ (fast)}\) while travelling?” The Prophet ﷺ replied, “You may observe \(\text{Saum} \text{ (fast)}\) if you wish, and you may not observe \(\text{Saum} \text{ (fast)}\) if you wish.”

---

(1) (H.1941) Sawiq: See Glossary.
(2) (H.1941) His saying: “The sun (has not set yet)” indicates that the Prophet ﷺ was observing \(\text{Saum} \text{ (fast)}\) and the man meant that the time of \(\text{Ifâr} \text{ (breaking the \(\text{Saum} \text{ (fast)}\)) was not due.}
(34) CHAPTER. If a person observed *Saum* (fast) some days of Ramadān and then went on a journey (is it permissible for him to break his *Saum*).

1944. Narrated Ibn 'Abbās: Allāh’s Messenger set out for Makkah in Ramadān and he observed *Saum* (fast), and when he reached Al-Kadid, he broke his *Saum* (fast) and the people (with him) broke their *Saum* (fast) too.

(Abū ‘Abdullāh said, “Al-Kadid is a land covered with water between ‘Usfān and Qudaid.”)

(35) CHAPTER.

1945. Narrated Abū Ad-Darda’i: We set out with Allāh’s Messenger on one of his journeys on a very hot day, and it was so hot that one had to put his hand over his head because of the severity of heat. None of us was observing *Saum* (fast) except the Prophet and Ibn Rawāḥa.

(36) CHAPTER. The saying of the Prophet to the person observing *Saum* (fast) who was being shaded on a very hot day, “It is not from *Al-Bīr* (righteousness) to observe *Aṣ-Ṣaum* (the fast) on a journey.”
1946. Narrated Jābir bin 'Abdullāh i
Allāh’s Messenger ﷺ was on a journey
and saw a crowd of people, and a man was
being shaded (by them). He asked, “What is
the matter?” They said, “He (the man) is
observing Saum (fast).” The Prophet ﷺ said,
“It is not from Al-Bīr (righteousness) to
observe As-SAUM (the fast) on a journey.”(1)

(37) CHAPTER. The Companions of the
Prophet ﷺ did not criticize each other for
observing Saum (fast) or not observing Saum
(fast) (on journeys).

1947. Narrated Anas bin Mālik i
We used to travel with the Prophet ﷺ and
neither did the persons observing Saum (fast)
criticize those who were not observing Saum
(fast), nor did those who were not observing
Saum (fast) criticize the ones who were
observing Saum (fast).

(38) CHAPTER. Whoever broke his Saum
(fast) on a journey (publicly) so that people
might see him.

1948. Narrated Ṭawús: Ibn ‘Abbās i
set out from Al-Madīna to Makkah and
he observed Saum (fast) till he reached
‘Uṣfān, where he asked for water and raised
his hand to let the people see him, and then

(1) (H.1946) The Ahadith of this chapter show that it is permissible for one to observe Saum (fast) or break his Saum while travelling. But it is recommended for a healthy, strong person to observe Saum, whereas a weak or sick person is recommended not to observe Saum (fast). The saying of the Prophet ﷺ, “It is not from Al-Bīr (righteousness) to observe Saum (fast) on a journey,” is applicable to a particular case, i.e., when one is so weak or sick that observing Saum (fast) would harm him. In such case one has to break his Saum (fast), for Allāh does not like His devotees to harm themselves needlessly.
broke the Saum (fast), and did not observe Saum (fast) after that till he reached Makkah, and that happened in Ramaḍān.

Ibn ‘Abbās used to say, “Allāh’s Messenger (sometimes) observed Saum (fast) and (sometimes) did not observe Saum (fast) during the journeys, so whoever wished not to observe Saum (fast), could do so.”

(39) CHAPTER. (The Statement of Allāh علیه السلام): “And as for those who can fast with difficulty (e.g. the aged etc.) they have (a choice either to fast or) to feed a Miskīn (poor person) (for every day).” (V.2:184)

Ibn ‘Umar and Salama bin Al-Akwa’ said that the provision of the above Verse was abrogated by the following Verse:

“The month of Ramaḍān in which was revealed the Qur’ān... for having guided you, so that you may be grateful to Him.” (V.2:185).

Narrated Ibn Abī Lailā: The companions of Prophet Muḥammad ﷺ said that when observing Saum (fast) in Ramaḍān was prescribed (for the first time), they could not endure it. So, whoever fed a poor person every day (of Ramaḍān) did not observe Saum (fast) [although he had the power to observe Saum (fast)], and was permitted to do so. Then this order was cancelled by the Verse: “…And that you observe Saum (fast)

(1) (Ch.39) The Verse is interpreted in two ways. It may mean: Those who are able to observe Saum (fast) but do not wish to fast, should give Fidya. The scholars who interpret the verse in this way say that the provision of this verse was abrogated by another verse where all Muslims were ordered to observe Saum (fast). Other scholars interpret the Verse as meaning: Those who are able to observe fast only with great difficulty like very old people or a woman who has to nurse her newly born child, etc., are permitted not to observe fast and give the Fidya in recompensation. Ibn ‘Umar gives the first verdict but Ibn ‘Abbās thinks that the second is the right one. (Fath Al-Bārī).
is better for you." (V.2:184), so they were ordered to observe \( \textit{Saum} \) (fast).

1949. Narrated Nâfî': Ibn 'Umar recited the Verse: "They had a choice either to observe \( \textit{Saum} \) (fast) or to feed a poor person for every day, and said that the order of this Verse was cancelled.

(40) CHAPTER. When to make up for the missed days of fasting of Ramadan.

Ibn 'Abbâs said, "There is no harm to observe fasting intermittently, as the Statement of Allâh shows: "... The same number [of days which one did not observe \( \textit{Saum} \) (fasts) must be made up] from other days..."

Sa'îd bin Al-Musaiyab said: "The ten days of \( \textit{Saum} \) (fasting) (as \( \textit{Nawâfil} \) of Dhul-Hijjah) should not be observed till the fasting in lieu of the missed days of Ramadan were completed."

Ibrâhîm said: "If somebody did not observe \( \textit{Saum} \) (fast) in lieu of the missed days of Ramadan till the next Ramadan came, then he should observe \( \textit{Saum} \) (fast) the present Ramadan and then the missed days of the previous Ramadan." Ibrâhîm did not think that that person should feed the poor (as \( \textit{Fidya} \)).

Narrated Abû Hurairah indirectly on the authority of the Prophet and Ibn 'Abbâs that he should feed the poor. But Allâh does not mention the feeding of the poor but only says: "... The same number [of days which one did not observe \( \textit{Saum} \) (fasts) must be made up] from other days..."

1950. Narrated 'Aîshah: Sometimes I missed some days of...
Ramaḍān, but could not observe Ṣaum (fast) in lieu of them except in the month of Sha’bān.” Yāḥyā, (a subnarrator) said, “She used to be busy serving the Prophet ﷺ.”

(41) CHAPTER. The menstruating women should leave the Ṣaum (fast) and ʿAš-Ṣalāt (the prayer).

Abū Az-Zinād said, “Very often the Sunna (legal ways) and the truth go against the opinions, and for the Muslims there is no way out except to follow the truth and the Sunna (legal ways) of the Prophet ﷺ, and an example of that is that a menstruating woman should observe Ṣaum (fast) in lieu of her missed Ṣaum, but she is not to offer the Ṣalāt (prayer) in lieu of her missed Ṣalāt.”

1951. Narrated Abū Sa‘īd: The Prophet ﷺ said, “Isn’t it true that a woman does not offer Salāt (prayer) and does not observe Ṣaum (fast) on menstruating? And that is the defect (a loss) in her religion.”

(42) CHAPTER. Whoever died and he ought to have observed Ṣaum (fast) (the missed days of Ramaḍān, can somebody else observe Ṣaum instead of him?)

Al-Ḥasan said, “If thirty men observe Ṣaum (fast) one day on his behalf then it will be sufficient.”

1952. Narrated ‘Aishah: Allāh’s Messenger ﷺ said, “Whoever died and he ought to have observed Ṣaum (fast)
(the missed days of Ramadân) then his guardians must observe Šaum (fast) on his behalf.”

1953. Narrated Ibn 'Abbas: A man came to the Prophet ﷺ and said, “O Allah’s Messenger! My mother died and she ought to have observed Šaum (fast) one month (for her missed Ramadân). Shall I observe Šaum on her behalf?” The Prophet ﷺ replied in the affirmative and said, “Allah’s debts have more right to be paid.”

Sulaiman said: Al-Hakam and Salama said: We were all there when Muslim narrated this Hadîth. They said: We heard Mujahid saying this on Ibn ‘Abbâs’ authority, and the authority of Abî Khalid that: Al-'A'mash told Abî Khalid on the authority of Al-Hakam and Muslim Al-Batin and Salama bin Kuhail who heard Sa'id bin Jubair, Aṭa and Mujahid that Ibn ‘Abbâs said.

In another narration a woman is reported to have said, “My sister died and Yahya and Abû Mu'awiyâ on the authority of Al-'A'mash who said on the authority of Sa'id who said he heard Ibn ‘Abbâs saying, “A woman said to the Prophet ﷺ, ‘My mother died...’ ” and Ubaidullâh bin ‘Amr on the authority of Zaid bin Abî Unaisa who was told by Al-Hakam who was in turn told by Sa'id who reported Ibn ‘Abbâs said, “A woman said to the Prophet ﷺ, ‘My mother died and she had vowed to observe Šaum (fast) but she didn’t
observe *Saum* (fast).’” In another narration Ibn ‘Abbās is reported to have said, “A woman said to the Prophet ﷺ, ‘My mother died while she ought to have observed *Saum* (fast) for fifteen days.’”

(43) CHAPTER. When should the person observing *Saum* (fast) break his *Saum* (fast)?

And Abū Sa‘īd Al-Khudrī broke his *Saum* (fast) as soon as the sun’s disc set (disappeared).

1954. Narrated ‘Umar bin Al-Khaṭṭāb ﷺ: Allāh’s Messenger ﷺ said, “When night falls from this side and the day vanishes from this side and the sun sets, then the person observing *Saum* (fast) should break his *Saum* (fast).”

1955. Narrated ‘Abdullāh bin Abī Aūfā: We were in the company of the Prophet ﷺ on a journey and he was observing *Saum* (fast), and when the sun set, he addressed somebody, “O so-and-so, get up and mix *Sawīq* with water for us.” He replied, “O Allāh’s Messenger! (Will you wait) till it is evening?” The Prophet ﷺ said, “Get down and mix *Sawīq* with water for us.”
He replied, “O Allah’s Messenger! (If you wait) till it is evening.” The Prophet said again, “Get down and mix Sawiq with water for us.” He replied, “It is still daytime.” \( ^{(1)} \)

The Prophet said again, “Get down and mix Sawiq with water for us.” He got down and mixed Sawiq for them. The Prophet drank it and then said, “When you see night falling from this side, the fasting person should break his \( \text{Saum} \) (fast).”

\( \text{(44) CHAPTER. Iftar (to break the Saum (fast)) with the available water or anything else.} \)

1956. Narrated ‘Abdullāh bin Abī Āufa: We were travelling with Allah’s Messenger and he was observing \( \text{Saum} \) (fast), and when the sun set, he said to (someone), “Get down and mix Sawiq with water for us.” He replied, “O Allah’s Messenger! (Will you wait) till it is evening?” The Prophet said again, “Get down and mix Sawiq with water for us.” He replied, “O Allah’s Messenger! It is still daytime.” The Prophet said again, “Get down and mix Sawiq with water for us.” So, he got down and carried out that order. The Prophet then said, “When you see night falling from this side, the person observing \( \text{Saum} \) (fast) should break his \( \text{Saum} \) (fast)” and he beckoned with his finger towards the east.

\( \text{(45) CHAPTER. To hasten the Iftar (breaking of the fast).} \)

1957. Narrated Sahl bin Sa’d: Allah’s

\( \text{Qum Fajjāh Lāna, Qul: Ya Rasūlullāh Lūwūmā mīṣīyī, Qul: Anān Fajjāh Lāna, Qul: Ya Rasūlullāh, Qul: Anān Fajjāh Lāna, Qul: Ya Rasūlullāh, Qul: Anān Fajjāh Lāna, Qul: Ya Rasūlullāh Lūwūmā mīṣīyī.} \)

\( \text{[Fath Al-Bārī]} \)

\( \text{(1) (H.1955) Perhaps that companion of the Prophet thought that the sun had not set but was still hidden behind a hill or the like, or it was cloudy and thus was not sure of the setting of the sun.} \)
Messenger ﷺ said, “The people will remain on the right path as long as they hasten the Iftar [breaking of the Saum (fast)].”

1958. Narrated Ibn Abi Aūfah: I was with the Prophet ﷺ on a journey, and he observed the Saum (fast) till evening. The Prophet ﷺ said to a man, “Get down and mix Sawiq with water for me.” He replied, “Will you wait till it is evening?” The Prophet ﷺ said, “Get down and mix Sawiq with water for me; when you see night falling from this side, the person observing Saum (fast) should Iftar [break his Saum (fast)].”

1959. Narrated Abū Usāmah: Hishām bin ‘Urwa said on the authority of Fātimah bint Abī Bakr: Asmā said, “We broke our fast (Iftar) during the lifetime of the Prophet ﷺ on a cloudy day and then the sun appeared.” Hishām was asked, “Were they ordered to observe fasting in lieu of that day?” He replied, “It had to be made up for.” Ma’mar said, “I heard Hishām saying, “I don’t know whether they observed fasting in lieu of that day or not.”

And ‘Umar ﷺ said to a drunk in the month of Ramaḍān, “Woe to you!...”

(46) CHAPTER. If somebody Aftara [breaks the Saum (fast)], thinking that the sun has set and then sees the sun still visible. [Should he make up for that Saum?]

(47) CHAPTER. Saum (fasting) of boys (children etc.)
(Even) our boys (children etc.) are observing Saum (fast) (and you are drunk!)” And then he gave him the legal punishment.

1960. Narrated Ar-Rubai' bint Mu'awwidh: The Prophet sent a messenger to the village of the Ansâr in the morning of the day of 'Âshûra' (10th of Mu'harram) to announce: “Whoever has eaten something should not eat but complete the Saum (fast), and whoever is observing the Saum (fast) should complete it.” She further said, “Since then we used to observe Saum (fast) on that day regularly and also make our boys (children etc.) to observe fasting. We used to make toys of wool for the boys (children etc.) and if anyone of them cried for food, he was given those toys till it was the time of the Iftãr [breaking of the Saum (fast)].”

(48) CHAPTER. Al-Wîsâl [i.e., to observe Saum (fast) continuously without eating or drinking anything by day or night, may be for a day or two or more].

And whoever says that there is no Saum (fast) (at night according to the Statement of Allah j.-, “Then complete your fast till the nightfall...” (V.2:187). And the Prophet forbade it (i.e., Al-Wîsâl) with mercy to them (Muslims) and to keep them healthy. And what is hated as regards excessive practices of worshipping.

1961. Narrated Anas: The Prophet said, “Do not practise Al-Wîsâl [fasting continuously without breaking one’s Saum (fast) in the evening or eating before the following dawn].” The people said to the Prophet, “But you practise Al-Wîsâl?” The Prophet replied, “I am not like any of you, for I am given food and drink (by Allâh) during the night.”
1962. Narrated 'Abdulläh bin 'Umar: Allah's Messenger forbade Al-Wisal. The people said to him, "But you practise it?" He said, "I am not like you, for I am given food and drink (by Allah)."

1963. Narrated Abu Sa'id: that he had heard the Prophet saying, "Do not fast continuously (i.e., do not practise Al-Wisal), and if you intend to lengthen your Saum (fasting period), then carry it on only till the Sahar (before the following dawn)." The people said to him, "But you practise (Al-Wisal), O Allah's Messenger!" He replied, "I am not similar to you, for during night I have One Who makes me eat and drink."

1964. Narrated 'Aishah: Allah's Messenger forbade Al-Wisal with mercy to them. They said to him, "But you practise Al-Wisal?" He said, "I am not similar to you, for my Lord gives me food and drink."

Abdulläh said that Uthman did not mention: "Mercy to them (towards the companions)."

Abu Sa'id (ra) said that Uthman did not mention the mention: “Mercy to them (towards the companions).”

(49) CHAPTER. The punishment for the person who practises Al-Wisal very often.
This is narrated by Anas on the authority of the Prophet ﷺ.

1965. Narrated Abū Hurairah: Allah’s Messenger ﷺ forbade Al-Wiṣāl in observing As-Saum (the fasts). So, one of the Muslims said to him, “But you practise Al-Wiṣāl, O Allah’s Messenger!” The Prophet ﷺ replied, “Who amongst you is similar to me? I am given food and drink during night by my Lord.” So, when the people refused to stop Al-Wiṣāl (fasting continuously), the Prophet ﷺ observed Saum (the fast) day and night continuously along with them for a day and then another day and then they saw the crescent-moon (of the month of Shawwāl). The Prophet ﷺ said to them (angrily), “If it (the crescent) had not appeared, I would have made you observe Saum for a longer period.” That was as a punishment for them when they refused to stop (practising Al-Wiṣāl).

[See Fath Al-Bārī]

1966. Narrated Abū Hurairah: The Prophet ﷺ said twice, “(O you people) Be cautious! Do not practise Al-Wiṣāl.” The people said to him, “But you practise Al-Wiṣāl?” The Prophet ﷺ replied, “My Lord gives me food and drink during night. Do that much of deeds which are within your ability.”

(50) CHAPTER. To observe Saum (fast) continuously day and night (Al-Wiṣāl) till the time of Sahar (last part of night).

1967. Narrated Abū Sa’īd Al-Khudrī: Allah’s Messenger ﷺ said, “Do not observe Saum (fast) continuously day and
night (i.e., do not practise *Al-Wiṣāl*) and if anyone of you intends to *Ṣaum* (fast) continuously day and night, he should continue till the *Sahar* (before the following dawn).” They said, “But you practise *Al-Wiṣāl*, O Allah’s Messenger!” The Prophet  said, “I am not similar to you; during night I have One Who makes me eat and drink.”

(51) CHAPTER. If someone forces his Muslim brother to break his (Nawāfil) fast, by giving him an oath, the person observing *Ṣaum* (fast) has not to observe *Ṣaum* (fast) in lieu of it if the giving up of the *Ṣaum* was better for him.

1968. Narrated Abū Juḥaifa: The Prophet  made a bond of brotherhood between Salmān and Abū Ad-Dardā’. Salmān paid a visit to Abū Ad-Dardā’ and found Umm Ad-Dardā’ dressed in shabby clothes and asked her why she was in that state. She replied, “Your brother Abū Ad-Dardā’ is not interested in (the luxuries of) this world.” In the meantime Abū Ad-Dardā’ came and prepared a meal for Salmān. Salmān requested Abū Ad-Dardā’ to eat (with him), but Abū Ad-Dardā’ said, “I am observing *Ṣaum* (fast).” Salmān said, “I am not going to eat unless you eat.” So, Abū Ad-Dardā’ ate (with Salmān). When it was night and (a part of the night passed), Abū Ad-Dardā’ got up (to offer the night prayer), but Salmān told him to sleep and Abū Ad-Dardā’ slept. After sometime Abū Ad-Dardā’ again got up but Salmān told him to sleep. When it was the last hours of the night, Salmān told him to get up then, and both of them offered the *Ṣalāt* (prayer). Salmān told Abū Ad-Dardā’, “Your Lord has a right on you, your...
ownself has a right on you, and your family has a right on you; so you should give the rights of all those who has a right on you.’ Abū Ad-Dardā’ came to the Prophet ﷺ and narrated the whole story. The Prophet ﷺ said, “Salmān has spoken the truth.”

(52) CHAPTER. Šaum (fasting) in the month of Sha’bān.

1969. Narrated ‘Aishah: ‘Alāh’s Messenger ﷺ used to observe Šaum (fast) till one would say that he would never stop observing Šaum (fast), and he would abandon Šaum (fast) till one would say that he would never observe Šaum (fast). I never saw ‘Alāh’s Messenger ﷺ observing Šaum (fast) for a whole month except the month of Ramadān, and did not see him fasting in any month more than in the month of Sha’bān.

1970. Narrated ‘Āishah: The Prophet ﷺ never observed Šaum (fast) in any month more than in the month of Sha’bān. He used to say, “Do those deeds which you can do easily, as Allāh will not get tired (of giving rewards) till you get bored and tired (of performing religious deeds).” The most beloved Šalāt (prayer) to the Prophet ﷺ was the one that was done regularly (throughout the life) even if it were little. And whenever the Prophet ﷺ offered a Šalāt (prayer) he used to offer it regularly.

(53) CHAPTER. What is said about the fasting and non-fasting (periods) of the Prophet ﷺ.
1971. Narrated Ibn ‘Abbas: The Prophet never observed Saum (fast) a full month except the month of Ramadán, and he used to observe Saum (fast) till one could say, “By Allah, he will never stop observing Saum (fast),” and he would abandon observing Saum (fast) till one would say, “By Allah, he will never observe Saum (fast).”

1972. Narrated Anas: Allah’s Messenger used to leave observing Saum (fast) in a certain month till we thought that he would not observe Saum (fast) in that month, and he used to fast in another month till we thought he would not stop observing Saum (fast) at all in that month. And if one wanted to see him offering Salāt (prayer) at night, one could see him (in that condition), and if one wanted to see him sleeping at night, one could see him (in that condition) too.

1973. Narrated Humaid: I asked Anas about the Saum (fasting) of the Prophet. He said, “Whenever I liked to see the Prophet observing Saum (fast) in any month, I could see that, and whenever I liked to see him not observing Saum (fast), I could see that too, and if I liked to see him offering Salāt (prayer) in any night, I could see that, and if I liked to see him sleeping, I could see that, too.” Anas further said, “I never touched silk or velvet softer than the hand of Allah’s Messenger, and never smelled musk or perfume more pleasant than the smell of Allah’s Messenger.”
(54) CHAPTER. The right of the guest in fasting.

1974. Narrated ‘Abdullāh bin ‘Amr bin Al-‘Aṣṣ: “Once Allāh’s Messenger came to me;” and then he narrated the whole narration, i.e., your guest has a right on you, and your wife has a right on you. I then asked about the Saum (fasting) of Dāwūd (David). The Prophet replied, “Half of the year,” i.e., he used to observe Saum (fast) on every alternate day.

(55) CHAPTER. The right of the body in observing As-Saum (the fast).

1975. Narrated ‘Abdullāh bin ‘Amr bin Al-‘Aṣṣ: Allāh’s Messenger said to me, “O ‘Abdullāh! Have I not been informed that you observe Saum (fast) during the day and offer Salāt (prayer) all the night.” ‘Abdullāh replied, “Yes, O Allāh’s Messenger!” The Prophet said, “Don’t do that; observe Saum (fast) for few days and then give it up for few days, offer Salāt (prayer) and also sleep at night, as your body has a right on you, and your wife has a right on you, and your guest has a right on you. And it is sufficient for you to observe Saum (fast) three days in a month, as the reward of a good deed is multiplied ten times, so it will be like fasting throughout the year.” I insisted (on fasting) and so I was given a hard instruction. I said, “O Allāh’s
Messenger! I have strength.” The Prophet ﷺ said, “Observe Saum (fast) like the fasting of the Prophet Dawûd (David) and do not observe fast more than that.” I asked “How was the fasting of the Prophet of Allah, David?” He said, “Half of the year,” (i.e., he used to observe fast on every alternate day).

Afterwards when ‘Abdullãh became old, he used to say, “It would have been better for me if I had accepted the permission of the Prophet ﷺ [which he gave me i.e., to observe Saum (fast) only three days a month].”

(56) CHAPTER. Observing Saum (fasting) daily throughout the life.

1976. Narrated ‘Abdullãh bin ‘Amr: Allah’s Messenger ﷺ was informed that I had taken an oath to fast daily and to offer Salât (prayers) (every night) all the night throughout my life. (So Allah’s Messenger ﷺ came to me and asked whether it was correct). I replied, “Let my parents be sacrificed for you! I said so.” The Prophet ﷺ said, “You will not be able to do that. So, fast for few days and give it up for few days, offer Salât (prayer) and sleep. Observe Saum (fast) three days a month as the reward of good deeds is multiplied ten times and that will be equal to one year of fasting.” The Prophet ﷺ said to me, “Observe Saum (fast) one day and give up fasting for two days.” I replied, “I can do better than that.” The Prophet ﷺ said: “Then observe Saum (fast) a day and give it up for a day and that is the Saum (fast) of Prophet Dawûd (David) and that is...
the best Šaum (fast).” I said, “I have the strength to do better (more) than that.” The Prophet said, “There is no better (fasting) than that.”

(57) CHAPTER. The right of the family (wife) in observing As-Šaum (the fast).

This is narrated by Abū Juḥaifa from the Prophet.

1977. Narrated ‘Abdullâh bin ‘Amr Li: The news of my observing Šaum (fasting) daily and offering Šalât (prayer) every night throughout the night reached the Prophet. So he sent for me, or I met him, and he said, “I have been informed that you observe Šaum (fast) every day and offer Šalât (prayer) every night (all the night). Observe Šaum (fast) (for some days) and give it up (for some days), offer Šalât (prayer) and sleep for your eyes have a right on you, and your body and your family (your wife) have a right on you.” I replied, “I have more strength than that (for fasting).” The Prophet said, “Then observe Šaum (fast) like the Šaum (fast) of (the Prophet) Dâwûd (David) Šalam.” I said, “How?” He replied, “He used to observe Šaum (fast) on alternate days, and he used not to flee on meeting the enemy.” I said, “From where can I get that chance, O Allah’s Prophet?” [‘Atâ said, “I do not know how the expression of ‘observe Šaum (fast) daily throughout the life’ occurred.”] So, the Prophet said, twice, “Whoever observe Šaum (fast) daily throughout his life is just as the one who does not observe Šaum (fast) at all.”
(58) CHAPTER. *Saum* (fasting) on alternate days.

1978. Narrated Mujähid from ‘Abdulläh bin ‘Amr [41 W]: The Prophet ﷺ said (to ‘Abdulläh), “Observe *Saum* (fast) three days a month.” ‘Abdulläh said, (to the Prophet ﷺ), “I am able to observe *Saum* (fast) more than that.” They kept on arguing on this matter till the Prophet ﷺ said, “Observe *Saum* (fast) on alternate days, and recite the whole Qur’ān once a month.” ‘Abdulläh said, “I can recite more (in a month),” and the argument went on till the Prophet ﷺ said, “Recite the whole Qur’ān once in three days.” (i.e., you must not recite the whole Qur’ān in less than three days).

(59) CHAPTER. The *Saum* (fasting) of Dāwūd (David). عليه السلام

1979. Narrated ‘Abdulläh bin ‘Amr bin Al-‘As [41 W]: The Prophet ﷺ said to me, “You observe *Saum* (fast) daily all the year and offer *Salāt* (prayer) (every night) all the night?” I replied in the affirmative. The Prophet ﷺ said, “If you keep on doing this, your eyes will become weak and your body will get tired. He who observes *Saum* (fast) all the year is as he who did not observe *Saum* (fast) at all. Observing *Saum* (fast) of three days (a month) will be equal to observing *Saum* (fast) of the whole year.” I replied, “I have the strength for more than this.” The Prophet ﷺ said, “Then observe *Saum* (fast) like the fasting of Dāwūd (David) عليه السلام who used to observe *Saum* (fast) on alternate days and would never flee from the battle field on meeting the enemy.”
1980. Narrated ‘Abdullah bin ‘Amr: Allah’s Messenger was informed about my Saum (fasts), and he came to me and spread for him a leather cushion stuffed with palm fibre, but he sat on the ground and the cushion remained between me and him, and then he said, “Isn’t it sufficient for you to observe Saum (fast) three days a month?” I replied, “O Allah’s Messenger! I can observe Saum (fast) more.” He said, “Five?” I replied, “O Allah’s Messenger! I can observe Saum (fast) more.” He said, “Seven?” I replied, “O Allah’s Messenger! I can observe Saum (fast) more.” He said, “Nine (days per month)?” I replied, “O Allah’s Messenger! I can observe Saum (fast) more.” He said, “Eleven (days per month)?” And then the Prophet said, “There is no Saum (fast) superior to that of the Prophet Dawūd (David); it was for half of the year. So, observe Saum (fast) on alternate days.”

1981. Narrated Abū Hurairah: My friend (the Prophet) advised me to observe three things:

1. to observe Saum (fast) three days every (lunar) month;
2. to perform a two Rak’a ʿDuḥa prayer and

(60) CHAPTER. To observe Saum (fast) the three days (preceding) the full moon night, i.e., 13th, 14th and the 15th of the lunar months.
(3) to perform the *Witr* prayer before sleeping.

[See H.1178].

(61) CHAPTER. Whoever visited some people and did not break his (optional) *Saum* (fast) with them.

1982. Narrated Anas: The Prophet paid a visit to Umm Sulaim and she placed before him dates and ghee. The Prophet said, “Replace the ghee and dates in their respective containers for I am observing Saum (fast).” Then he stood somewhere in her house and offered an optional *Salāt* (prayer) and then he invoked Allāh to bless Umm Sulaim and her family. Then Umm Sulaim said, “O Allāh’s Messenger! I have a special request (today).” He said, “What is it?” She replied, “(Please invoke for) your servant Anas.” So, Allāh’s Messenger did not leave anything good in this world or in the Hereafter which he did not invoke (Allāh to bestow) on me and said, “O Allāh! Give him (i.e., Anas) property and children and bless him.” Thus I am one of the richest among the *Ansār* and my daughter Umaina told me that when Al-Hajjāj came to Basrah, more than 120 of my offspring had been buried.

(62) CHAPTER. Fasting the last days of the month.

1983. Narrated ‘Imrān bin Ḥusain:
that the Prophet ﷺ asked him (‘Imrân),
or asked a man and ‘Imrân was listening, “O
Abû so-and so! Have you observed Saum
(fasts) in the last days of this month?” (The
narrator thought that he said, “the month of
Ramaḍān”). The man replied, “No. O
Allâh’s Messenger!” The Prophet ﷺ said to
him, “When you finish your Saum (fasts) (of
Ramaḍān) observe Saum (fasts) for two days
(in Shawwâl).”

Through another series of narrators
‘Imrân said, “The Prophet ﷺ said, “[Have
you observed Saum (fasts)] in the last days of
Sha’bân?””¹

(63) CHAPTER. Observing Saum (fast) on
Friday. If someone gets up in the morning of
Friday and is observing the Saum (fasts) he
should break it [if he did not observe Saum
the day before or does not intend to observe
Saum (fasts) after it].

1984. Narrated Muhammad bin ‘Abbad:
I asked Jâbir, “Did the Prophet ﷺ forbid observing Saum (fasts) on Fridays?”
He replied, “Yes.” [Through other narrators
it is added, “If he intends to observe Saum
(fasts) only that day.”]

(1) (H.1983) The man whom the Prophet ﷺ asked seemed to have had the habit of
observing Saum (fast) on the last days of every month, but he did not carry on this habit
in the month of Sha’bân, for Allâh’s Messenger ﷺ had forbidden the Saum (fast) of the
day preceding Ramaḍān immediately. In this narration the Prophet ﷺ orders the man to
make up for the days of Sha’bân which he missed by observing Saum (fast) on some days
in Shawwâl, and that indicates that one should keep his habits of worshipping, and there
is no harm if one observes Saum (fast) the last days of Sha’bân if it is his habit to Saum
the last days of every month. (Fath Al-Bârî)
1985. Narrated Abū Hurairah: I heard the Prophet saying, “None of you should observe Saum (fast) on Friday unless he observes Saum (fast) a day before or after it.”

1986. Narrated Juwairiya bint Al-Ḥārith: The Prophet visited her (Juwairiya) on a Friday and she was observing Saum (fast). He asked her, “Did you observe Saum (fast) yesterday?” She said, “No.” He said, “Do you intend to observe Saum (fast) tomorrow?” She said, “No.” He said, “Then break your Saum (fast).” Through another series of narrators, Abū Ayyūb is reported to have said, “He ordered her and she broke her Saum (fast).”

(64) CHAPTER. Can one select some special days [for observing Saum (fast)]?

1987. Narrated ‘Alqama: I asked ‘Aishah: “Did Allâh’s Messenger use to do extra deeds of worship on some certain days?” She replied, “No, but his deeds were regular and constant. “Who amongst you can endure what Allâh’s Messenger used to endure?”

[See Vol. 8. Hadith No. 6461, 6462, and 6466.]
1988. Narrated Umm Al-Faḍl bint Al-Ḥārith: “While the people were with me on the day of ‘Arafah they differed as to whether the Prophet ﷺ was observing Saum (fast) or not; some said that he was observing Saum (fast) while others said that he was not observing Saum (fast). So, I sent to him a bowl full of milk while he was riding over his camel and he drank it.”

1989. Narrated Maimūna: The people doubted whether the Prophet ﷺ was observing Saum (fast) on the day of ‘Arafah or not, so I sent milk while he was standing at ‘Arafāt, he drank it and the people were looking at him.
1990. Narrated Abū ‘Ubaid, the slave of Ibn Azhar: I witnessed the ‘Eid with ‘Umar bin Al-Khaṭṭāb who said, “Allāh’s Messenger has forbidden people to observe Saum (fast) on the day on which you break fasting (the Saum of Ramaḍān) and the day on which you eat the meat of your sacrifices (i.e., the first day of ‘Eid-ul-‘Īfr and ‘Eid-ul-‘Adha).

1991. Narrated Abū Sa‘īd: The Prophet forbade the Saum (fasting) of ‘Eid-ul-‘Īfr and ‘Eid-ul-‘Adha (two feast days) and also the wearing of As-Sammā’ (a single garment covering the whole body), and sitting with one’s legs drawn up while being wrapped in one garment.

1992. Abū Sa‘īd added: He also forbade the Ṣalāt (prayer) after the Fajr (early morning) and the ‘Aṣr (afternoon) Ṣalāt (prayers).

(67) CHAPTER. Observing Saum (fast) on the day of Nahr (i.e., first day of ‘Eid-ul-‘Adha).

1993. Narrated Abū Hurairah: Two Saum (fasts) and two kinds of sale are forbidden: observing Saum (fast) on the day of ‘Eid-ul-‘Īfr and ‘Eid-ul-‘Adha and the kinds of sale called Mulāmasa and Munābdha. (These two kinds of sale used to be practised for the two kinds of sale used to be practised

http://islamsbooks.wordpress.com/
in the days of Pre-Islamic Period of Ignorance; *Mulāmāsā* means when you touch something displayed for sale you have to buy it; *Munābadhā* means when the seller throws something to you, you have to buy it.)

1994. Narrated Ziyād bin Jubair: A man went to Ibn 'Umar and said, “A man vowed to observe *Saum* (fast) one day (the subnarrator thinks that he said that the day was Monday), and that day happened to be ‘*Eid* day.” Ibn ‘Umar said, “Allāh orders vows to be fulfilled and the Prophet forbade *Saum* on this day (i.e., ‘*Eid*”).

1995. Narrated Abū Sa‘īd Al-Khudrī (who fought in twelve Ghazawāt in the company of the Prophet). I heard four things from the Prophet and they won my admiration. He said:

1. “No lady should travel on a journey of two days except with her husband or a *Dhī-Mahram*;
2. “No *Saum* (fasting) is permissible on the two days of ‘*Eid-ul-Fīr* and ‘*Eid-ul-Adhā*;
3. “No *Salāt* (prayer) (may be offered) after the morning (compulsory) *Salāt* (prayer) until the sun rises; and no *Salāt* (prayer) after the ‘*Aṣr* prayer till the sun sets;
4. “One should travel only for visiting three Masājid (mosques): Masjid-al-Harām (Makkah), Masjid-al-Aqṣā (Jerusalem), and this (my) mosque (at Al-Madina).”

*Yaḥyā* [1328:268]
(68) CHAPTER. Observing *Saum* (fast) on *Tashriq* days (11th, 12th and 13th of Dhul-Hijjah).

1996. Narrated Yahyā: Hishām said, “My father said that ‘Āishah used to observe *Saum* (fast) on the days of Mina.” His (i.e., Hishām’s) father also used to observe *Saum* on those days.

1997, 1998. Narrated ‘Āishah and Ibn ‘Umar: Nobody was allowed to observe *Saum* (fast) on the days of *Tashriq* except those who could not afford the *Hady* (animals for sacrifice).

1999. Narrated Ibn ‘Umar: Observing *Saum* (fast) for those who perform *Hajj-at-Tamattu* (in lieu of the *Hady* which they cannot afford) may be performed up to the day of ‘*Arafah*. And if one does not get a *Hady* and has not observed *Saum* (fast) (before the ‘*Eid*) then one should observe *Saum* (fast) during the days of Mina (11th, 12th and 13th of Dhul-Hijjah).

(69) CHAPTER. Observing *Saum* (fast) on the day of ‘*Aşhūra*’ (tenth of Muharram).


---

http://islamsbooks.wordpress.com/
observe *Saum* (fast) on the day of ‘*Āshūra’.”

2001. Narrated ‘Āishah: Allah’s Messenger ordered (the Muslims) to observe *Saum* (fast) on the day of ‘*Āshūra’*, and when fasting in the month of Ramadan was prescribed, it became optional for one to observe *Saum* (fast) on that day (*‘Āshūra’*) or not.

Quraish used to observe *Saum* (fast) on the day of ‘*Āshūra’* in the Pre-Islamic Ignorance Period, and Allah’s Messenger too, used to observe *Saum* (fast) on that day. When he came to Al-Madīna, he observed *Saum* (fast) on that day and ordered others to observe *Saum* (fast), too. Later when the fasting of the month of Ramadan was prescribed, he gave up fasting on the day of ‘*‘Ashūra’* and became optional for one to observe *Saum* (fast) on it or to leave its fasting.

2003. Narrated Humaid bin ‘Abdur-Raḥmān that he heard Mu‘awiyah bin Abī Sufyān saying on the pulpit, “O the people of Al-Madīna! Where are your religious scholars? I heard Allah’s Messenger saying, ‘This is the day of ‘*‘Ashūra’*. Allah has not enjoined its *Saum* (fast) on you but I am fasting it. You have the choice either to observe *Saum* (fast) or not to observe *Saum* (fast) (on this day).’”
The Prophet  came to Al-Madina and saw the Jews observing fast on the day of 'Ashūra'. He asked them about that. They replied, "This is a good day, the day on which Allāh rescued Bani Isrā'īl from their enemy. So, Müsa (Moses) on this day." The Prophet  said, "We have more claim over Müsa than you." So, the Prophet  observed Saum (fast) on that day and ordered (the Muslims) to observe Saum (fast) (on that day).

The day of 'Ashūra' was considered as 'Eid day by the Jews. So the Prophet  ordered, "I recommend you (Muslims) to observe Saum (fast) on this day."

I never saw the Prophet  seeking to observe Saum (fast) on a day more (preferable to him) than this day, the day of 'Ashūra', or this month, i.e., the month of Ramaḍān. (1)

(1) (H.2006) This is only the opinion of Ibn ‘Abbās which might differ from what other people think, for in a narration reported by Qatādā from the Prophet , it is mentioned that Saum (fasting) on the day of 'Arafah expiates the sins of two years, while observing Saum (fast) on the day of 'Ashūra' expiates the sins of only one year. This indicates that observing Saum (fast) on the day of 'Arafah is superior to that of 'Ashūra'.
2007. Narrated Salama bin Al-Akwa' رضي الله عنه: The Prophet ﷺ ordered a man from the tribe of Banî Aslam to announce amongst the people that whoever had eaten should observe Šaum (fast) the rest of the day, and whoever had not eaten should continue his Šaum (fast), as that day was the day of 'Ashûra'.
(1) CHAPTER. The superiority of praying (Nawāfil) at night in Ramaḍān.

2008. Narrated Abū Hurairah: I heard Allah’s Messenger saying regarding Ramaḍān, “Whoever performed Salât (prayers) at night in it (the month of Ramaḍān) with sincere faith and hoping for a reward from Allah, then all his past sins will be forgiven.”

2009. Narrated Abū Hurairah: Allah’s Messenger said, “Whoever performed Salât (prayers) at night in the month of Ramaḍān with sincere faith and hoping for a reward from Allah, then all his past sins will be forgiven.” Ibn Shihâb (a subnarrator) said, “Allah’s Messenger died and the people continued observing that (i.e., Nawāfil offered individually, not in congregation), and it remained as it was, during the caliphat of Abū Bakr and in the early days of ‘Umar’s caliphate.”

2010. Narrated Ibn Shihâb: Abdur Raḥmân bin ‘Abdul Qari said, “I went out in the company of ‘Umar bin Al-Khaṭṭāb one night in Ramaḍān to the mosque and found the people performing Salât (prayers) in different groups. A man performing Salât (prayers) alone, or a man performing Salât (prayers) with a little group behind him. So,
Umar said, ‘In my opinion I would better collect these (people) under the leadership of one Qari (reciter) [i.e., let them perform Salat (prayers) in congregation]’. So, he made up his mind and he congregated them behind Ubai bin Ka’b. Then on another night I went again in his company and the people were performing Salat (prayers) behind their reciter. On that, ‘Umar remarked, ‘What an excellent Bid’a (i.e., innovation in religion) this is; but the Salat (prayers) which they do not perform, and sleep at its time is superior than the one they are performing now.’ He meant the Salat (prayers) in the last part of the night. (In those days) people used to perform Salat (prayers) in the early part of the night.”

2011. Narrated ‘Aishah, the wife of the Prophet ﷺ: Allah’s Messenger ﷺ used to perform Salat (prayer) (at night) in Ramadân.

2012. Narrated ‘Urwa that he was informed by ‘Aishah, “Allah’s Messenger ﷺ went out in the middle of the night and performed Salat (prayer) in the mosque and some men performed Salat (prayer) behind him. In the morning, the people spoke about it and then a large number of them gathered and performed Salat (prayer) behind him (on the second night). In the next morning the people again talked about it and on the third night the mosque was full with a large number of people. Allah’s Messenger ﷺ came out and the people performed Salat (prayer) behind him. On the fourth night the mosque was
overwhelmed with people and could not accommodate them, but the Prophet came out (only) for the morning *Salāt* (prayer). When the morning *Salāt* (prayer) was finished, he recited *Taḥā-hud* and (addressing the people) said, “*‘Ammā ba’du,* your presence was not hidden from me but I was afraid lest the night *Salāt* (prayer) should be enjoined on you and you might not be able to carry it on.” So, Allāh’s Messenger died and the situation remained like that (i.e., people offered the night prayers individually).

2013. Narrated Abū Salama bin ‘Abdur Raḥmān that he asked ‘Āishah, “*‘Ammā ba’du,* how was the *Salāt* (prayer) of Allāh’s Messenger in *Ramāḍān*?” She replied, “He did not perform *Salāt* (prayer) more than eleven *Rak‘ā* in *Ramāḍān* or in any other month. He used to perform four *Rak‘ā* – let alone their beauty and length – and then he would perform four *Rak‘ā* – let alone their beauty and length – and then he would perform three *Rak‘ā* (*Witr*).” She added, “I asked, ‘O Allāh’s Messenger! Do you sleep before praying the *Witr*?’ he replied, ‘O ‘Āishah! My eyes sleep but my heart does not sleep.’”

http://islamsbooks.wordpress.com/
32 – THE BOOK OF SUPERIORITY OF THE NIGHT OF QADR

(1) CHAPTER. The superiority of the night of Qadr.

And Allāh Ta’ālā said; “Verily! We have sent it (this Qur’ān) down in the night of Al-Qadr (Decree). And what will make you know what the night of Qadr is.....

..... till the end of the Sūrah. (V.97:1,2)

2014. Narrated Abū Hurairah ZIP - The Prophet س rez said, “Whoever observed Ġau̇m (fast) in the month of Ramadān with sincere faith (i.e., belief) and hoping for a reward from Allāh, then all his past sins will be forgiven, and whoever stood for the Ṣalāt (prayers) in the night of Qadr with sincere faith and hoping for a reward from Allāh, then all his past sins will be forgiven.”

(2) CHAPTER. To look for the night of Qadr in the last seven nights (of Ramadān).

2015. Narrated Ibn ‘Umar رضي الله عنهما: Some men amongst the companions of the Prophet س rez were shown in their dreams that the night of Qadr was in the last seven nights of Ramadān. Allāh’s Messenger س rez said, “It seems that all your dreams agree that (the night of Qadr) is in the last seven nights, and whoever wants to search for it (i.e., the night of Qadr) should search in the last seven (nights of Ramadān).”
2016. Narrated Abū Salama: I asked Abū Sa'īd (رضي الله عنه) - and he was a friend of mine - (about the night of Qadr) and he said, “We practised I’tikāf (seclusion in the mosque) in the middle third of the month of Ramadān with the Prophet ﷺ. In the morning of the 20th of Ramadān, the Prophet ﷺ came and addressed us and said, ‘I was informed of (the date of the night of Qadr) but I was caused to forget it (or I forgot); so, search for it in the odd nights of the last ten nights of the month of Ramadān. (In the dream) I saw myself prostrating in mud and water (as a sign). So, whoever was in I’tikāf with me should return to it (for another 10 days period)’, and we returned. At that time there was no sign of clouds in the sky, but suddenly a cloud came and it rained till rain-water started leaking through the roof of the mosque which was made of date-palm leaf stalks. Then the Salāt (prayer) was established and I saw Allāh’s Messenger ﷺ prostrating in mud and water and I saw the traces of mud on his forehead.”

(3) CHAPTER. To search for the night of Qadr in the odd nights of the last ten nights (of Ramadān).

This narration has come from ’Ubāda (bin Aṣ-Ṣāmit) on the authority of the Prophet ﷺ.

2018. Narrated Abū Sa‘īd Al-Khudrī: Allāh’s Messenger (ﷺ) used to practise I’tikāf (in the mosque) in the middle third of Ramadān, and after passing the twenty nights he used to go back to his house on the 21st, and the people who were in I’tikāf with him also used to go back to their houses. Once in Ramadān, in which he practised I’tikāf, he established the night Šalāt (prayers) at the night in which he used to return home, and then he addressed the people and ordered them whatever Allāh wished him to order and said, “I used to practise I’tikāf for these ten days (i.e., the middle 1/3rd) but now I intend to stay in I’fik for the last ten days (of the month); so whoever was in I’tikāf with me should stay at his place of seclusion. Verily, I have been shown (the date of) this night (of Qadr) but I have forgotten it. So, search for it in the odd nights of the last ten days (of this month). I also saw myself (in the dream) prostrating in mud and water.” On the night of the 21st (of Ramadān), the sky was overcast with clouds and it rained, and the rain-water started leaking through the roof of the mosque at the Musalla (praying place) of the Prophet (ﷺ). I saw with my own eyes the Prophet (ﷺ) at the completion of the morning Šalāt leaving with his face covered with mud and water.

[See H.No.2027].

2020. Narrated ‘Aishah رضي الله عنها: Allah’s Messenger ﷺ used to practise I’tikaf in the last ten nights of Ramaḍān and used to say, “Look for the night of Qadr in the last ten nights of the month of Ramaḍān.”

2021. Narrated Ibn ‘Abbās رضي الله عنهما: The Prophet ﷺ said, “Look for the night of Qadr in the last ten nights of Ramaḍān; on the night when nine or seven or five nights remain out of the last ten nights of Ramaḍān [i.e., 21, 23, 25, (27, 29) respectively].”

2022. Narrated Ibn ‘Abbās رضي الله عنهما: Allah’s Messenger ﷺ said, “The night of Qadr is in the last ten nights of the month (Ramaḍān), either in the first nine or in the last (remaining) seven nights (of Ramaḍān).” Ibn ‘Abbās added, “Search for it on the twenty-fourth (of Ramaḍān).”

http://islamsbooks.wordpress.com/
(4) CHAPTER. The knowing (knowledge) of the night of Qadr was taken away because of the quarrelling of the people.

Narrated 'Ubāda bin Aṣ-Ṣamīt: The Prophet came out to inform us about the night of Qadr but two Muslims were quarrelling with each other. So, the Prophet said, “I came out to inform you about the night of Qadr but such and such persons were quarrelling, so the news about it had been taken away; yet that might be for your own good, so search for it on the 29th, 27th and 25th (nights of Ramadān).

(5) CHAPTER. The doing of good deeds in the last ten days of Ramadān.

Narrated 'Aishah: With the start of the last ten days of Ramadān, the Prophet used to tighten his waist belt and used to keep awake all the night and perform Salāt (prayer) and also used to keep his family awake for the Salāt (prayer).
(1) CHAPTER. The I'tikāf in the last ten days of Ramaḍān. And I'tikāf may be practised in any mosque, as is evident in the Statement of Allāh: “... And do not have sexual relations with them (your wives); while you are in I'tikāf [i.e., confining oneself in a mosque for Ṣalāt (prayers) and invocations leaving the worldly activities for a limited number of days] in the mosques. These are the limits (set) by Allāh; so approach them not. Thus does Allāh make clear His Ayāt (proofs, evidences, verses, lessons, signs, revelations, laws, legal and illegal things Allāh's set limits, orders), to mankind that they may become Al-Muttaqūn (the pious).” (V.2:187)

2025. Narrated ‘Abdullāh bin ‘Umar رضي الله عنهما: Allāh’s Messenger ﷺ used to practise I’tikāf in the last ten days of the month of Ramaḍān.

2026. Narrated ‘Āishah رضي الله عنها the wife of the Prophet ﷺ: The Prophet ﷺ used to practise I’tikāf in the last ten days of Ramaḍān till he died and then his wives used to practise I’tikāf after him.
2027. Narrated Abū Sa'īd al-Khudrī: Allah’s Messenger used to practise I’tikāf in the middle ten days of Ramaḍān; and once he stayed in I’tikāf till the night of the twenty-first and it was the night in the morning of which he used to come out of his I’tikāf. The Prophet said, “Whoever was in I’tikāf with me should stay in I’tikāf for the last ten days, for I was informed (of the date) of the Night (of Qadr) but I have been caused to forget it. (In the dream) I saw myself prostrating in mud and water in the morning of that night. So, look for it in the last ten nights and in the odd ones of them.” It rained that night (i.e. the 21st of Ramaḍān) and the roof of the mosque dribbled as it was made of leaf stalks of date-palms. I saw with my own eyes the marks of mud and water on the forehead of the Prophet, i.e., in the morning of the twenty-first (of Ramaḍān).

2028. Narrated ‘Aishah: The Prophet used to (put) bend his head (out) to me while he was in I’tikāf in the mosque during my monthly periods and I would comb and oil his hair.

(2) CHAPTER. A menstruating woman is permitted to comb the hair of a Mu’talqf (i.e., a man in I’tikāf).
(3) CHAPTER. (A Mu’takif is not (allowed) to enter the house except for a need).

2029.Narrated ‘Aishah, the wife of the Prophet, Allah’s Messenger used to let his head in (the house) while he was in the mosque and I would comb and oil his hair. When in ‘Itikaf he used not to enter the house except for a need.\(^1\)

\(^1\) (H.2029) Such need may be to answer the call of nature and performing ablution. Scholars differ as to whether it is permissible also for a Mu’takif to eat or drink outside the mosque. (Fath Al-Bair)
to stay in *I'tikāf* for one night in Al-Masjid-al-Ḥarām.” The Prophetﷺ said to him, “Fulfil your vow.”

(6) CHAPTER. Women’s *I’tikāf*. (A woman cannot practise *I’tikāf* except with the permission of her husband).

2033. Narrated ‘Amra: ‘Āishah said, “The Prophet used to practise *I’tikāf* in the last ten days of Ramadān and I used to pitch a tent for him, and after performing the morning *Salāt* (prayer), he used to enter the tent.” Ḥafṣa asked the permission of ‘Aishah to pitch a tent for her and she allowed her and she pitched her tent. When Zainab bint Jahsh saw it, she pitched another tent. In the morning the Prophetﷺ noticed the tents. He said, “What is this?” He was told of the whole situation. Then the Prophetﷺ said, “Do you think that they intended to do *Al-Birr* (righteousness) by doing this?” He therefore abandoned the *I’tikāf* in that month and practised *I’tikāf* for ten days in the month of Shawwāl.”

(7) CHAPTER. The tents in the mosque.

2034. Narrated ‘Āishah: The Prophetﷺ intended to practise *I’tikāf* and when he reached the place where he intended to perform *I’tikāf*, he saw some tents, the tents of ‘Āishah, Ḥafṣa and Zainab. So, he said, “Do you consider that they intended to
do Al-Birr (righteousness) by doing this?"
And then he went away and did not perform I’tikaf (in Ramaḍān) but performed it in the
month of Shawwāl for ten days.

(8) CHAPTER. Can a Mu’takif go to the gate
of the mosque for a need?

2035. Narrated ‘Alī bin Al-Husain: Safiyya, the wife of the Prophet, told me that she went to Allāh’s Messenger to visit him in the mosque while he was in I’tikaf in the last ten days of Ramaḍān. She had a talk with him for a while, then she got up in order to return home. The Prophet accompanied her. When they reached the gate of the mosque, opposite the door of Umm Salama, two Ansārī men were passing by and they greeted Allāh’s Messenger. He said to them: “Do not run away!” And said, “She is (my wife) Safiyya bint Ḥuyai.” Both of them said, “Subḥān Allāh, (How dare we think of any evil) O Allāh’s Messenger.” And they felt it. The Prophet said (to them), “Satan reaches everywhere in the human body as blood reaches in it (everywhere in one’s body). I was afraid lest Satan might insert an evil thought in your minds.”

[See H.2038].
(9) CHAPTER. The *I’tikāf* and the coming of the Prophet ﷺ out of *I’tikāf* in the morning of the twentieth (of Ramađān).

2036. Narrated ʿAbū Salama bin ʿAbdur-Raḥmān: I asked ʿAbū Saʿīd Al-Khudrī, “Did you hear Allah’s Messenger ﷺ talking about the night of *Qadr*?” He replied in the affirmative and said, “Once we were in *I’tikāf* with Allah’s Messenger ﷺ in the middle ten days of (Ramađān) and we came out of it in the morning of the twentieth, and Allah’s Messenger ﷺ delivered a *Khutbā* (religious talk) on the 20th (of Ramađān) and said, ‘I was informed (of the date) of the night of *Qadr* (in my dream) but had forgotten it. So, look for it in the odd nights of the last ten nights of the month of Ramađān. I saw myself prostrating in mud and water on that night (as a sign of the night of *Qadr*).’ So, whoever had been in *I’tikāf* with Allah’s Messenger ﷺ should return for it.’ The people returned to the mosque (for *I’tikāf*). There was no trace of clouds in the sky. But all of a sudden a cloud came and it rained. Then the *Salāt* (prayer) was established (they stood for the *Salāt*) and Allah’s Messenger ﷺ prostrated in mud and water and I saw mud over the forehead and the nose of the Prophet ﷺ.”

(10) CHAPTER. The *I’tikāf* of a (Mustahāda) woman who has bleeding in between her periods.

2037. Narrated ʿĀishah رضي الله عنها: One of the wives of Allah’s Messenger ﷺ practised *I’tikāf* with him while she had
bleeding in between her periods and she would see red (of blood) or yellowish traces; and sometimes we put a tray beneath her when she offered the *Salāt* (prayer).

[See H.No.309].

(11) CHAPTER. The visit of the wife to her husband while he was in *I’tikāf*.

2038.Narrated ‘Alī bin Al-Ḥusain (on the authority of Ṣafīyya, the Prophet’s wife): The wives of the Prophet were with him in the mosque (while he was in *I’tikāf*) and then they departed and the Prophet said to Ṣafīyya bint Ḥuyai, “Don’t hurry up, for I shall accompany you,” (and her dwelling was in the house of Usāma). The Prophet went out and in the meantime two *Anṣārī* men met him and they looked at the Prophet and passed by. The Prophet said to them, “Come here. She is (my wife) Ṣafīyya bint Ḥuyai.” They replied, “*Subḥān Allāh*, (how dare we think of evil) O Allāh’s Messenger! (We never expect anything bad from you).” The Prophet replied, “Satan circulates in the human being as blood circulates in the body, and I was afraid lest Satan might insert an evil thought in your minds.”
(12) CHAPTER. Is it permissible for the Mu'takif to defend himself (by speech or action)?

2039. Narrated 'Ali bin Al-Husain on the authority of Safiyya: Safiyya went to the Prophet while he was in I'tikaf. When she returned, the Prophet accompanied her, walking. An Ansari man saw him. When the Prophet noticed him, he called him and said, “Come here. She is Safiyya. (Sufyân a subnarrator perhaps said that the Prophet had said, “This is Safiyya”). And Satan circulates in the body of Adam’s offspring as his blood circulates in it.”

A subnarrator asked Sufyân, “Did Safiyya visit him at night?” He said, “Certainly, at night.”

(13) CHAPTER. Whoever went out of his I'tikaf in the morning.

2040. Narrated Abû Sa‘îd: We practised I'tikâf with Allah’s Messenger in the middle ten days of Ramadân. In the morning of the twentieth of Ramadân we shifted our baggage, but Allah’s Messenger came to us and said, “Whoever was in I’tikaf should return to his place of I’tikaf, for I saw (i.e., was informed about the date of) this Night (of Qadr) and saw myself prostrating in mud and water.” When I returned to my place the sky was overcast with clouds and it rained. By Him Who sent
Muhammad ﷺ with the Truth, the sky was covered with clouds from the end of that day, and the mosque which was roofed with leafstalks of date-palm trees leaked with rain and I saw the trace of mud and water over the nose and also over the tip of the nose of the Prophet ﷺ.

(14) CHAPTER. *I’tikâf* in the month of *Shawwâl*.

2041. Narrated ‘Amra bint ‘Abdur-Rahmân on the authority of ‘Aishah رضي الله عنها: Allah’s Messenger ﷺ used to practise *I’tikâf* every year in the month of Ramaḍân. And after offering the morning *Ṣalãt* (prayer), he used to enter the place of his *I’tikâf*. ‘Aishah asked his permission to let her practise *I’tikâf* and he allowed her, and so she pitched a tent in the mosque. When Ḥafṣa heard of that, she also pitched a tent (for herself), and when Zainab heard of that, she too pitched another tent. When, in the morning, Allâh’s Messenger ﷺ had finished the morning *Ṣalãt* (prayer), he saw four tents and asked, “What is this?” He was informed about it. He then said, “What made them do this? Is it *Al-Bîrî* (righteousness)? Remove the tents, for I do not want to see them.” So, the tents were removed. The Prophet ﷺ did not perform *I’tikâf* that year in the month of Ramaḍân, but did it in the last ten days of *Shawwâl*.

2043. Narrated Ibn ʿUmar that ʿUmar رضي الله عنَّه had vowed in the Pre-Islāmic Period of Ignorance to perform ʿItikāf in Al-Masjid-al-Ḥarām. (A sub-narrator thinks that ʿUmar vowed to perform ʿItikāf for one night.) Allāh’s Messenger  said to ʿUmar, “Fulfil your vow.”

2044. Narrated Abū Hurairah: The Prophet  used to perform ʿItikāf every year in the month of Ramaḍān for ten days,
and when it was the year of his death, he stayed in I’tikāf for twenty days.

(18) CHAPTER. Whoever intended to practise I’tikāf and then changed his mind.

2045. Narrated ‘Amra bint ‘Abdur-Rahmān on the authority of ‘Aīshah: Allāh’s Messenger mentioned that he would practise I’tikāf in the last ten days of Ramadān. ‘Aīshah asked his permission to perform I’tikāf and he permitted her. Ḥafṣa asked ‘Aīshah to take his permission for her, and she did so. When Zainab bint Jahsh saw that, she ordered a tent to be pitched for her and it was pitched for her. Allāh’s Messenger used to proceed to his tent after the Salāt (prayer). So, he saw the tents and asked, “What is this?” He was told that those were the tents of ‘Aīshah, Ḥafṣa and Zainab. Allāh’s Messenger said, “Is it Al-Birr (righteousness) which they intended by doing so? I am not going to perform I’tikāf.” So, he returned home. When the fasting month was over, he performed I’tikāf for ten days in the month of Shawwāl.

(19) CHAPTER. A Mu’takif can let his head in the house for washing.

2046. Narrated ‘Urwa: ‘Aīshah during her menses used to comb and oil the
hair of the Prophet ﷺ while he used to be in I'tikāf in the mosque. He would stretch out his head towards her while she was in her chamber.
And the Statement of Allah: 

"...And Allah has permitted trading and forbidden Ribâ (usury)...." (V.2:275)

And His Statement: "... save when it is a present trade which you carry out on the spot among yourselves..." (V.2:282)

(1) CHAPTER. What has come in the Statement of Allah:

"Then when the (Jumu‘ah) Šalât is ended, you may disperse through the land, and seek of the Bounty of Allah.... And Allah is the Best of Providers." (V.62:10,11)

And also His Statement: "Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent..." (V.4:29)

2047. Narrated Abû Hurairah: You people say that Abû Hurairah tells many narrations from Allah’s Messenger ☞ and you also wonder why the emigrants and Anšâr do not narrate from Allah’s Messenger ☞ as Abû Hurairah does. My emigrant brothers were busy in the market, while I used to stick to Allah’s Messenger ☞ content with what fills my stomach; so I used to be present when they were absent and I used to remember when they used to forget, and my Anšâr brothers used to be busy with their properties and I was one of the poor men of Suffa. I used to remember the narrations when they used to forget. No doubt, Allah’s Messenger ☞ once said, “Whoever spreads his garment till I have finished my present speech and then gathers it to himself, will remember whatever I will say.” So, I spread my coloured garment which I was wearing till Allah’s Messenger ☞ had finished his saying, and then I gathered it to my chest. So, I did not forget any of that narration.
2048. Narrated ‘Abdur-Rahmân bin ‘Âuf: When we came to Al-Madîna as emigrants, Allâh’s Messenger ﷺ established a bond of brotherhood between me and Sa’d bin Ar-Rabî’. Sa’d bin Ar-Rabî’ said to me, “I am the richest among the Anṣâr, so I will give you half of my wealth and you may look at my two wives and whichever of the two you may choose I will divorce her, and when she has completed the prescribed period (before marriage) you may marry her.” “Abdur-Rahmân replied, “I am not in need of all that. Is there any market-place where trade is practised?” He replied, “The market of Qainuqa’.” ‘Abdur-Rahmân went to that market the following day and brought some dried butter-milk (yoghurt) and butter, and then he continued going there regularly. Few days later, ‘Abdur-Rahmân came having traces of yellow (scent) on his body. Allah’s Messenger ﷺ asked him whether he had got married. He replied in the affirmative. The Prophet ﷺ asked, “Whom have you married?” He replied, “A woman from the Anṣâr.” Then the Prophet ﷺ asked, “How much did you pay her?” He replied, “(I gave her) a gold piece equal in weight to a date stone (or a date stone of gold)!" The Prophet ﷺ said, “Give a Walîma (wedding banquet)
2049. Narrated Anas: When ‘Abdur-Rahmân bin ‘Aûf came to Al-Madîna, the Prophet ﷺ established a bond of brotherhood between him and Sa’d bin Ar-Rabî’ Al-Ansârî. Sa’d was a rich man, so he said to ‘Abdur-Rahmân, “I will give you half of my property and will make you to marry.” ‘Abdur-Rahmân said (to him), “May Allah bless you in your family and property. Show me the market.” So ‘Abdur-Rahmân did not return (from the market) till he gained some dried buttermilk (yoghurt) and butter (through trading). He brought that to his household. We stayed for sometime (or as long as Allah wished), and then ‘Abdur-Rahmân came, scented with yellowish perfume. The Prophet ﷺ said (to him), “What is this?” He replied, “I got married to an Ansârî woman.” The Prophet ﷺ asked, “What did you pay her?” He replied, “A gold stone or gold equal to the weight of a date stone.” The Prophet ﷺ said (to him), “Give a Walima (wedding banquet) even if with one sheep.”

2050. Narrated Ibn ‘Abbas: ‘Ukáz, Majanna and Dhul-Majâz were market-places in the Pre-Islamic Period of Ignorance. When Islam came, Muslims felt that in trading there might be a sin. So, the Divine Revelation came:

“There is no sin on you if you seek the Bounty of your Lord (during pilgrimage by
trading) …” (V.2:198)

Ibn ‘Abbās recited the Verse in this way.

(2) CHAPTER. Legal and illegal things are clearly defined, and in between them are some doubtful (unclear) things.

2051. Narrated An-Nu‘mān bin Bashīr: The Prophet said: “Both legal and illegal things are obvious, and in between them are (unclear) doubtful matters (things). So whoever forsakes those doubtful (unclear) things lest he may commit a sin, will definitely avoid what is clearly illegal; and whoever indulges in these (unclear) doubtful things bravely, is likely to commit what is clearly illegal. Sins are Allāh's Ḥima (i.e., private pasture) and whoever pastures (his sheep) near it, is likely to get in it at any moment.”

1 (H. 2051) Man, here is compared to a shepherd; his desires, to a flock of sheep; sins, to a private pasture of somebody else; doubtful matters to the region surrounding the pasture and indulgence in doubtful matters to pasture in that region. To pasture there will probably lead the sheep to enter the private pasture, and the shepherd would be punished for grazing his sheep near the private pasture which led to such an obvious transgression.
34 - THE BOOK OF SALES (BARGAINS)

(3) CHAPTER. Explanation of doubtful (unclear) things.

Hassan bin Abu Sinan said, “I found nothing easier than to be pious and Allah-fearing; (to achieve this aim) leave all doubtful (unclear) things and do what is completely clear of doubt.”

2052. Narrated 'Abdullah bin Abu Mulaika: 'Uqba bin Al-Harith said that a black woman came and claimed that she had suckled both of them (i.e., 'Uqba and his wife). So, he mentioned that to the Prophet who turned his face from him and smiled and said, “How (can you keep your wife), and it was said (that both of you were suckled by the same woman)?” His wife was the daughter of Abu Ihab At-Tamimi.

2053. Narrated 'Aishah: 'Utba bin Abû Waqqas took a firm promise from his brother Sa'd bin Abû Waqqas to take the son of the slave-girl of Zam'a into his custody as he was his (i.e., 'Utba’s) son. In the year of the Conquest (of Makkah) Sa'd bin Abû Waqqas took him, and said that he was his brother’s son, and his brother took a promise

http://islamsbooks.wordpress.com/
from him to that effect. ‘Abd bin Zam'a got up and said, 'He is my brother and the son of the slave-girl of my father and was born on my father's bed.' Then they both went to the Prophet. Sa'd said, 'O Allah's Messenger! He is the son of my brother and he has taken a promise from me that I will take him.' ‘Abd bin Zam'a said, '(He is) my brother and the son of my father's slave-girl and was born on my father's bed.' Allah's Messenger said, 'The boy is for you. O ‘Abd bin Zam'a.' Then the Prophet said, 'The son is for the bed (i.e., the man on whose bed he was born) and stones (despair, i.e., to be stoned to death), for the one who has done illegal sexual intercourse.' The Prophet told his wife Sauda bint Zam'a to screen herself from that boy as he noticed a similarity between the boy and 'Utba. So, the boy did not see her till he died.\textsuperscript{(1)}

\textsuperscript{(1)} (H. 2053) 'Utba committed adultery in the Pre-Islamic Period of Ignorance and before his death he declared that secret and confessed that the son of the slave-girl was his son, and most probably he died as a disbeliever.
know which one of them caught the game.” Allah’s Messengerﷺ said (to him), “Don’t eat it as you have mentioned the Name of Allah on your hound and not on the other.”

(4) CHAPTER. What doubtful (unclear) things should be avoided?

2055. Narrated Anas Rضي الله عَنْهَا : The Prophet ﷺ passed by a fallen date and said, “Were it not for my doubt that this might have been given in charity, I would have eaten it.” And narrated Abū Hurairah رضي الله عَنْهُ : The Prophet ﷺ said, “I found a date-fruit fallen on my bed.”

(5) CHAPTER. Whoever does not consider dark suggestions by one’s ownself or similar things as doubtful (unclear) things.

2056. Narrated ‘Abbãd bin Tamim that his uncle said, “The Prophet ﷺ was asked: If a person feels something during his Salât (prayer); should one interrupt his Salât (prayer)?” The Prophet ﷺ said, “No! You should not give it up unless you hear a sound or smell something.” Narrated Ibn Abî Ḥafṣa : Az-Zuhri said, “There is no need of repeating ablution unless you detect a smell or hear a sound.”

2057. Narrated ‘Aishah رضي الله عَنْهَا : Some people said, “O Allah’s Messenger! Meat is brought to us by some people and we are not
sure whether the Name of Allāh has been mentioned on it or not (at the time of slaughtering the animals).” Allāh’s Messenger ﷺ said (to them), “Mention the Name of Allāh and eat it.”

(6) CHAPTER. The Statement of Allāh ﷺ: "And when they see some merchandise or some amusement [beating of Tambur (drum) etc.], they disperse headlong to it…” (V.62:11)

2058. Narrated Jābir: While we were offering the Salah (prayer) with the Prophet ﷺ, a caravan carrying food came from Sham. The people looked towards the caravan (and went to it) and only twelve persons remained with the Prophet ﷺ. So, the Divine Revelation came: "And when they see some merchandise or some amusement [beating of Tambur (drum) etc.], they disperse headlong to it…” (V.62:11)

(7) CHAPTER. The one who does not care from where he earns his money (i.e., whether through legal or illegal ways).

2059. Narrated Abū Hurairah: The Prophet ﷺ said, “A time will come upon the people when one will not care how one gains one’s money, legally or illegally.”
(8) CHAPTER. Trade of cloth and other things.

And the Statement of Allah (business) diverts them from the Remembrance of Allah (with heart and tongue)…” (V.24:37)

Qatada said, “The people used to do sale and trade; but whenever they were to perform any of Allah’s obligations, then trade and sale would not divert them from Allah’s worship, but they would rather fulfill that obligation (to Allah).”

2060, 2061.Narrated Abū Al-Minhal: I used to practise money exchange, and I asked Zaid bin ‘Arqam about it, and he narrated what the Prophet said (as follows): Abū Al-Minhal said, “I asked Al-Bara’ bin ‘Azib and Zaid bin ‘Arqam about practising money exchange. They replied, ‘We were traders in the lifetime of Allah’s Messenger and I asked Allah’s Messenger about money exchange. He replied, ‘If it is from hand to hand, there is no harm in it; but if there is Nasī’a (delay in payment) then it is not permissible.’”

[See H.No. 2178, 2180, Ch. 79, 80].
(9) CHAPTER. Going out for trading.

And the Statement of Allâh:

"You may disperse through the land and seek of the Bounty of Allâh (by working)..."

(V.62:10)

2062. Narrated ‘Ubaid bin ‘Umar: Abû Müsâ asked ‘Umar to admit him but he was not admitted as ‘Umar was busy, so Abû Müsâ went back. When ‘Umar finished his job he said, “Didn’t I hear the voice of ‘Abdullâh bin Qais? Let him come in.” ‘Umar was told that he had left. So, he sent for him and on his arrival, he (Abû Müsâ) said, “We were ordered to do so (i.e., to leave if not admitted after asking permission thrice). ‘Umar told him, “Bring witness in proof of your statement.” Abû Müsâ went to the Ansâr’s meeting places and asked them. They said, “None amongst us will give this witness except the youngest of us, Abû Sa’îd Al-Khûdri. Abû Müsâ then took Abû Sa’îd Al-Khûdri (to ‘Umar) and ‘Umar said surprisingly, “Has this order of Allâh’s Messenger been hidden from me?” (Then he added), “I used to be busy trading in markets, i.e., going out for trading.”

(10) CHAPTER. Trading in sea.

And Mâtar said, “There is no harm in it, and whatever Allâh has mentioned about it in the Qur’ân, is but the truth.” Then he (Mâtar) recited:

"...And you see the ships ploughing through it, that you may seek (thus) of His Bounty (by transporting the goods from place to place)...” (V.16:14)
2063. Abū Hurairah ṭabīb Allah said, “Allāh’s Messenger ṣaw mentioned a person from Bani Isrā’īl who travelled by sea and carried out his needs.” Then he narrated the whole story.

[See Hadith, No. 2291].

(11) CHAPTER.

“And when they see some merchandise or some amusement [beating of Tambūr (drum) etc.], they disperse headlong to it…”

(V.62:11)

And Allāh’s Statement:

“Men whom neither trade nor sale divert them from the Remembrance of Allāh…”

(V.24:37)

Qatada said, “The people used to trade, but whenever they were to perform any of Allāh’s obligations, then neither trade nor sale would divert them from the Remembrance of Allāh, but they would rather fulfil that obligation.”

2064. Narrated Jābir: A caravan arrived (at Al-Madīnā) while we were offering the Jumu‘ah (prayer) with the Prophet ṣaw. The people left and went out for the caravan, with the exception of twelve persons. Then this Verse was revealed:

“And when they see some merchandise or some amusement [beating of Tambūr (drum) etc.], they disperse headlong to it, and leave
you standing...” (V.62:11)

(12) CHAPTER. Allâh’s Statement:
“...Spend of the good things which you have (legally) earned...” (V.2:267)

2065. Narrated ‘Aishah: The Prophet ﷺ said, “If a woman gives in charity from her house meals without wasting (i.e., being extravagant), she will get the reward for her giving, and her husband will also get the reward for his earning and the storekeeper will also get a similar reward. The acquisition of the reward of none of them will reduce the reward of the others.”

2066. Narrated Abu Hurairah: The Prophet ﷺ said, “If a woman gives something (i.e., in charity) from her husband’s earnings without his permission, she will get half his reward.”

(13) CHAPTER. Whoever liked to expand in his sustenance.

2067. Narrated Anas bin Malik: I heard Allâh’s Messenger ﷺ saying, “Whoever desires an expansion in his sustenance and age, should keep good relations with his kith and kin.”
(14) CHAPTER. The Prophet \( \text{pbuh} \) purchased (foodgrains) on credit.

2068.Narrated 'Aishah: The Prophet \( \text{pbuh} \) purchased food grains from a Jew on credit and mortgaged his iron armour to him.

2069. Narrated Qatada: Anas went to the Prophet \( \text{pbuh} \) with barley bread having some dissolved fat on it. The Prophet \( \text{pbuh} \) had mortgaged his armour to a Jew in Al-Madina and took from him some barley for his family. Anas heard him saying, “The household of Muhammad \( \text{pbuh} \) did not possess even a single Sā' of wheat or food grains for their evening meal, although he has nine wives (to look after)”.

[See Hadith No. 2508]
(15) CHAPTER. The earnings of a person and his manual labour.

2070. Narrated ‘Aishah: When Abū Bakr As-Ṣiddiq was chosen Caliph, he said, “My people know that my profession was not incapable of providing sustenance to my family. And as I will be busy serving the Muslim nation, my family will eat from the National Treasury of Muslims, and I will practise the profession of serving the Muslims.”

2071. Narrated ‘Aishah: The companions of Allah’s Messenger used to practise manual labour, so their sweat used to smell, and they were advised to take a bath.

2072. Narrated Al-Miqdām: The Prophet said, “Nobody has ever eaten a better meal than that which one has earned by working with one’s own hands. The Prophet of Allah, Dawūd (David) used to eat from the earnings of his manual labour.”

(16) \(16\) پاب کم ڑکال وظمہ پیدہ
2073. Narrated Abu Hurairah: Allah’s Messenger ﷺ said, “The Prophet Dawūd (David) used not to eat except from the earnings of his manual labour.”

2074. Narrated Abu Hurairah: Allah’s Messenger ﷺ said, “No doubt, it is better for anyone of you to cut a bundle of wood and carry it over his back rather than to ask somebody who may or may not give him.”

[See H.2374].

2075. Narrated Az-Zubair bin Al-‘Awwām: The Prophet ﷺ said, “One would rather take a rope (and cut wood and carry it than to ask others).”

(16) CHAPTER. One should be lenient and generous in bargaining, and whoever demands his debts back should do so in a modest lenient manner.

2076. Narrated Jābir bin ‘Abdullāh: Allah’s Messenger ﷺ said, “May Allah’s Mercy be on him who is lenient in his buying, selling, and in demanding back his money.”
(17) CHAPTER. Whoever gave time to a rich person to pay at his convenience.

2077. Narrated Hudhaifa: The Prophet ﷺ said, “Before your time the angels took the soul of a man and asked him, ‘Did you do any good deeds (in your life)?’ He replied, ‘I used to order my employees to grant time to the rich person to pay his debts at his convenience and excuse the one in hard circumstances.’ So Allah said to the angels: ‘Excuse him.’”

Rabî’ said that (the dead man said), “I used to be easy to the rich and grant time to the one in hard circumstances.” Or, in another narration, “...grant time to the well-off and forgive the one in hard circumstances,” or, “...accept from the well-off and forgive the one in hard circumstances.”

(18) CHAPTER. Whoever waited for a person in hard circumstances to pay back his debt (i.e., when he is able to repay).

2078. Narrated Abû Hurairah: The Prophet ﷺ said, “There was a merchant who used to lend the people, and whenever his debtor was in straitened circumstances, he would say to his employees, ‘Forgive him..."
so that Allah may forgive us.' So, Allah forgave him.”

(19) CHAPTER. If both the seller and the buyer explain the good and bad points concerning the transaction and hide nothing and give sincere advice (then they are blessed in their bargain).

Al-'Addā bin Khālid said, "The Prophet ﷺ got this statement written for me: 'This is what Muhammad, Allah’s Messenger ﷺ bought from 'Addā bin Khālid as a Muslim sells to another Muslim and that it (i.e., the bought slave) is neither sick, nor bad-behaved nor stolen.'"

Qatāda said that Al-Ghā‘ila means: adultery, theft or (the slave) who runs away.

It was said to Ibrāhīm, “Some brokers name their stables and the stables of Kūrāsān and Sigstan and say, ‘It (i.e., the animal) arrived from Kūrāsān only yesterday (or) it came from Sigstan today.’” Ibrāhīm hated that very much.

‘Uqba bin ‘Āmir said, “It is illegal for one to sell a thing if one knows that it has a defect, unless one informs the buyer of that defect.”

2079. Narrated Ḥakīm bin Ḥizām: Allah’s Messenger ﷺ said, "The seller and the buyer have the right to keep or return goods as long as they have not parted, or till they part; and if both the parties spoke the truth and described the defects and qualities (of the goods), then they would be blessed in their transaction, and if they told lies or hid something, then the blessings of their
transaction would be lost.

(20) CHAPTER. Selling of mixed dates.

2080. Narrated Abū Sa‘īd: We used to be given mixed dates (from the booty) and used to sell (barter) two Sā‘ (of those dates) for one Sā‘ (of good dates). The Prophet (ﷺ) said (to us), “No (bartering of) two Sā‘, for one Sā‘ nor two Dirhams for one Dirham is permissible”, [as that is a kind of Ribā (usury)].

[See Hadith No.2201, 2202].

(21) CHAPTER. What is said about the meat seller and the butcher.

2081. Narrated Abū Mas‘ūd: An Anṣārī man, called Abū Shu‘aib, came and told his butcher slave, “Prepare meals sufficient for five persons, for I want to invite the Prophet (ﷺ) along with four other persons as I saw signs of hunger on his face.” Abū Shu‘aib invited them and another person came along with them. The Prophet (ﷺ) said (to Abū Shu‘aib), “This man followed us, so if you allow him, he will join us, and if you want him to return, he will go back.” Abū Shu‘aib said, “No, I have allowed him (i.e., he, too, is welcomed to the meal).”
(22) CHAPTER. What is said regarding the loss (of blessing) if one tells lies or hides the facts in a deal.

2082. Narrated Ḥākim bin Hizãm: The Prophet ﷺ said, “The buyer and the seller have the option to cancel or to confirm the deal as long as they have not parted, or till they part, and if they spoke the truth and told each other the defects of the things, then blessings would be in their deal, and if they hid something and told lies, the blessing of the deal would be lost.”

(23) CHAPTER. The Statement of Allāh ﷻ: “O you who believe! Eat not Ribā (usury) doubled and multiplied.” (V.3:130)

2083. Narrated Abū Hurairah: The Prophet ﷺ said; “Certainly a time will come when people will not bother to know from where they earned the money, by lawful means or the unlawful means.”

[See H.2059.]

(24) CHAPTER. (The sin of) one who eats Ribā (usury), its witness and its writer.

And the Statement of Allāh ﷻ:

“Those who eat Ribā (usury) will not stand (on the Day of Resurrection) except like standing of a person beaten by Shaitan (Satan) leading him to insanity.

That is because they say: Trading is only like Ribā (usury). Whereas Allāh has permitted trading and forbidden Ribā

(1) (Chap.23) “Ribā”: See the glossary.
(usury). "So, whosoever receives an admonition from His Lord and stops eating Ribā (usury) shall not be punished for the past; his case is for Allah (to judge); but whoever returns [to Ribā (usury)], such are the dwellers of the Fire—they will abide therein." (V.2:275)

2084. Narrated ‘Aishah: When the last Verses of Surat Al-Baqarah were revealed, the Prophet recited them in the mosque and proclaimed the trade of alcohol i.e., liquors as illegal.\\(^1\)

2085. Narrated Samura bin Jundab: The Prophet said, "This night I dreamt that two men came and took me to a sacred land whence we proceeded on till we reached a river of blood, and in it (its middle) there was a man, and on its bank was standing another man with stones in his hands. The man in the middle of the river tried to come out, but the other threw a stone in his mouth and forced him to go back to his original place. So, whenever he tried to come out, the other man would throw a stone in his mouth and force him to go back to his former place. I asked, 'Who is this?' I was told, 'The person in the river was a Ribā-eater.'"

(1) (H. 2084) Imam Al-Bukhari includes this Hadith here because the last Verses of Surat Al-Baqarah deal with the topic of Ribā, too.
(25) CHAPTER. (The sin of) the Ribâ-giver.

As is referred to in the Statement of Allâh:

"O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onwards), if you are (really) believers. And if you do not do it, then take a notice of war from Allâh and His Messenger but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums). And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay, but if you remit it by way of charity, that is better for you if you did but know. And be afraid of the Day when you shall be brought back to Allâh. Then every person shall be paid what he earned, and they shall not be dealt with unjustly." (V.2:278-281)

Ibn Abbâs said, "This was the last Verse revealed to the Prophet ﷺ."

---

2086. Narrated ‘Aûn bin Abû Juḥaifa: My father bought a slave who practised the profession of cupping. (My father broke the slave’s instruments of cupping). I asked my father why he had done so. He replied, "The Prophet ﷺ forbade the acceptance of the price of a dog or blood, and also forbade the profession of tattooing, or getting tattooed and the eater of Ribâ, (usury) and also the one who gives it, and cursed the picture-makers."

[See Hadîth No. 2238]

(26) CHAPTER.: "Allâh will destroy Ribâ (usury) and will give increase for Sadaqat (deeds of charity, alms). And Allâh likes not the disbelievers, sinners!" (V.2:276)

2087. Narrated Abû Hurairah: I heard Allâh’s Messenger ﷺ saying, "The
swearing (by the seller) may persuade the buyer to purchase the goods but that will be deprived of Allâh’s Blessing.”

(27) CHAPTER. What is disapproved of as regards giving oaths (swearing) while selling.

2088. Narrated ‘Abdullãh bin AbU Afifa رضى الله عنَّه: A man displayed some goods in the market and swore by Allâh that he had been offered so much for that, that which was not offered, and he said that, so as to cheat a Muslim. On that occasion the following Verse was revealed:

“Verily! Those who purchase a small gain at the cost of Allâh’s Covenant and their oaths…” (V.3:77)

(28) CHAPTER. What is said about the goldsmiths.

Narrated Ibn ‘Abbãs رضى الله عنهما: The Prophet ﷺ said, “Do not cut the shrubs of Makkah.” Al-‘Abbãs said, “Except Al-Idhkhîr (a kind of grass). It is used by their blacksmith and for their houses.” The Prophet ﷺ said, “Except Al-Idhkhîr.”

2089. Narrated ‘Ali رضى الله عنه: I got an old she-camel as my share from the booty, and the Prophet ﷺ had given me another

(1) (H. 2087) Hadîth No. 2087 confirms the fact that what you earn illegally, decreases ultimately, for it will be deprived of Allâh’s Blessing and it will result in bringing about punishment in the Hereafter; while what you give in charity will be compensated for by the Blessing of Allâh many times, and you will be rewarded for it in the Hereafter as well.
from *Al-Khumus*. And when I intended to marry Fāṭima (daughter of the Prophet ﷺ), I arranged that a goldsmith from the tribe of Bani Qainuqa‘ would accompany me in order to bring *Idhkhār* and then sell it to the goldsmiths and use its price for my marriage banquet.

2090. Narrated Ibn ‘Abbas ﷺ: Allah’s Messenger ﷺ said, “Allah made Makkah a sanctuary and it was neither permitted for anyone before, nor will it be permitted for anyone after me (to fight in it). And fighting in it was made legal for me for a few hours of a day only. None is allowed to uproot its thorny shrubs or to cut down its trees or to chase its game or to pick up its *Luqafa* (fallen things) except by a person who would announce it publicly.” ‘Abbas bin ‘Abdul-Muttlib requested the Prophet ﷺ, “Except *Al-Idhkhār*, for our goldsmiths and for the roofs of our houses.” The Prophet ﷺ said, “Except *Al-Idhkhār*.” ‘Ikrima said, “Do you know what is meant by chasing its game? It is to drive it out of the shade and to sit in its place.” Khaṭāl said, (“‘Abbas said: *Al-Idhkhār* for our goldsmiths and our graves.”
(29) CHAPTER. The mentioning of blacksmiths.

2091. Narrated Khabbāb رضي الله عنه: I was a blacksmith in the Pre-Islamic Period of Ignorance, and ‘Aas bin Wā’il owed me some money, so I went to him to demand it. He said (to me), “I will not pay you unless you disbelieve Muḥammad ﷺ.” I said, “I will not disbelieve till Allāh kills you and then you get resurrected.” He said, “Leave me till I die and get resurrected, then I will be given wealth and children and I will pay you your debt.” On that occasion it was revealed to the Prophet ﷺ: “Have you seen him who disbelieved in Our Ayāt (this Qur’ān and Muḥammad ﷺ) and said: ‘I shall certainly be given wealth and children [(if I will be alive (again))’? Has he known the unseen, or has he taken a covenant from the Most Gracious (Allāh)?” (V.19:77,78)

(30) CHAPTER. The mentioning of the tailor.

2092. Narrated Ishāq bin ‘Abdullāh bin Abū Ṭalhā: I heard Anas bin Mālik رضي الله عنه saying, “A tailor invited Allāh’s Messenger ﷺ to a meal which he had prepared.” Anas bin Mālik رضي الله عنه said, “I accompanied Allāh’s Messenger ﷺ to that meal. He served the Prophet ﷺ with bread and soup made with gourd and dried meat. I saw the Prophet ﷺ taking the pieces of gourd from the dish.” Anas added, “Since that day I have continued to like gourd.”
(31) CHAPTER. The weaver.

2093. Narrated Abū Ḥāzim: I heard Sahl bin Sa'd \(\text{عَرَّفَهُ} \) saying, “A woman brought a Burda (i.e., a square piece of cloth having frills). I asked, ‘Do you know what a Burda is?’ They replied in the affirmative and said, ‘It is a cloth sheet with woven margins.’” Sahl went on, “She addressed the Prophet \(\text{رَضِيَ اللهُ عَنْهُ} \) and said, ‘I have woven it with my hands for you to wear.’ The Prophet \(\text{رَضِيَ اللهُ عَنْهُ} \) took it as he was in need of it, and came to us wearing it as a waist sheet. A man from those (who were present there) said, ‘O Allāh’s Messenger! Give it to me to wear.’ The Prophet \(\text{رَضِيَ اللهُ عَنْهُ} \) agreed to give it to him. The Prophet \(\text{رَضِيَ اللهُ عَنْهُ} \) sat with the people for a while and then returned (home), wrapped that waist sheet and sent it to him. The people said to that man, ‘You have not done well by asking him for it when you know that he never turns down anybody’s request.’ The man replied, ‘By Allāh, I have not asked him for it except to use it as my shroud when I die.’” Sahl added; “Later it (i.e., that sheet) was his shroud.”

(32) CHAPTER. The carpenter.

2094. Narrated Abū Ḥāzim: Some men came to Sahl bin Sa’d \(\text{عَرَّفَهُ} \) to ask him about the pulpit. He replied, “Allāh’s Messenger \(\text{رَضِيَ اللهُ عَنْهُ} \) sent for a woman (Sahl named her) (this message): ‘Order your slave carpenter to
make pieces of wood (i.e., a pulpit) for me so that I may sit on it while addressing the people.’ So, she ordered him to make it from the tamarisk of the forest. He brought it to her and she sent it to Allah’s Messengerﷺ. Allah’s Messengerﷺ ordered it to be placed in the mosque. So, it was put and he sat on it.

2095. Narrated Jābir bin ‘Abdullah: An Ḍarūr woman said to Allah’s Messenger, “O Allah’s Messenger! Shall I make something for you to sit on, as I have a slave who is a carpenter?” He replied, “If you wish.” So, she got a pulpit made for him. When it was Friday, the Prophet ﷺ sat on that pulpit. The date-palm stem, near which the Prophet ﷺ used to deliver his Khutba (religious talks), cried so-much-so that it was about to burst. The Prophet ﷺ came down from the pulpit to the stem and embraced it and it started groaning like a child being persuaded to stop crying and then it stopped crying. The Prophet ﷺ said, “It has cried because of (missing) what it used to hear of the religious knowledge.”

(See Vol. 4, Ḥadīth No. 3583).

(33) CHAPTER. The purchase by the ruler of his necessities by himself.

‘Abdur-Rahmān bin Abū Bakr said: “A Mūṣhir came with sheep and the Prophet bought a sheep from him and (the Prophet also bought) a camel from Jābir.”

2096. Narrated ‘Āishah: Allāh’s Messenger bought food grains from a Jew on credit and mortgaged his armour to him.

(34) CHAPTER. The purchase of animals and donkeys.

If somebody buys an animal or a camel and the seller is still riding over it, will the bargain be regarded as settled before the seller gets down from it?

Ibn ‘Umar said, “The Prophet told ‘Umar to sell that unmanageable (untamed) camel to him.”

2097. Narrated Jābir bin ‘Abdullāh: I was with the Prophet in a Ghazwa (military expedition) and my camel was slow and exhausted. The Prophet came up to me and said, “O Jābir.” I replied, “Yes?” He said, “What is the matter with you?” I replied, “My camel is slow and tired, so I am left behind.” So, he got down and poked the camel with his stick and then ordered me to ride. I rode the camel and it became so fast that I had to hold it from going ahead of Allāh’s Messenger. He then asked me, “Have you got married?” I replied in the affirmative. He asked, “A virgin or a
matron?” I replied, “I married a matron.” The Prophet ﷺ said, “Why have you not married a virgin, so that you may play with her and she may play with you?” Jabir replied, “I have sisters (young in age) so I liked to marry a matron who could collect them all and comb their hair and look after them.” The Prophet ﷺ said, “You will reach (home), so when you have arrived (at home), I advise you to associate with your wife (that you may have an intelligent son).” Then he asked me, “Would you like to sell your camel?” I replied in the affirmative and the Prophet ﷺ purchased it for one Uqiyah of gold. Allâh’s Messenger ﷺ reached (Al-Madîna) before me and I reached in the morning, and when I went to the mosque, I found him at the door of the mosque. He asked me, “Have you arrived just now?” I replied in the affirmative. He said, “Leave your camel and come into (the mosque) and offer a two Rak‘â (prayer).” I entered and offered the Salât (prayer). He told Bilãl to weigh and give me one Uqiyah of gold. So, Bilãl weighed for me fairly and I went away. The Prophet ﷺ sent for me and I thought that he would return to me my camel which I hated more than anything else. But the Prophet ﷺ said to me, “Take your camel as well as its price.”

(35) CHAPTER. The markets of the Pre-Islâmic Period of Ignorance where the people continued to trade after embracing Islâm.
there. So, the following Verse came:

“There is no sin on you if you seek the Bounty of your Lord (during pilgrimage by trading etc.)…” (V.2:198)

Ibn ‘Abbās recited it like this.

(36) CHAPTER. Purchasing of camel suffering from skin disease or disease causing severe thirst.

2099. Narrated ‘Amr: Here (i.e., in Makkah) there was a man called Nawwās and he had camels suffering from a disease causing excessive and unquenchable thirst. Ibn ‘Umar went to the partner of Nawwās and bought those camels. The man returned to Nawwās and told him that he had sold those camels. Nawwās asked him, “To whom have you sold them?” He replied, “To such and such Sheikh.” Nawwās said, “Woe to you; By Allah, that Sheikh was Ibn ‘Umar.” Nawwās then went to Ibn ‘Umar and said to him, “My partner sold you camels suffering from a disease causing excessive thirst and he had not known you.” Ibn ‘Umar told him to take them back. When Nawwās went to take them, Ibn ‘Umar said to him, “Leave it as I am happy with the decision of Allah’s Messenger ✅ that there is no ‘Adwā (i.e., no contagious disease is conveyed to others without Allah’s Permission).”

(37) CHAPTER. Selling of arms during the period of Al-Fitnah (trial, affliction) and otherwise.
'Imrān bin Ḥußain hated the selling (of arms) during Al-Feedah (trial, affliction).

2100. Narrated Abū Qatāda: We set out with Allâh’s Messenger in the year of (the battle of) Ḥunain, (the Prophet gave me an armour). I sold that armour and bought a garden in the region of the tribe of Bani Salama and that was the first property I got after embracing Islâm.

(38) CHAPTER. (What is said) about the perfume seller and the selling of musk.

2101. Narrated Abū Mūsá: Allâh’s Messenger said, “The example of a good companion (who sits with you) in comparison with a bad one, is like that of the owner of musk (perfume seller) and the owner of bellows (or furnace) (blacksmith): from the first you would either buy musk or enjoy its good smell, while the owner of bellows (blacksmith) would either burn your clothes or your house, or you get a bad nasty smell thereof.”

(39) CHAPTER. The mentioning of Al-Hajjām (i.e., the one who practises cupping).

2102. Narrated Anas bin Mālik: Abu Ṭaibā cupped Allâh’s Messenger. So
he (ﷺ) ordered that he be paid one سَه of dates and ordered his masters to reduce his tax (as he was a slave and had to pay a tax to them).

2103. Narrated Ibn ‘Abbás (رضي الله عنهما):
Once the Prophet ﷺ got his blood out (medically) and paid that person who had done it. If it had been illegal, the Prophet ﷺ would not have paid him.

(40) CHAPTER. The trade of cloth, the wearing of which is considered undesirable both for men and women.

2104. Narrated ‘Abdullâh bin ‘Umar (رضي الله عنهما):
Once the Prophet ﷺ sent to ‘Umar a silken two-piece garment, and when he saw ‘Umar wearing it, he said to him, “I have not sent it to you to wear. It is worn by him who has no share in the Hereafter, and I have sent it to you so that you could benefit by it (i.e., sell it).”

2105. Narrated ‘Aishah (رضي الله عنها), Mother of the Believers:
I bought a cushion with pictures on it. When Allah’s Messenger ﷺ saw it, he kept standing at the door and did not enter the house. I noticed the sign of disgust on his face, so I said, “O Allah’s Messenger! I repent to Allah and His Messenger ﷺ. (Please let me know) what
sin I have done.” Allāh’s Messenger ﷺ said, “What about this cushion?” I replied, “I bought it for you to sit and recline on.” Allāh’s Messenger ﷺ said, “The painters (i.e., owners) of these pictures will be punished on the Day of Resurrection. It will be said to them, ‘Put life in what you have created (i.e., painted).’” The Prophet ﷺ added, “The angels do not enter a house in which there are pictures.”

(41) CHAPTER. The owner of a thing has to suggest a price.

2106.Narrated Anas: The Prophet ﷺ said, “O Bani Najjar! Suggest a price for your garden.” Part of it was a ruin and it contained some date-palms.

(42) CHAPTER. For what period has one to confirm or cancel the bargain?

2107. Narrated Ibn ‘Umar: The Prophet ﷺ said, “The buyer and the seller have the option to cancel or confirm the bargain before they separate from each other, or if the sale is optional.”

(1) (H. 2107) If the bargain is concluded but the buyer and seller are still at the place where the bargain has taken place, they have the right to cancel or confirm the bargain. If=
Nāfi' said, "Ibn 'Umar used to separate quickly from the seller if he had bought a thing which he liked."

2108. Narrated Ḥakīm bin Ḥizām: The Prophet ﷺ said, "The buyer and the seller have the option of cancelling or confirming the deal unless they separate."

(43) CHAPTER. If the time for the option is not fixed, will the deal be considered as legal?

2109. Narrated Ibn 'Umar: Allah's Messenger ﷺ said, "The seller and the buyer have the option of cancelling or confirming the deal unless they separate, or one of them says to the other, 'Choose (i.e., decide to cancel or confirm the bargain now).' Perhaps he said, 'Or if it is an optional sale.'"
(44) CHAPTER. Both the buyer and the seller have the option to cancel or confirm the bargain, unless they separate.


2110. Narrated Ḥakīm bin Hizām: The Prophet ﷺ said, “The buyer and the seller have the option of cancelling or confirming the bargain unless they separate, and if they spoke the truth and made clear the defects of the goods, then they would be blessed in their bargain, and if they told lies and hid some facts, their bargain would be deprived of Allāh’s Blessings.”

2111. Narrated ‘Abdullāh bin ‘Umar: Allāh’s Messenger ﷺ said, “Both the buyer and the seller have the option of cancelling or confirming a bargain unless they separate, or the sale is optional.” (See Ḥadīth No. 2107).

(45) CHAPTER. If the buyer and the seller give each other the option of cancelling the bargain immediately after the bargain is made (while they are still together), the bargain is rendered final (even if they did not separate).
2112. Narrated Ibn ‘Umar: The Prophet ﷺ said, “Both the buyer and the seller have the option of cancelling or confirming the bargain as long as they are still together; and unless they separate or one of them gives the other the option of keeping or returning the things and a decision is concluded then, in which case the bargain is considered as final. If they separate after the bargain and none of them has rejected it, then the bargain is rendered final.”

(46) CHAPTER. Is selling permissible if the seller has the option of cancelling the bargain?

2113. Narrated Ibn ‘Umar: The Prophet ﷺ said, “No deal is settled and finalized unless the buyer and the seller separate, except if the deal is optional (whereby the validity of the bargain depends on the stipulations agreed upon).”

2114. Narrated Hakim bin Hizam: The Prophet ﷺ said, “Both the buyer and the seller have the option of cancelling or confirming the bargain unless they separate.”

The subnarrator, Hammãm said, “I found this in my book: ‘Both the buyer and the seller have the option of either confirming or cancelling the bargain three times, and if they speak the truth and mention the defects, then their bargain will be blessed, and if they tell lies and conceal the defects, they might gain some financial gain but they will deprive their sale of (Allâh’s) Blessings.’

http://islamsbooks.wordpress.com/
(47) CHAPTER. What is said if somebody buys a thing and gives it as a present to someone else at that very moment before separating from the seller, and the seller has had no objection to the buyer's action; or if someone buys a slave and then manumits him?

Tawus said that if somebody bought a thing with mutual agreement and then sold it, then that was his property and the profit would be for him.

2115. Narrated Ibn 'Umar: We were accompanying the Prophet on a journey and I was riding an unmanageable camel belonging to 'Umar, and I could not bring it under my control. So, it used to go ahead of the party and 'Umar would check it and force it to retreat, and again it went ahead and again 'Umar forced it to retreat. The Prophet asked 'Umar to sell that camel to him. 'Umar replied, "It is for you O Allah's Messenger!" Allah's Messenger told 'Umar to sell that camel to him (not to give it as a gift). So, 'Umar sold it to Allah's Messenger. Then the Prophet said to 'Abdullah bin 'Umar, "The camel is for you O 'Abdullah (as a present) and you could do with it whatever you like."

2116. Narrated 'Abdullah bin 'Umar: I bartered my property in Khaibar to 'Uthmãn (chief of the faithful believers) for his property in Al-Wãdi. When we

(1) (H.2116) Khaibar is six stages to the north-west of Al-Madînâ.
(2) (H.2116) Al-Wãdi is a district near Al-Madînâ.
finished the deal, I left immediately and got out of his house lest he should cancel the deal, for the tradition was that the buyer and the seller had the option of cancelling the bargain unless they separated. When our deal was completed, I came to know that I had been unfair to 'Uthmân, for by selling him my land I caused him to be in the land of Thamûd, at a distance of three days' journey from Al-Madîna, while he made me nearer to Al-Madîna, at a distance of three days' journey from my former land.

(48) CHAPTER. What is disliked as regards cheating in business.

2117. Narrated 'Abdullâh bin 'Umar: A person came to the Prophet ﷺ and told him that he was always betrayed in purchasing. The Prophet ﷺ told him to say at the time of buying, “No cheating.” (i.e., he has the right to return it if found undesirable).

(49) CHAPTER. What is said about markets.

And narrated 'Abdur-Rahmân bin 'Aûf: On our arrival in Al-Madîna, I asked whether there was a market of trading. Somebody said, “There is the market of Qainuqâ.”

Narrated Anas: ‘Abdur-Rahmân said, “Show me the market.” And ‘Umar said, “Trading in the market diverted my attention (from better things).”

http://islamsbooks.wordpress.com/
2118. Narrated 'Aishah: Allah’s Messenger ﷺ said, “An army will invade the Ka’bah and when the invaders reach Al-Baqi’, all the ground will sink and swallow the whole army.” I said, “O Allah’s Messenger! How will they sink into the ground while amongst them will be their markets (the people who worked in business and not invaders)\(^{(1)}\) and the people not belonging to them?” The Prophet ﷺ replied, “All of those people will sink but they will be resurrected and judged according to their intentions.”

2119. Narrated Abū Hurairah: Allah’s Messenger ﷺ said, “The congregational Salāt (prayer) of anyone amongst you is more than twenty (five or twenty-seven) times in reward than his Salāt (prayer) in the market or in his house, for if he performs ablution perfectly and then goes to the mosque with the sole intention of performing the Salāt (prayer), and nothing urges him to proceed to the mosque except the Salāt (prayer), then, on every step which he takes towards the mosque, he will be raised one degree or one of his sins will be forgiven. The angels will keep on asking Allah’s Forgiveness and Blessings for everyone of you so long as he keeps sitting at his praying place. The angels will say, ‘O Allah, Bless him! O Allah, be Merciful to him!’ As long as he does not do Hadath or a thing which gives trouble to the other.”

The Prophet ﷺ further said, “One is...

\(^{(1)}\) (H. 2118) The Arabic word for ‘markets’ occurs in some narrations in the form of other words which are also probable. Those probable words stand for such words as ‘nobles’ or ‘other people.’
regarded in *Salāt* (prayer) so long as one is waiting for the *Salāt* (prayer).

2120. Narrated Anas bin Malik: While the Prophet was in the market, somebody called, “O Abul-Qāsim.” The Prophet turned to him. The man said, “I have called to this (i.e., another man).” The Prophet said, “Name yourselves by my name but not by my *Kunya* (surname).” (In Arab world it is the custom to call the man as the father of his eldest son, e.g., Abul-Qāsim.)

[See Vol. 4, Hadith No.3537].

2121. Narrated Anas: A man at Al-Baqi called, “O Abul-Qāsim!” The Prophet turned to him and the man said (to the Prophet), “I did not intend to call you.” The Prophet said, “Name yourselves by my name but not by my *Kunya* (surname).”

2122. Narrated Abū Hurairah Ad-Dausi: Once the Prophet went out during the day. Neither did he talk to me nor I to him till he reached the market of Banī Qainuqā', and then he sat in the compound of Fāṭima’s house and asked about the small boy (his grandson Al-Ḥasan) but Fāṭima kept the boy in for a while. I thought she was either changing his clothes or giving the boy a bath. After a while the boy came out running and the Prophet embraced and kissed him and then said, “O Allah! Love him, and love whoever loves him.”

(1) *Kunya* means calling a man: O father of so-and-so! Or calling a woman: O mother of so-and-so! And this is a custom of the ‘Arabs.
2123. Narrated Nāfi': Ibn 'Umar
said, “The people used to buy food from the caravans in the lifetime of the Prophet ﷺ. The Prophet ﷺ used to forbid them to sell it at the very place where they had purchased it (but they were to wait) till they carried it to the market where foodstuff was sold.

2124. Ibn 'Umar said, “The Prophet ﷺ also forbade the reselling of foodstuff by somebody who had bought it unless he had received it (all the measure which he has bought) in full measure.”

(50) CHAPTER. The dislike of raising voices in the market.

2125. Narrated 'Aţā' bin Yasâr: I met 'Abdullâh bin 'Amr bin Al-'As and asked him, “Tell me about the description of Allah's Messenger ﷺ which is mentioned in the Torah.” He replied, “Yes. By Allah, he is described in the Torah with some of the qualities attributed to him in the Qur'ân as follows:

‘O Prophet! We have sent you as a witness (for Allah’s True Religion) and a giver of glad tidings (to the faithful believers), and a warner (to the disbelievers), and guardian of
the illiterates. You are My slave and My Messenger. I have named you Al-Mutawakkil (who depends upon Allah). You are neither discourteous, harsh, nor a noise-maker in the markets, and you do not do evil to those who do evil to you, but you deal with them with forgiveness and kindness. Allah will not let him (the Prophet) die till he makes straight the crooked people by making them say: La ilãha illallah (none has the right to be worshipped but Allah) with which will be opened blind eyes, deaf ears, and enveloped hearts.'

(51) CHAPTER. Weighing or measuring goods is to be done by the seller or the giver.

And the Statement of Allah ج: "And when they have to give by measure or weight to (other) men, give less than due."
(V.83:3)

The Prophet ﷺ said, "When you receive what you buy by measure, let it be exact full measure."

Narrated 'Uthmãn ﷺ: that the Prophet ﷺ told him, "If you are the seller, you have to measure, and if you are the buyer, then let the seller measure for you."

2126. Narrated 'Abdullãh bin 'Umar ﷺ: Allah's Messenger ﷺ said, "He who buys foodstuff should not sell it till he takes all the measure which he has bought in full."
2127. Narrated Jābir ibn ‘Abdullāh ibn ‘Amr bin Ḥarām: ‘Abdullāh ibn ‘Amr bin Hardān died and was in debt to others. I asked the Prophet to intercede with his creditors for some reduction in the debts. The Prophet requested them (to reduce the debts), but they refused. The Prophet said to me, “Go and put your dates (in heaps) according to their different kinds, the ‘Ajwa on one side, the cluster of Zaid on another side, etc., then call me.” I did that and called the Prophet. He came and sat at the head or in the middle of the heaps and ordered me, “Measure (the dates) for the people (creditors).” I measured for them till I paid all the debts. My dates remained as if nothing had been taken from them.

In other narrations, Jābir said: The Prophet said, “He (i.e., ‘Abdullāh) continued measuring for them till he paid all the debts.” The Prophet said (to ‘Abdullāh), “Cut (clusters) for him (i.e., one of the creditors) and measure for him in full.”

(52) CHAPTER. What is considered preferable regarding measuring.

2128. Narrated Al-Miqdām bin Ma‘dikarib: The Prophet said, “Measure your foodstuff and you will be blessed.”
(53) CHAPTER. Allâh’s Blessing in the Sa‘ and Mudd of the Prophet ﷺ.

This has been narrated by ‘Àishah رضي الله عنها on the authority of the Prophet ﷺ.


2130. Narrated Anas bin Malik رضي الله عنه: Allâh’s Messenger ﷺ said, “O Allâh bestow Your Blessings on their measures, bless their Mudd and Sa‘.” The Prophet ﷺ meant the people of Al-Madîna.

(54) CHAPTER. What is said about the selling of the foodstuff and its storage.

2131. Narrated Sâlim that his father said, “I saw those who used to buy foodstuff without measuring or weighing in the lifetime
of the Prophet being punished if they sold it before carrying it to their own houses."

2132. Narrated Ibn ‘Abbās, "Allah’s Messenger forbade the selling of foodstuff before its measuring and transferring into one’s possession." I asked Ibn ‘Abbās, "How is that?" Ibn ‘Abbās replied, “It will be just like selling money for money, as the foodstuff has not been handed over to the first purchaser who is the present seller.”

2133. Narrated Ibn ‘Umar, The Prophet said, “He who buys foodstuff should not sell it till he has received it.”

2134. Narrated Az-Zuhri on the authority of Mālik bin ‘Aūs that the latter said, “Who has change?” Ṭalḥa said, “I (will have change) when our store-keeper comes from the forest.”

Narrated ‘Umar bin Al-Khaṭṭāb, Allâh’s Messenger said, “The bartering of gold for gold is Ribâ,

(1) (H. 2134) Some said, “Gold for gold.”
(usury), except if it is from hand to hand and equal in amount, and wheat grain for wheat grain is Ribā except if it is from hand to hand and equal in amount, and dates for dates is Ribā, except if it is from hand to hand and equal in amount; and barley for barley is Ribā, except if it is from hand to hand and equal in amount."

[See Ribā Al-Fadl in the glossary].

(55) CHAPTER. The selling of foodstuff before receiving it, and the selling of a thing which you don't have.(1)

2135. Narrated Ibn ‘Abbās: The Prophet forbade the selling of foodstuff before receiving it. I consider that all types of sellings should be done in the same way.

2136. Narrated Ibn ‘Umar: The Prophet said, “The buyer of foodstuff should not sell it before it has been measured for him.” Ismā‘īl narrated instead, “He should not sell it before receiving it.”

(1) (Ch. 55) If one buys foodstuff for one pound and sells it for two pounds before receiving it from the first seller, the transaction is illegal for it is usurious, for it is as if one bartered gold for gold, one pound for two pound. It is also the sale of something absent for something present which is also illegal. (Al-Qaṣṭalānī Vol. 4).
(56) CHAPTER. Whoever had the opinion that whoever bought foodstuff without measuring or weighing (blindly) should not sell it before bringing it into his house; and the punishment for whoever disobeys this order.

2137. Narrated Ibn ‘Umar: I saw the people buy foodstuff randomly (i.e., blindly without measuring it) in the lifetime of Allâh’s Messenger and they were punished (by beating), if they tried to sell it before carrying it to their own houses.

(57) CHAPTER. If somebody buys some goods or (an) animal and let it with the seller, or it dies before he takes it into his possession.

Ibn ‘Umar said, “If at the time of the transaction the sold animal is living and then it dies while still in the custody of the seller, then the buyer is the loser.”

2138. Narrated ‘Aishah: Rarely did the Prophet fail to visit Abû Bakr’s house everyday, either in the morning or in the evening. When the permission for emigration to Al-Madîna was granted, all of a sudden the Prophet came to us at noon and Abû Bakr was informed, who said, “Certainly the Prophet has come for some urgent matter.” The Prophet said to Abû Bakr, when the latter entered, “Let nobody stay in your home.” Abû Bakr said, “O Allah’s Messenger! There are only my two daughters (namely ‘Aishah and Asmâ) present.” The Prophet said, “I feel (am

http://islamsbooks.wordpress.com/
informed) that I have been granted the permission for emigration.” Abū Bakr said, “I will accompany you, O Allah’s Messenger!” The Prophet said, “You will accompany me.” Abū Bakr then said, “O Allah’s Messenger! I have two she-camels I have prepared specially for emigration, so I offer you one of them.” The Prophet said, “I have accepted it on the condition that I will pay its price.”

(58) CHAPTER. A seller should not urge somebody (in case of optional sale) to cancel a bargain the latter has already agreed upon with another seller so as to sell him his own goods; and a buyer should not urge the seller to cancel a bargain already agreed upon with another buyer so as to buy the goods himself, unless they are given permission in both cases, or the bargains are cancelled with the willingness of both the seller and the buyer.

2139. Narrated ‘Abdullāh bin ‘Umar: Allah’s Messenger said, “Do not urge somebody to return what he has already bought (i.e., in optional sale) from another seller so as to sell him your own goods.”

2140. Narrated Abū Hurairah: Allah’s Messenger forbade the selling of things by a town dweller on behalf of a desert dweller; and similarly Najsh(1) was

(1) (H. 2140) Najsh means to offer a high price for something without having the intention to buy it but just to cheat somebody else who really wants to buy it. Such a person may agree with the seller to offer high prices before the buyers to cheat them, in which=
forbidden. And one should not urge somebody to return the goods to the seller so as to sell him his own goods; nor should one demand the hand of a girl who has already been engaged to someone else; and a woman should not try to cause some other woman to be divorced in order to take her place.

(59) CHAPTER. Selling by auction.

‘Aṭā’ said, “I saw the people seeing no harm in selling war booty by auction.”

2141. Narrated Jabir bin ‘Abdullah: A man decided that a slave of his would be manumitted after his death and later on he was in need of money, so the Prophet took the slave and said, “Who will buy this slave from me?” Nu‘aim bin ‘Abdullâh bought him for such price and the Prophet gave him the slave.

(60) CHAPTER. An-Najsh(1) and whoever said: “A bargain carried out in such a way (Najsh) is not valid.”

Ibn Abî Aûfâ said, “One who practices Najsh is a Ribā-eating traitor.” And such a practice is a false trick which is forbidden, and the Prophet said, “Deception would

---

(1) (Chap. 60) An-Najsh: See the glossary.
lead to the Fire (Hell) and whoever does a deed which we have not ordered (anyone) to do (or is not in accord with our religion of Islamic Monotheism) then that deed will not be accepted.” [See Hadith No.2697. Also see Fath Al-Bari]


(61) CHAPTER. Al-Gharar (the sale of what is not present) and Habal-il-Habala (i.e., the sale of what is in the womb of an animal).

2143. Narrated ‘Abdullah bin ‘Umar: Allāh’s Messenger forbade the sale called Habal-il-Habala which was a kind of sale practised in the Pre-Islamic Period of Ignorance. One would pay the price of a she-camel which was not born yet, and would be born by the immediate offspring of an extant she-camel.

(62) CHAPTER. Al-Limãs or Mulamasa sale, i.e., by touching the thing only and not looking at it.

Anas said, “The Prophet forbade it (i.e., Al-Mulâmasa sale).

2144. Narrated Abû Sa‘īd: Allāh’s Messenger forbade the selling by

(1) (Ch. 61) As an example of Al-Gharar sale is to sell fish that are still not caught or a bird that has not been caught yet, etc.

(2) (Ch. 62) The sale of Mulamasa has different forms: The sale becomes valid on the buyer’s touching the clothes without checking or looking at them. For example, one brings a folded garment, or in the dark and the buyer offers a price and the owner of the garment says, “I sell it to you on condition that you will only touch it, not see it, and if you see it, you have no option to cancel the sale.”
Munābahā, (1) i.e., to sell one’s garment by casting it to the buyer not allowing him to examine or see it.

Similarly he forbade the selling by Mulāmāsā. Mulāmāsā is to buy a garment, for example, by merely touching it, not looking at it.

2145. Narrated Ābū Hurairah: The Prophet ﷺ forbade two kinds of dressing; (one of them) is to sit with one’s legs drawn up while wrapped in one garment. (The other) is to lift that garment on one’s shoulders. And also forbade two kinds of sale: Al-Limās and An-Nibādh.

And Anas said, “The Prophet ﷺ forbade such sale.”


(63) CHAPTER. Selling by Munābahā.

2147. Narrated Ābū Sa‘īd: The Prophet ﷺ forbade two kinds of dresses and

(1) (H. 2144) The sale by Munābahā is like gambling: Two persons may agree to barter one thing for another without seeing or checking either of them. One may say to another, “I barter my garment for your garment,” and the sale is achieved without either of them seeing the garment of the other. Or, one may say, “I give you what I have and you give me what you have,” and thus they buy from each other without knowing how much each has had.
two kinds of sale, i.e., Mulāmasa and Munābaḍha.

(64) CHAPTER. The seller is not allowed to keep camels, cows, sheep or any other animal unmilked for a long time (so as to get more price by cheating).

2148. Narrated Abū Hurairah: The Prophet ﷺ said, “Don’t keep camels and sheep unmilked for a long time, for whoever buys such an animal has the option to milk it, and then either to keep it or return it to the owner along with one Sa‘ of dates.”

Some narrated from Ibn Sirin (that the Prophet had said), “One Sa‘ of wheat, and he has the option for three days.”

And some narrated from Ibn Sirin, “...a Sa‘ of dates,” not mentioning the option for three days. But a Sa‘ of dates is mentioned in most of the narrations.

2149. Narrated ‘Abdullāh bin Maṣ‘ūd: Whoever buys a sheep which has not been milked for a long time, has the option of...
returning it along with one $Sā'$ of dates; and the Prophet forbade going to meet the seller on the way (as he has no knowledge of the market price and he may sell his goods at a low price).

2150. Narrated Abū Hurairah: Allâh’s Messenger said, “Do not go forward to meet the caravan (to buy from it on the way before it reaches the town). And do not urge buyers to cancel their purchases to sell them (your own goods) yourselves, and do not practise Najṣî. A town dweller should not sell the goods for the desert dweller. Do not leave sheep unmilked for a long time when they are on sale, and whoever buys such an animal has the option of returning it, after milking it, along with a $Sā'$ of dates or keeping it.”

(65) CHAPTER. The option of returning an animal, after milking it, along with a $Sā'$ of dates (as the price of the milk), if it has been kept unmilked for a long period by the seller (to deceive others).

2151. Narrated Abū Hurairah: Allâh’s Messenger said, “Whoever buys a sheep which has been kept unmilked for a long period, and milks it, can keep it if he is satisfied, and if he is not satisfied, he can return it, but he should pay one $Sā'$ of dates for the milk.”
(66) CHAPTER. The selling of an adulterer slave.

And Shuraih said, “The buyer can return him to the owner if he wishes because of illegal sexual intercourse.”

2152. Narrated Abü Hurairah: The Prophet said, “If a slave-girl commits illegal sexual intercourse and it is proved beyond doubt, then her owner should lash her and should not blame her after the legal punishment. And then if she repeats the illegal sexual intercourse, he should lash her again and should not blame her after the legal punishment, and if she commits it a third time then he should sell her even for a hair rope.”

2153, 2154. Narrated Abü Hurairah and Zaid bin Khalid: Allah’s Messenger was asked about the slave-girl, if she was a virgin and committed illegal sexual intercourse. The Prophet said, “If she committed sexual intercourse, lash her, and if she did it a second time, then lash her again, and if she repeated the third time, then sell her even for a hair rope.” Ibn Shihab said, “I don’t know whether to sell her after the third or fourth offense.”

(67) CHAPTER. Dealing with women in selling and buying.

2155. Narrated `Aishah: Allah’s Messenger came to me and I told
him about the slave-girl (Barira) Allâh’s Messenger ﷺ said, “Buy and manumit her, for the Ṭabâ’ (1) is for the one who manumits.” In the evening the Prophet got up and glorified Allâh as He deserved and then said, “Why do some people impose conditions which are not present in Allâh’s Book (laws)? Whoever imposes such a condition as is not in Allâh’s Laws, then that condition is invalid even if he imposes one hundred conditions, for Allâh’s Conditions are the Truth and the most reliable.”

2156. Narrated ‘Abdullah bin ‘Umar ﷺ: ‘Aishah wanted to buy Barira and he (the Prophet ﷺ) went out for the Śalāt (prayer). When he returned, she told him that they (her masters) refused to sell her except on the condition that her Walâ’ would go to them. The Prophet ﷺ replied, “The Walâ’ would go to him who manumits.” Hammâm asked Nâfi’ whether ‘er (Barira’s) husband was a free man or a slave. He replied that he did not know.

(68) CHAPTER. Is it permissible for a person from the town to sell the goods of a desert dweller without taking commission? Should he help him or try to advise him?

The Prophet ﷺ said, “If somebody asked...”

(1) (H. 2155) Walâ’: See glossary.
the advice of someone else, then the latter should advise him.” Ata allowed it (selling the goods of a desert dweller by a town dweller).

2157. Narrated Jarir: I gave the Bai’a (pledge) to Allâh’s Messenger for the following: (1) To testify that ‘La ilaha illallah wâ anna Muhammed-ar-Rasûl Allâh (none has the right to be worshipped but Allâh, and Muhammed is Allâh’s Messenger). (2) Iqamat-as-Ṣalât, (3) To pay the Zakât, (4) To listen to and obey (Allâh’s and His Prophet’s Orders), (5) To be sincere and true to every Muslim [i.e. order them for Al-Ma’rûf (Islamic Monotheism and all that Islam orders one to do) and forbid them from Al-Munkar (disbelief and polytheism and all that Islam has forbidden) and to help them, and to be merciful and kind to them].

[See H.57 & its chapter].

2158. Narrated Ibn ‘Abbâs: Allâh’s Messenger said, “Do not go to meet the caravans on the way (for buying their goods without letting them know the market price); a town dweller should not sell the goods of a desert dweller on behalf of the latter.” Ibn ‘Abbâs was asked, “What does he mean by not selling the goods of a desert dweller by a town dweller?” He said, “He should not become his broker.”

(69) CHAPTER. Whoever hated that an urban person should sell the goods of a desert dweller and charge him for that.

(70) CHAPTER. A town dweller should not buy goods for a desert dweller and charge commission as a broker.

Ibn Sirin and Ibrãhim disliked (working as a broker for a desert dweller) whether as a seller or a buyer. Ibrãhim said, “Arabs use the word ‘to buy’ in the meaning of ‘to sell’.”

2160. Narrated Abû Hurairah: Allah’s Messenger said, “A buyer should not urge a seller to restore a purchase so as to buy it himself, and do not practise Najsh; and a town dweller should not sell goods of a desert dweller.”

2161. Narrated Anas bin Mâlik: We were forbidden that a town dweller should sell goods of a desert dweller.

(71) CHAPTER. It is forbidden to meet the caravans on the way (to buy the goods away from the market).

And the one who buys them, his bargain is invalid as he is a sinner if he knows it, for it is a kind of deceit, and deceit is forbidden.

2162. Narrated Abû Hurairah: The Prophet forbade the meeting (of
caravans) on the way and the selling of goods by an inhabitant of the town on behalf of a desert dweller.

2163. Narrated Ṭawūs: I asked Ibn ‘Abbās, “What is the meaning of: ‘No town dweller should sell (or buy) on behalf of a desert dweller’?”

Ibn ‘Abbās said, “It means he should not become his broker.”

2164. Narrated ‘Abdullāh bin ‘Umar: Whoever buys an animal which has been kept unmilked for a long time, could return it, but has to pay a ʳᵃȍ of dates along with it. And the Prophet forbade meeting the owners of goods on the way, away from the market.

(72) CHAPTER. The limits to which one can go ahead to meet the caravan.

2165. Narrated ‘Abdullāh bin ‘Umar: Allah’s Messenger said, “You should not try to cancel the purchases of one another (to get a benefit thereof), and do not go ahead to meet the caravan (for buying the goods) (but wait) till it reaches the market.”
Prophet forbade us to sell it till the foodstuff has reached the market.

2167. Narrated ‘Abdullah: Some people used to buy foodstuff at the head of the market and used to sell it on the spot. Allâh’s Messenger forbade them to sell it till they brought it to (their) places.

(73) CHAPTER. If somebody imposes conditions in selling which are forbidden (in) or are against the Islâmic Law.

2168. Narrated ‘Urwa: ‘Aishah said, “Barira came to me and said, ‘I have agreed with my masters to pay them nine Úqiya (of gold) (in instalments) one Úqiya per year; please help me.’ I said, ‘I am ready to pay the whole amount now provided your masters agree that your Walâ’ will be for me.’ So, Barira went to her masters and told them about that offer but they refused to accept it. She returned, and at that time, Allâh’s Messenger was sitting (present). Barira said, ‘I told them of the offer but they did not accept it and insisted on having the Walâ’.” The Prophet heard that.” ‘Aishah narrated the whole story to the Prophet. He said to her, “Buy her and stipulate that her Walâ’ would be yours as the Walâ’ is for the manumitter.” ‘Aishah did so. Then Allâh’s Messenger stood up in front of the people, and after glorifying Allâh, he
said, ‘Ammā Ba’du (i.e., then after)! What about the people who impose conditions which are not in Allah’s Book (laws)? Any condition that is not in Allah’s Book (Laws) is invalid even if they were one hundred conditions, for Allah’s Decisions are the right ones and His Conditions are the strong ones (firmer) and the Walā’ will be for the manumitter.”

2169. Narrated ‘Abdullāh bin ‘Umar رضي الله عنهم: ‘Āishah, (Mother of the Believers) wanted to buy a slave-girl and manumit her, but her masters said that they would sell her only on the condition that her Walā’ would be for them. ‘Āishah told Allah’s Messenger صلی الله علیه وآله وسلم of that. He said, “What they stipulate should not hinder you from buying her, as the Walā’ is for the manumitter.”

(74) CHAPTER. Selling of dates for dates.

2170. Narrated Ibn ‘Umar رضي الله عنهم: The Prophet ﷺ said, “The selling of wheat for wheat is Ribā (usury), except if it is from hand to hand and equal in amount. Similarly the selling of barley for barley is Ribā, except if it is from hand to hand and equal in amount and dates for dates is usury except if it is from hand to hand and equal in amount.”

[See Ribā Al-Fadl in the glossary].
(75) CHAPTER. The selling of dried grapes for dried grapes and meals for meals.

2171. Narrated Ibn ‘Umar: Allâh’s Messenger forbade Muzâbana; and Muzâbana is the selling of fresh dates for dried old dates by measure, and the selling of fresh grapes for dried grapes by measure.

2172. Narrated Ibn ‘Umar: The Prophet forbade Muzâbana; and Muzâbana is the selling of fresh fruit (without measuring it) for something by measure on the basis that if that thing turns to be more than the fruit, the increase would be for the seller of the fruit, and if it turns to be less, that would be of his lot.

2173. Narrated Ibn ‘Umar from Zaid bin Thãbit that the Prophet allowed the selling of the fruits on the trees after estimation (when they are ripe).

(76) CHAPTER. Selling of barley for barley.

2174. Narrated Ibn Shihãb that Malik bin ’Aûs said, “I was in need of change for one-hundred Dinãr. Ţalha bin ‘Ubaidullãh called me and we discussed the matter, and he agreed to change (my Dinãr). He took the gold pieces and turned and topped them with his hands, and then said, “Wait till my storekeeper comes from the forest.” ’Umar was listening to that and said, “By Allâh! You should not separate from Ţalha till you get the money from him, for Allâh’s Messenger said, ‘The selling of gold for
gold is *Riba* (usury), except if the exchange is from hand to hand and equal in amount, and similarly, the selling of wheat for wheat is *Riba*, unless it is from hand to hand and equal in amount, and the selling of barley for barley is usury unless it is from hand to hand and equal in amount, and dates for dates is usury unless it is from hand to hand and equal in amount.

(77) CHAPTER. Selling of gold for gold.

2175. Narrated Abū Bakra: Allah's Messenger said, "Don't sell gold for gold unless equal in weight, nor silver for silver unless equal in weight, but you could sell gold for silver or silver for gold as you like."

(78) CHAPTER. Selling of silver for silver.

2176. Narrated Abū Sa'īd (concerning exchange) that he heard Allah's Messenger saying, "Do not sell gold for gold unless equal in weight, and do not sell silver for silver unless equal in weight."
2177. Narrated Abū Saʿīd Al-Khudrī: Allah's Messenger ﷺ said, "Do not sell gold for gold unless equivalent in weight (and from hand to hand), and do not sell less amount for greater amount or vice versa; and do not sell silver for silver unless equivalent in weight (from hand to hand), and do not sell less amount for greater amount or vice versa, and do not sell gold or silver that is not present at the moment of exchange for gold or silver that is present.

(79) CHAPTER. Selling of Dinār for Dinār on credit.

2178, 2179. Narrated Abū Ṣāliḥ Az-Zaiyāt: I heard Abū Saʿīd Al-Khudrī saying, "The selling of a Dinār for a Dinār, and a Dirham for a Dirham (is permissible)." I said to him, "Ibn ʿAbbās does not say the same." Abū Saʿīd replied, "I asked Ibn ʿAbbās whether he had heard it from the Prophet ﷺ or seen it in the Holy Book. Ibn ʿAbbas replied, 'I do not claim that, and you know Allah's Messenger ﷺ better than I, but Usāma informed me that the Prophet ﷺ had said: There is no Ribā (usury) (in money exchange) except when it is not done from hand to hand (i.e., when there is delay in payment).'"
(80) CHAPTER. Selling of silver for gold on delayed payment.

2180, 2181. Narrated Abū Al-Minhāl: I asked Al-Barā’ bin ‘Āzib and Zaid bin Arqam about money exchanges. Each of them said, “He is better than I,” and both of them said, “Allāh’s Messenger forbade the selling of silver for gold on credit.”

(81) CHAPTER. Selling of gold for silver from hand to hand (i.e., cash down).

2182. Narrated Abdur-Rahmān bin Abū Bakra that his father said, “The Prophet forbade the selling of gold for gold and silver for silver except if they are equivalent in weight (and from hand to hand), and allowed us to sell gold for silver and vice versa as we wished.”

(82) CHAPTER. The sale called Al-Muzābānā; which is the sale of dried dates for fresh ones (that are still on the trees), and dried grapes for fresh grapes and the sale called Al-‘Arāyā (i.e., the selling of ripe fresh date, still over the palms, by means of estimation, for dry dates)

Anas said, “The Prophet forbade the
sales called Muzābana and Muḥāqala (i.e., to sell wheat in ears for pure wheat).

2183. Narrated ‘Abdullāh bin ‘Umar رضي الله عنهما: Allah’s Messenger ﷺ said, “Do not sell fruits of dates until they become free from all the dangers (of being spoilt or blighted); and do not sell fresh dates for dry dates.”

2184. Sālim and ‘Abdullāh added that Zaid bin Thābit رضي الله عنه said, “Later on Allah’s Messenger ﷺ permitted the selling of ripe fruits on trees for fresh dates or dried dates in Bā‘il-Arica, and did not allow it for any other kind of sale.”

2185. Narrated ‘Abdullāh bin ‘Umar رضي الله عنه: Allah’s Messenger ﷺ forbade Muzābana; and Muzābana means the selling of fresh dates (on the trees) for dried dates by measure and also the selling of fresh grapes for dried grapes by measure.

2186. Narrated Abū Sa‘īd Al-Khudrī رضي الله عنه: Allah’s Messenger ﷺ forbade Muzābana and Muḥāqala; and Muzābana [i.e., the selling of fresh dates still on the trees for dried plucked dates (by measure)].

2188. Narrated Zaid bin Thabit: Allāh's Messenger allowed the owner of 'Arīya (1) to sell the fruits on the trees by means of estimation.

2189. Narrated Jābir: The Prophet forbade the selling of fruits unless they get ripe, and none of them should be sold except for Dīnār or Dirham (i.e., money), except the 'Arūyā trees (the dates of which could be sold for dates).

2190. Narrated Abū Hurairah: The Prophet allowed the sale of the dates of 'Arūyā provided they were about five Awsiaq (i.e., approx 675 kgs) (singular: Wasq which means sixty Šu') or less (in amount).

(1) (H. 2188) 'Arīya: The selling of fresh dates still over the palm-tree by means of estimation for dry plucked dates and it is an exception. Also see the glossary and H. 2192 and its chapter 84.
2191. Narrated Sahl bin Abū Ḥathma: Allāh’s Messenger ﷺ forbade the selling of fruits (fresh dates) for dried dates, but allowed the sale of fruits on the ‘Arāyā by estimation and their new owners might eat their dates fresh. Sufyān (in another narration) said, “I told Yaḥyā (a subnarrator) when I was a mere boy, ‘Makkahns say that the Prophet ﷺ allowed them the sale of the fruits on ‘Arāyā by estimation.’ Yaḥyā asked, ‘How do the Makkahns know about it?’ I replied, ‘They narrated it (from the Prophet ﷺ) through Jābir.’ On that, Yaḥyā kept quiet.” Sufyān said, “I meant that Jābir belonged to Al-Madīna.” Sufyān was asked whether in Jābir’s narration there was any prohibition of selling fruits before their benefit is evident (i.e., no dangers of being spoilt or blighted). He replied that there was none.

(MALIK SAID: “‘Arāyā (plural ‘Arāyā) means that a person gives a date-palm (i.e., its product of dates) as a gift to another person, and then the giver is troubled by the latter’s coming to his private garden (to cut the dates), so the giver is allowed to purchase those date fruits with dried dates.”

Ibn Idris said, “The sale of the dates of an ‘Arāyā should be for measured dates delivered...
from hand to hand and not to be done at random.” The saying of Sahl bin Ḥathma confirms this verdict, i.e., that the exchange of dates should not be at random but by measure of Awsaq. Ibn ‘Umar said, “Al-‘Arāyah meant to give one or two date palms to someone.”

Suṣyān bin Ḥusain said, “Al-‘Arāyah were date-palms given as a gift to the poor who could not wait till the fruits were ripe, so they were allowed to sell them for dates as they wished.”

2192. Narrated Ibn ‘Umar from Zaid bin Thābit: Allah’s Messenger allowed the sale of ‘Arāyah by estimating the dates on them for measured amounts of dried dates.

Mūsā bin ‘Uqba said, “Al-‘Arāyah were distinguished date-palms; one could come and buy them (i.e., their fruits).”

(85) CHAPTER. The sale of fruits before their benefit is evident (i.e., they are free from all the dangers of being spoilt or blighted).

2193. Zaid bin Thābit said, “In the lifetime of Allah’s Messenger, the people used to trade with fruits. When they cut their date-fruits and the purchasers came to receive their rights, the sellers would say, ‘My dates have got rotten; they are blighted with disease, they are afflicted with Qusiiām (a disease which causes the fruit to fall before ripening).’ They would go on complaining of defects in their purchases. Allah’s Messenger said, “Do not sell the fruits before their
benefit is evident (i.e., free from all the dangers of being spoiled or blighted), by way of advice for they quarrelled too much."

Khārija bin Zaid bin Thabit said that Zaid bin Thabit Zaydi used not to sell the fruits of his land till Pleiades(1) appeared and one could distinguish the yellow fruits from the red (ripe) ones.

2194. Narrated ‘Abdullah bin ‘Umar: Allah’s Messenger forbade the sale of fruits till their benefit is evident. He forbade both the seller and the buyer (of such a sale).

2195. Narrated Anas: Allah’s Messenger forbade the sale of date-fruits till they were ripe.

Abū ‘Abdullāh (Al-Bukhārī) said, “That means till they were red (can be eaten).”

(1) (Ch. 2193) Pleiades is the collection of stars which start to appear at dawn in the early summer when it gets very hot in Hijāz at the early season of the ripening of fruits. The appearance of these stars is a sign of the ripening of dates.
2196. Narrated Jābir bin ‘Abdullāh: The Prophet forbade the sale of (date) fruits till they were red or yellow and fit for eating.

2197. Narrated Anas bin Malik: The Prophet forbade the sale of fruits till their benefit is evident; and the sale of date-palms till the dates are almost ripe. He was asked what ‘are almost ripe’ meant. He replied, “Got red and yellow.”

(86) CHAPTER. The sale of date-palms (date trees) before their benefit is evident. (i.e., their dates are ripe).

2198. Narrated Anas bin Malik: Allāh’s Messenger forbade the sale of fruits till they are almost ripe. He was asked what is meant by ‘are almost ripe.’ He replied, “Till they become red.” Allāh’s Messenger further said, “If Allāh spoiled the fruits, what right would one have to take the money of one’s brother.”
2199.Narrated Ibn Shihāb: If somebody bought fruits before their benefit is evident and then the fruits were spoiled with blights, the loss would be suffered by the owner (not the buyer).

Narrated Ibn ‘Umar: Allāh’s Messenger ﷺ said, “Do not sell or buy fruits before their benefit was evident and do not sell fresh fruits (dates) for dried dates.”

(88) CHAPTER. To buy foodstuff on credit.

2200. Narrated ‘Aīshah: The Prophet ﷺ bought some foodstuff from a Jew on credit and mortgaged his armour to him.

(89) CHAPTER. If one wishes to buy (a better quality of) dates for (a low quality of) dates [that is a kind of Ribā (usury) and is called Ribā- Al-Fadl].

2201, 2202. Narrated Abū Sa‘īd Al-Khudrī and Abū Hurairah: Allāh’s Messenger ﷺ appointed somebody as a governor of Khaibar. That governor brought to him an excellent kind of dates...
(from Khaibar). The Prophet ﷺ asked, “Are all the dates of Khaibar like this?” He replied, “By Allah, no, O Allah’s Messenger! But we barter one Ṣa‘ of this (type of dates) for two Ṣa‘ of dates of ours and two Ṣa‘ of it for three of ours.” Allah’s Messenger ﷺ said, “Do not do so [as that is a kind of Riba (usury)] but sell the mixed dates (of inferior quality) for money, and then buy good dates with money.”

(90) CHAPTER: Whoever sold or rented date-palms which were pollinated, or land which was sown (with wheat or barley).

2203. Narrated Nafi’, the freed-slave of Ibn ‘Umar: If pollinated date-palms are sold and nothing is mentioned (in the contract) about their fruits, the fruits will go to the person who has pollinated them, and so will be the case with the slave and the cultivator. Nafi‘ mentioned those three things.

2204. Narrated ‘Abdullāh bin ‘Umar رضي الله عنهما: Allah’s Messenger ﷺ said, “If somebody sells pollinated date-palms, the fruits will be for the seller unless the buyer stipulates that they will be for himself (and the seller agrees).”
2205. Narrated Ibn 'Umar: Allah's Messenger forbade Al-Muzābana, i.e., to sell ungathered dates of one's garden for measured dried dates or fresh ungathered grapes for measured dried grapes; or standing crops for measured quantity of foodstuff. He forbade all such bargains.

2206. Narrated Ibn 'Umar: The Prophet said, "Whoever pollinates date-palms and then sells them, the fruits will belong to him unless the buyer stipulates that the fruits should belong to him (and the seller agrees)."

2207. Narrated Anas bin Malik: Allah's Messenger forbade Muhāqala, Mukhādara, Mulamasa, Munābadha and Muzābana. (See glossary and previous Ahadith for the meanings of these terms.)
2208. Narrated Ḥumaid: Anas said, “The Prophet forbid the selling of dates till they were almost ripe.” We asked Anas, “What does ‘almost ripe’ mean?” He replied, “They get red and yellow. The Prophet added, ‘If Allah destroyed the fruits present on the trees, what right would the seller have to take the money of his brother (somebody else)?’”

(94) CHAPTER. The sale and eating of spadix (edible pith growing at the upper part of the trunk of a palm tree).

2209. Narrated Ibn ‘Umar: I was with the Prophet while he was eating spadix. He said, “From the trees there is a tree which resembles a faithful believer.” I wanted to say that it was the date palm, but I was the youngest among them (so I kept quiet). He added, “It is the date-palm.”

(95) CHAPTER. In cases where there is no fixed judgement, the traditions and conventions of each community are to be referred to, to deduce a judgement in such matters as sales, renting, measuring and weighing.

Shuraih told the weavers, “You are permitted to follow your own conventions to solve your problems (it is legal for you to stick to your traditions in bargain).”

Narrated ‘Abdul Wahab: Ayyub said he heard from Muhammad who said, “There is
no harm in selling for eleven what you buy for ten, and you are allowed to take a profit for expenses.”

The Prophet ﷺ told Hind, “Take what is reasonable and sufficient for you and your sons.” Allāh ﷺ says: “Whoever is poor, can eat (from the orphan’s property) what is just and reasonable (according to his labours).” (V.4:6).

Al-Ḥasan hired a donkey from ‘Abdullāh bin Mirdās and asked him about the hire. The latter replied that it was for two Daniq (a Daniq equals ⅙th Dirham). So Al-Ḥasan rode away. Another time, Al-Ḥasan came to ‘Abdullāh bin Mirdās and asked him to hire the donkey to him and rode away without asking him about the hire, but he sent him half a Dirham.

2210. Narrated Anas bin Mālik: Abū Taiba cupped Allāh’s Messenger ﷺ and so Allāh’s Messenger ﷺ ordered that a Sā’ of dates be paid to him and ordered his masters (for he was a slave) to reduce his tax.

2211. Narrated ‘Aishah: Hind, the mother of Mu‘āwiya said to Allāh’s Messenger ﷺ, “Abū Sufyān (her husband) is a miser. Am I allowed to take from his money secretly?” The Prophet ﷺ said to her, “You and your sons may take what is sufficient, just and reasonable.”

(1) (Ch. 95) Al-Ḥasan did not ask about the hire the second time depending on what they had agreed upon the first time. He sent ‘Abdullāh more than what was due out of generosity.

(2) (H. 2210) Slaves had to pay their masters certain taxes.

http://islamsbooks.wordpress.com/
2212. Narrated ‘Urwa: I heard ‘Aishah saying, “The Holy Verse: ‘...Whoever amongst guardians is rich, he should take no wages but if he is poor, let him have for himself what is just and reasonable (according to his labour)’ (V.4 :6), was revealed concerning the guardian of the orphans who looks after them and manages favourably their financial affairs; if the guardian is poor, he could have from it what is just and reasonable (according to his labour).”

(96) CHAPTER. Selling of a joint property by one partner to the other.

2213. Narrated Jābir: Allāh’s Messenger ﷺ gave pre-emption (to the partner) in every joint property, but if the boundaries of the property were demarcated or the ways and streets were fixed, then there was no pre-emption.

(97) CHAPTER. The sale of undivided common land, buildings and belongings.

2214. Narrated Jābir bin ‘Abdullāh: Allāh’s Messenger ﷺ decided the validity of pre-emption in every joint
undivided property, but if the boundaries were well marked or the ways and streets were fixed, then there was no pre-emption.

Narrated ‘Abdul Wâhid the same as above but said, “...in every joint undivided thing...”

Narrated Hishâm from Ma’mar the same as above but said, “...in every property...”

(98) CHAPTER. If somebody buys something for another without his permission and the latter accepts it.

2215. Narrated Ibn ‘Umar Li the Prophet ﷺ said, “While three persons were walking, rain began to fall and they had to enter a cave in a mountain. A big rock rolled over and blocked the mouth of the cave. They said to each other, ‘Invoke Allah with the best deed you have performed (so that Allah might remove the rock)’. One of them said, ‘O Allah! My parents were old and I used to go out for to graze (my animals). On my return I would milk (the animals) and take the milk in a vessel to my parents to drink. After they had drunk from it, I would give it to my children, family and wife. One day I was delayed and on my return I found my parents sleeping, and I disliked to wake them up. The children were crying at my feet (because of hunger). That state of affairs continued till it was dawn. O Allah! If You regard that I did it only for Your sake, then please remove this rock so that we may

مَعْمَرٌ، عَنَ الزُّهَرِيَّ، عَنْ أَبِي سَلَمَةَ بن عَبْدِ الرَّحْمَنِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالُ: قَضَى الْبَيْتُ
بالسَّمَاعَةِ فِي كُلٍّ مَا لَمْ يُقْسِمُ
إِذَا وَقَعَتْ الْحُجُرُودُ، وَضَرَّقَتْ الْقَرْطَعُ
فَلا شِفَعَةُ.

حَذَّرتُ مُسْتَدِرًا حَدَّثَنَا عَبْدُ الْوَاجِدِ
بهذا. وقال: في كُلّ ما لم يُقْسِمَ
تَابِعٌ هَٰذَا، عَنْ مَعْمَرٍ. قَالَ عَبْدُ
الرَّازِقٌ: فِي كُلّ مَا لَمْ يُقْسِمَ
الرَّحْمَنٌ بْنِ إسْحَاقٍ عَنَ الزُّهَرِيَّ.

[راجع: ٢٦١٣]

بَابٌ إِذَا أَشْرَّرَ شَيْتَانٌ لَعِيْرَهُ
يَغْبِرْ إِذِّهَ فَرْضٍ مَّيْنِ

٢٢١٥ - حَذَّرتُ مُسْتَدِرًا حَدَّثَنَا ابْنُ ابْنِ إِبِرَاهِيمَ: حَدَّثَنَا أَبُو عَاصِمٍ: أَخْبَرَنَا
ابن جُرْجُجَ قَالَ: أَخْبَرَنِي مَوْسِى بن
الرَّضِيِّ عَنْ نَافِعٍ، عَنْ بْنِ عَمَّرٍ رَضِيَ
اللَّهُ عَنْهُمَا، عَنِ الْبَيْتِ قَالَ: «خَرَجَتْ ثَلَاثَةٌ نُفْرٌ يَمْسَوِّنَ فَأَصَابُوهُمْ
المَكْسُورُ فَدَخَلُوا فِي غَارٍ فِي جَبْلٍ
فَأَخَذُوهُمْ صَحْرَاً. قَالَ: فَقَالَ بَعْضُهُمْ لِيَغْفِرُونَ: اذْعَنُوا اللَّهُ بِأَفْضِلٍ
عَمَلٍ عَالِمُهُمْ. قَالَ أَخْدَمُهُمْ: اللَّهُ
إِيَّا كَانَ لِي أَبْرَزَانَ شَيْخَانٍ كُبْرِانَ
فَكَتَّبَ أَخْرِجُ فَازْعَى، فَمَعْجَبُ
فَأَخْلَعَ فَازْعَى بِالجَلَابِّ فَآتَيْنَاهُ
أَبْوَيْنِي فَتِرَانَانِ. فَمَعْجَبُ الْسَّيِّبَةِ
see the sky.’ So, the rock was moved a bit. The second said, ‘O Allah! You know that I was in love with a cousin of mine, like the deepest love a man may have for a woman, and she told me that I would not get my desire fulfilled unless I paid her one hundred Dinár (gold pieces). So, I struggled for it till I gathered the desired amount, and when I sat in between her legs, she told me to be afraid of Allah, and asked me not to deflower her except rightfully (by marriage). So, I got up and left her. O Allah! If You regard that I did it only for Your sake, kindly remove this rock.’ So, two-thirds of the rock was removed. Then the third man said, ‘O Allah! No doubt You know that once I employed a worker for one Faraq (three Sā) of millet, and when I wanted to pay him, he refused to take it, so I sowed it and from its yield I bought cows and a shepherd. After a time that man came and demanded his money. I said to him: Go to those cows and the shepherd and take them for they are for you. He asked me whether I was joking with him. I told him that I was not joking with him, and all that belonged to him. O Allah! If You regard that I did it only for Your sake, then please remove the rock.’ So, the rock was removed completely from the mouth of the cave.”[See Vol 4. Hadith No.3465.]
(99) CHAPTER. Buying and selling with Mushrikun (pagans) and with the enemy at war.

2216.Narrated 'Abdur-Rahman bin Abû Bakr, رضي الله عنهما: We were with the Prophet, ﷺ, when a tall Mushrik with long matted unkempt hair came driving his sheep. The Prophet, ﷺ, asked him, "Are those sheep for sale or for gifts?" The Mushrik replied, "They are for sale." The Prophet, ﷺ, bought one sheep from him.

(100) CHAPTER. The purchase of a slave from the enemy at war and giving him (to somebody) as a gift and manumitting him.

The Prophet, ﷺ, asked Salmân to make a contract of his manumission with his masters. In reality Salmân was a free man but the Mushrikun oppressed him and sold him.

'Ammâr, Ṣuhaib and Bilâl were taken as captives in (war) booty.

Allâh Most High said:

"And Allâh has preferred some of you above others in wealth and properties. Then, those who are preferred will by no means hand over their wealth and properties to those (slaves) whom their right hand possess, so that they may be equal with them in respect thereof." (V.16:71)

(1) (Ch. 100) This example Allâh has set forth for the (pagans, etc.) who associate false deities with Allâh that they would not agree to share their wealth with their slaves, then how they agree to share false deities with Allâh in His worship.
The Prophet ﷺ said, “The Prophet Ibrahim (Abraham) emigrated with Sarah and entered a village where there was a king from amongst the kings, or a tyrant from amongst the tyrants. (The king) was told that Ibrahim (Abraham) had entered (the village) accompanied by a woman who was one of the most charming woman. So, the king sent for Ibrahim and asked, ‘O Ibrahim (Abraham)! Who is this lady accompanying you?’ Ibrahim replied, ‘She is my sister (i.e., in religion).’ Then Ibrahim (Abraham) returned to her and said, ‘Do not contradict my statement, for I have informed them that you are my sister. By Allah, there are no true believers on the earth except you and I.’ Then Ibrahim (Abraham) sent her to the king. When the king got to her, she got up and performed ablution, offered Salāt (prayer) and said, ‘O Allah! If I have believed in You and Your Messenger, and have saved my private parts from everybody except my husband, then please do not let this disbeliever overpower me.’ On that the king fell in a state of unconsciousness (or had an epileptic fit) and started moving his legs. On seeing the condition of the king, Sarah said, ‘O Allah! If he should die, the people will say that I have killed him.’ The king regained his power, and proceeded towards her but she got up again and performed ablution, offered Salāt (prayer) and said, ‘O Allah! If I have believed in You and Your Messenger and have kept my private parts safe from all except my husband, then please do not let this disbeliever overpower me.’ The king again fell in a state of unconsciousness (or had an epileptic fit) and started moving his legs. On seeing that state of the king, Sarah said, ‘O Allah! If he should die, the people will say that I have killed him.’ The king got
either two or three attacks, and after recovering from the last attack he said, 'By Allâh! You have sent a Satan to me. Take her to Ibrâhîm (Abraham) and give her Ājar (Hagar)'. So she came back to Ibrâhîm (Abraham) and said, 'Allâh humiliated the disbeliever and gave us a slave-girl for service'.

2218. Narrated 'Āishah: Sa'd bin Abi Waqqâs and 'Abd bin Zam'a quarrelled over a boy. Sa'd said, "O Allâh's Messenger! This boy is the son of my brother ('Utba bin Abî Waqqâs) who took a promise from me that I would take him as he was his (illegal) son. Look at him and see whom he resembles." 'Abd bin Zam'a said, "O Allâh's Messenger! This is my brother and was born on my father's bed from his slave-girl." Allâh's Messenger cast a look at the boy and found definite resemblance to 'Utba and then said, "The boy is for you, O'Abd bin Zam'a. The child goes to the owner of the bed (on which he was born), and the adulterer gets nothing but the stones (despair, i.e., to be stoned to death). Then the Prophet said, "O Sauda bint Zam'a! Screen yourself from this boy." So, Sauda never saw him again.

2219. Narrated Sa'd that his father said: 'Abdur-Rahmân bin 'Auf said to Šuhaib, "Fear Allâh and do not ascribe yourself to somebody other than your father." Šuhaib replied, "I would not like to say it even if I were given large amounts of money, but I say

(1) (H. 2217) Ibrâhîm (Abraham) accepted the gift from the infidel.
I was kidnapped in my childhood.”

2220. Narrated ‘Urwa bin Az-Zubair: Hakim bin Hizam said, “O Allah’s Messenger! I used to do good deeds in the Pre-Islamic Period of Ignorance, such as keeping good relations with my kith and kin, manumitting slaves and giving alms. Shall I receive a reward for all that?” Allah’s Messenger replied, “You embraced Islam with all the good deeds which you did in the past.”

(101) CHAPTER. The hides of dead animals before tanning.

2221. Narrated ‘Abdullâh bin ‘Abbâs: “Once Allah’s Messenger passed by a dead sheep and said to the people, “Wouldn’t you benefit by its skin?” The people replied that it was dead. The Prophet said, “But its eating only is illegal.”

(102) CHAPTER. The killing of pigs.

And Jâbir said, “The Prophet made the sale of pigs illegal.”

2222. Narrated Abû Hurairah: Allâh’s Messenger said, “By Him (Allâh)
in Whose Hands my soul is, surely the son of Maryam (Mary) ‘Iesa (Jesus)\(^{(1)}\) will shortly descend amongst you people (Muslims) and will judge mankind justly by the Law of the Qur’ān (as a just ruler) and will break the cross and kill the pigs and abolish the Jizya (a tax taken from the non-Muslims, who are under the protection of the Muslim government. This Jizya tax will not be accepted by ‘Iesa [(Jesus)]). Then there will be abundance of money and nobody will accept charitable gifts. [See Fath Al-Bārī, for details].

(103) CHAPTER. The fat of the dead animal should not be melted, nor should it be sold.

Jābir narrated this from the Prophet ﷺ.

2223. Narrated Ibn ‘Abbās: ‘Umar was informed that a certain man has sold an alcoholic drink. ‘Umar said, ‘May Allah curse him! Doesn’t he know that Allah’s Messenger ﷺ said, ‘May Allah curse the Jews, for Allah had forbidden them to eat the fat of animals but they melted it and sold it’.\(^{(2)}\)

2224. Narrated Abū Hurairah: Allah’s Messenger ﷺ said, “May Allah curse the Jews, because Allah made fat illegal for

---

\(1\) (H. 2222) ‘Iesa (Jesus), the son of Maryam (Mary) will descend as a leader of the Muslims, and it is a severe warning to the Christians who claim to be the followers of ‘Iesa (Jesus) and he will break the cross and kill the pigs, and he ( عليه السلام) will abolish the Jizya tax and all mankind will be required to embrace Islam with no other alternative.

\(2\) (H. 2223) This indicates that it is not permissible to sell a thing which is illegal to eat.
them but they sold it and ate its price.”

(104) CHAPTER. The selling of the pictures of inanimated objects having no souls and what is hated from that.

2225. Narrated Sa‘îd bin Abî Al-Hasan: While I was with Ibn ‘Abbâs, a man came and said, “O father of ‘Abbâs! I am a human being and my sustenance is from my manual profession and I make these pictures.” Ibn ‘Abbâs said, “I will tell you only what I heard from Allah’s Messenger ﷺ. I heard him saying, ‘Whoever makes a picture will be punished by Allah till he puts soul (life) in it, and he will never be able to put soul (life) in it.’” Hearing this, that man heaved a sigh and his face turned pale. Ibn ‘Abbâs said to him, “What a pity! If you insist on making pictures I advise you to make pictures of trees and any other inanimated objects having no souls.”

[See Fath Al-Bârî, for details]
(105) CHAPTER. Trade of alcoholic drinks is illegal.

Jābir رضي الله عنه said, “The Prophet ﷺ made the trade of alcoholic drinks illegal.”

2226. Narrated ‘Āishah رضي الله عنها: When the last verses of Sūrat Al-Baqarah were revealed, the Prophet ﷺ went out (of his house to the mosque) and said, “The trade of alcoholic drinks has been made illegal.”

(106) CHAPTER. The sin of a person who sells a free man (knowingly and intentionally).

2227. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ said, “Allāh says, ‘I will be against three persons on the Day of Resurrection:

1. One who makes a covenant in My Name, but he proves treacherous.
2. One who sells a free person (as a slave) and eats the price.
3. And one who employs a labourer and gets the full work done by him but does not pay him his wages’.”

(107) CHAPTER. The Prophet ﷺ ordered the Jews to sell their land when he exiled them (drove them out of Al-Madīna).

(108) CHAPTER. The sale of a slave (for a slave) and an animal for an animal on credit.

And Ibn ‘Umar bought a mount (riding camel) for four camels which he promised to

http://islamsbooks.wordpress.com/
deliver at Ar-Rabadha. Ibn ‘Abbās said, “One camel may be better than two.” Rāfi’ bin Khādij once bought a camel for two camels and he delivered one instantly and said, “If Allāh will, I will bring you the other tomorrow without delay.” And said Ibn Al-Musayyib. “There is no Ribā (in animals) i.e., in selling one camel for two, or one sheep for two sheep on credit.”

Ibn Sirīn said, “There is no harm in selling one camel for two on credit.”

2228. Narrated Anas: Amongst the captives was Ṣafīyya. First she was given to Dihya Al-Kalbi and then to the Prophet ﷺ.

(109) CHAPTER. The sale of slaves.

2229. Narrated Abū Sa‘īd Al-Khudrī: that while he was sitting with Allāh’s Messenger ﷺ (an Anṣārī man came) and said, “O Allāh’s Messenger! We get female captives as our share of booty, and we are interested in their prices, what is your opinion about coitus interruptus?” The Prophet ﷺ said, “Do you really do that? It is better for you not to do it. No soul that which Allāh has destined to exist, but will surely come into existence.”

[See Fath Al-Bārī]

(1) (H. 431) When the Prophet ﷺ took Ṣafīyya for himself, he told Dihya to choose another slave-girl from among the captives. So, this case is a kind of buying a slave on credit. [See Fath Al-Bārī].
(110) CHAPTER. The sale of Mudabbar (i.e., a slave who is promised by his master to be manumitted after the latter's death).

2230. Narrated Jábir: The Prophet sold a Mudabbar (on behalf of his master who was still living and was in need of money).


2232, 2233. Narrated Zaid bin Khálid and Abú Hurairah that Allâh's Messenger was asked about an unmarried slave-girl who committed illegal sexual intercourse. They heard him saying, "Flog(1) her, and if she commits illegal sexual intercourse again after that, flog her again, and on the third (or the fourth) offense, sell her."(2)

2234. Narrated Abú Hurairah: I heard the Prophet saying, "If a slave-girl of yours commits illegal sexual intercourse...

(1) (H. 2232) A slave-girl committing illegal sexual intercourse is punished with 50 lashes, which are half the lashes given to a free unmarried person. Stoning is not prescribed for slaves committing illegal sexual intercourse.
(2) (H. 2232) The narrator is not sure whether the Prophet said, "...the third or the fourth offense..."
and her illegal sexual intercourse is proved, she should be lashed, and after that nobody should blame her, and if she commits illegal sexual intercourse the second time, she should be lashed and nobody should blame her after that, and if she does the offense for the third time and her illegal sexual intercourse is proved, she should be sold, even for a hair rope.”

(111) CHAPTER. One can travel with a slave-girl without knowing whether she is pregnant or not?

Al-Ḥasan found no harm in her master’s kissing or fondling with her.

Ibn ‘Umar (رضي الله عنه) said, “If a slave-girl who is suitable to have sexual relations is given to somebody as a gift, or sold or manumitted, her master should not have sexual intercourse with her before she gets one menstruation so as to be sure of absence of pregnancy, and there is no such necessity for a virgin.”

‘Ata said, “There is no harm in fondling with one’s pregnant(1) slave-girl without having sexual intercourse with her. Allāh said:

‘Except with their wives and the (woman slaves) whom their right hands possess…””

(V.70 :30)

2235. Narrated Anas bin Mālik (رضي الله عنه): the Prophet ﷺ came to Khaibar and when Allāh made him victorious and he conquered the town by breaking the enemy’s defense, the beauty of Ṣafīyya bint Ḥuyai bin Akhtab was mentioned to him. Her husband had been killed while she was a bride. Allāh’s

(1) (Ch. 111) Pregnant from another man, not her master.
Messenger selected her for himself and he set out in her company till he reached Saddar-Rawha' where her menses were over and he married her. Then Hais (a kind of meal) was prepared and served on a small leather sheet (used for serving meals). Allah's Messenger then said to me, "Inform those who are around you (about the wedding banquet)." So that was the marriage banquet given by Allah's Messenger for (his marriage with) Safiyya. After that we proceeded to Al-Madina and I saw that Allah's Messenger was covering her with a cloak while she was behind him. Then he would sit beside his camel and let Safiyya put her feet on his knees to ride (the camel).

(112) CHAPTER. The sale of dead animals and idols.

2236. Narrated Jabir bin 'Abdullah: In the year of the conquest of Makkah, I heard Allah's Messenger saying, "Allah and His Messenger made illegal the trade of alcoholic liquors, dead animals, pigs and idols." The people asked, "O Allah's Messenger! What about the fat of dead animals, for it was used for greasing the boats and the hides; and people use it for lights?" He said, "No, it is illegal." Allah's Messenger further said, "May Allah curse the Jews, for Allah made the fat (of animals) illegal for them, yet they melted the fat and sold it and ate its price."
(113) CHAPTER. The price of a dog.

2237. Narrated Abū Mas'ūd Al-Anṣārī:

Allāh’s Messenger forbade taking the price of a dog, money earned by prostitution and the earnings of a soothsayer.

2238. Narrated Aun bin Abu Juhaifa: I saw my father buying a slave whose profession was cupping, and ordered that his instruments (of cupping) be broken. I asked him the reason for doing so. He replied, “Allāh’s Messenger prohibited taking money for blood, the price of a dog, and the earnings of a slave-girl by prostitution; he cursed her who tattoos and her who gets tattooed, the eater of Riba (usury) and also the one who gives it and the maker of pictures.”
35 – THE BOOK OF AS-SALAM

(A sale in which the price is paid at once for goods to be delivered later)

(1) CHAPTER. As-Salam by a definite known specified measure.

2239.Narrated Ibn ‘Abbās that Allāh’s Messenger came to Al-Madina and the people used to pay in advance the price of fruits to be delivered within one or two years. (The subnarrator is in doubt whether it was one to two years or two to three years.) The Prophet said, “Whoever pays money in advance for dates (to be delivered later) should pay it for a known specified weight and measure (of the dates).” Narrated Ibn Abī Najīḥ as above, mentioning only known specific measure.

(2) CHAPTER. As-Salam for a known specified weight.

2240.Narrated Ibn ‘Abbās that The Prophet came to Al-Madina and the people used to pay in advance the price of dates to be delivered within two or three years. He said (to them), “Whoever pays in advance the price of a thing to be delivered later should pay it for a known specified measure, at known specified weight, for a known specified time-period,”
Narrated Ibn Abī Najīḥ as above, saying, “He should pay the price in advance for a known specified measure and for a known specified time-period.”

2241. Narrated Ibn ‘Abbās: The Prophet came (to Al-Madīna) and he told the people (regarding the payment of money in advance that they should pay it) for known specified measure and a known specified weight and known specified time-period.

2242, 2243. Narrated Shu‘ba: Muhammad or ‘Abdullāh bin Abū Al-Mujālid said, “‘Abdullāh bin Shaddād and Abū Burda differed regarding As-Salām, so they sent me to Ibn Abī Āufā and I asked him about it. He replied, ‘In the lifetime of Allāh’s Messenger, Abū Bakr and ‘Umar, we used to pay in advance the prices of wheat, barley, dried grapes and dates to be delivered later.’ I also asked Ibn Abzā and he, too, replied as above.”
(3) CHAPTER. As-Salam to a person who has got nothing (to pay for the prices he receives in advance).

2244, 2245. Narrated Muḥammad bin Al-Mujālid: ‘Abdullāh bin Shaddād and Abū Burda sent me to ‘Abdullāh bin Abī Aūfā and told me to ask ‘Abdullāh whether the people in the lifetime of the Prophet used to pay in advance for wheat (to be delivered later). ‘Abdullāh replied, “We used to pay in advance to the peasants of Sham for wheat, barley and olive oil for a known specified measure to be delivered in a known specified time-period.” I asked (him), “Was the price paid (in advance) to those who had the things to be delivered later?” ‘Abdullāh bin Aufā replied, “We did not use to ask them about that.” Then they sent me to ‘Abdur Rahman bin Abzā and I asked him. He replied, “The Companions of the Prophet used to practise As-Salam in the lifetime of the Prophet and we did not use to ask them whether they had standing crops or not.”

Narrated Muḥammad bin Abī Al-Mujālid as above (Hadīth No.2244, 2245) and said, “We used to pay them in advance for wheat and barley (to be delivered later).”

Narrated Ash-Shaibānī, “And also for oil.”

Narrated Ash-Shaibānī (who said) “We used to pay in advance for wheat, barley and dried grapes.”
2246. Narrated Abū Bakhtārī At-Ṭāfī: I asked Ibn ‘Abbās about As-Salam for (the fruits of) date-palms. He replied, “The Prophet forbade the sale of dates on the trees till they became fit for eating and could be weighed.” A man asked what to be weighed (as the dates were still on the trees). Another man sitting beside Ibn ‘Abbās replied, “Till they are cut and stored.”

Narrated Abū Al-Bakhtārī: I heard Ibn ‘Abbās (saying) that the Prophet forbade... etc. as above.

(4) CHAPTER. As-Salam for (the fruits of) date-palms.

2247, 2248. Narrated Abū al-Bakhtārī: I asked Ibn ‘Umar about As-Salam for (the fruits of) date-palms. He replied, “The Prophet forbade the sale of dates till their benefit becomes evident and fit for eating, and also the sale of silver (for gold) on credit.”

I asked Ibn ‘Abbās about As-Salam for dates and he replied, “The Prophet forbade the sale of dates till they were fit for eating and could be estimated.”

2249, 2250. Narrated Abū Al-Bakhtārī: I asked Ibn ‘Abbās about As-Salam... etc. as above.

(1) (H. 2246) In some narrations occurs: ‘Till they could be estimated (while still on the trees).’
asked Ibn ‘Umar about As-Salam for dates. Ibn ‘Umar replied, “The Prophet forbade the sale (of fruits) of date-palms until they were fit for eating; and also forbade the sale of silver for gold on credit.” I also asked Ibn ‘Abbás about it. Ibn ‘Abbás replied, “The Prophet forbade the sale of dates till they were fit for eating, and could be weighed.” I asked him, “What is to be weighed (as the dates are on the trees)?” A man sitting by Ibn ‘Abbás said, “It means till they are cut and stored.”

(5) CHAPTER. The guarantor in As-Salam.

2251. Narrated ‘Āishah: Allah’s Messenger bought some foodstuff (barley) from a jew on credit and mortgaged his iron armour to him (the amour stands for a guarantor).

(6) CHAPTER. Mortgaging in As-Salam.

2252. Narrated Al-A'mash: We argued at Ibrāhīm’s dwelling place about mortgaging in As-Salam. He said, “‘Āishah said, ‘The Prophet bought some foodstuff from a jew on credit and the payment was to be made by a known definite time-period, and he mortgaged his iron armour to him’.”
(7) CHAPTER. As-Salam for a fixed specified period.

Ibn ‘Abbās, Abu Sa‘īd, Al-Aswad and Al-Ḥasan permitted it. Ibn ‘Umar said, “There is no harm in buying foodstuff to be delivered within a known specified time-period, at a known fixed price provided that it is not standing crops that have not yet become ripe and free from blights and diseases.”

2253. Narrated Ibn ‘Abbās: The Prophet ﷺ came to Al-Madina and the people used to pay in advance the prices of fruits to be delivered within two to three years. The Prophet ﷺ said (to them), “Buy fruits by paying their prices in advance on condition that the fruits are to be delivered to you according to a known specified measure, within a known specified time-period.” Ibn Najīḥ said, “…by a known specified measure and a known specified weight.”

2254, 2255. Narrated Muḥammad bin Abī Al-Mujālīd: Abū Burda and ‘Abdullāh bin Shaddād sent me to ‘Abdur Raḥmān bin Abzā and ‘Abdullāh bin Abī Aūfā to ask them about the As-Salaf (As-Salam). They said, “We used to get war booty while we were with Allāh’s Messenger ﷺ, and when the peasants of Sham came to us we used to pay them in advance for wheat, barley, and oil to be delivered within a known fixed time-period.” I asked them, “Did the peasants own standing crops or not?” They replied, “We never asked them about it.”
(8) CHAPTER. As-Salam in buying a she-camel to be delivered after it has given birth.

2256. Narrated 'Abdullãh b. 'Abdullãh: The people used to sell camels on the basis of *Habai-il-Habala*. (1) The Prophet ﷺ forbade such sale. Nafi' explained *Habal-il-Habala* by saying, “The she-camel is to be delivered to the buyer after the she-camel gives birth.”
36 - THE BOOK OF PRE-EMPTION

[As-Salam in Ash-Shuf'a (pre-emption)]

(1) CHAPTER. *Shuf'a* (pre-emption) is valid if the property is undivided, but if the limits become defined, then there is no pre-emption.

2257. Narrated Jābir bin ‘Abdullâh: Allāh's Messenger gave the verdict of pre-emption (Shuf'a) for every undivided joint thing (property). But if the limits are defined or demarcated or the ways and streets are fixed, then there is no pre-emption.

(2) CHAPTER. The partner should inform his partner, who has the right of pre-emption, of his intention to sell his share before selling it.

Al-Hakam said, “If the pre-emptor allows his partner to sell before selling, then he has no pre-emption any more.” Ash-Sha'bi said, “If the pre-emptor witnesses the sale of what he has the right to buy by pre-emption and does not object to that sale, he loses the right of pre-emption.”

2258. Narrated ‘Amr bin Ash-Sharîd: While I was standing with Sa’d bin Abî Waqqâs, Al-Miswar bin Makhrama came and put his hand on my shoulder. Meanwhile Abû Râfi’, the freed slave of the Prophet came and asked Sa’d to buy from him the (two) dwellings which were in his house. Sa’d said, “By Allâh I will not buy them.” Al-Miswar said, “By Allâh, you shall
buy them.” Sa’d replied, “By Allâh, I will not pay more than four thousand (Dirhams) by installments.” Abû Râfî said, “I have been offered five hundred Dinâr (for it) and had I not heard the Prophet saying, ‘The neighbour has more right than anyone else because of his nearness, I would not give them to you for four thousand (Dirhams) while I am offered five hundred Dinâr (one Dinâr equals ten Dirhams) for them.’” So, he sold it to Šaad.

(3) CHAPTER. Who is considered as the nearer neighbour?

2259. Narrated ‘Aishah: I said, “O Allâh’s Messenger! I have two neighbours and would like to know to which of them I should give presents.” He replied, “To the one whose door is nearer to you.”
(1) CHAPTER. To hire a pious man.

The Statement of Allāh ﷻ

“... Verily, the best of men for you to hire is the strong, the trustworthy.” (V.28:26)

(And what is said about) the honest treasurer, and the person who does not employ the one who is in an earnest pursuit of a job (position).

2260. Narrated Abu Mūsa Al-Ash‘āri: The Prophet ﷺ said, “The honest treasurer who gives willingly what he is ordered to give, is one of the two charitable persons (the second being the owner).”

2261. Narrated Abū Mūsa: I went to the Prophet ﷺ with two men from Ash‘āri tribe. I said (to the Prophet ﷺ), “I do not know that they want employment.” The Prophet ﷺ said, “No, we do not appoint for our jobs anybody who demands it earnestly.”

(2) CHAPTER. To shepherd sheep for Qirāt.(1)

(1) (Ch. 2) One Qirāt equals one-half Danīq and one Danīq equals: one-sixth of Dirham. Sometimes it may very big as Uhud mountain (at Al-Madina).
2262. Narrated Abū Hurairah ḥ: The Prophet ﷺ said, “Allāh did not send any Prophet but he shepherded sheep.” His Companions asked him, “Did you do the same?” The Prophet ﷺ replied, “Yes, I used to shepherd the sheep of the people of Makkah for some Qirāt.”

(3) CHAPTER. The employment of Mushrikin (by Muslims) if necessary, or if no Muslim is available for that purpose.

And the Prophet ﷺ employed the Jews of Khāibar (for the purpose of irrigating the land).

2263. Narrated ‘Āishah ḥ: The Prophet ﷺ and Abū Bakr employed a (Mushrik) man from the tribe of Banū Ad-Dail and the tribe of Banī ‘Abd bin ‘Adī as a guide. He was an expert guide and he broke the oath contract which he had to abide by with the tribe of Al-‘Àsî bin Wã’il, and he was on the religion of Quraish pagans (Mushrikin). The Prophet ﷺ and Abū Bakr had confidence in him and gave him their riding camels and told him to bring them to the cave of Thawr after three days. So he brought them their two riding camels after three days, and both of them (the Prophet ﷺ and Abū Bakr) set out accompanied by ‘Amīr bin Fuhaira and the Daili guide who guided them below Makkah along the road leading to the sea-shore.
(4) CHAPTER. It is legal if somebody hires someone to work for him after three days, or after one month or after a year. When that period elapses they should carry out their contract.

2264. Narrated ‘Aishah رضي الله عنها: Allah’s Messenger ﷺ and Abū Bakr hired a man from the tribe of Bani Ad-Dail as an expert guide who was a pagans (Mushrik) follower of the religion of the pagans (Mushrikin) of Quraish. The Prophet ﷺ and Abū Bakr gave him their two riding camels and took a promise from him to bring their riding camels in the morning of the third day to the cave of Thaur.

(5) CHAPTER. Employing labourers for services in holy battles.

2265. Narrated Ya’lā bin Umaiyya رضي الله عنه: I fought in Jaish-al-‘Usra (Ghazwa of Tabūk) along with the Prophet ﷺ and in my opinion that was the best of my deeds. At that time I had an employee who quarrelled with someone, and one of them bit and cut the other’s finger and caused his own tooth to fall out. He, then, went to the Prophet ﷺ with a complaint) but the Prophet ﷺ cancelled the suit and said to the complainant, “Did you expect him to let his finger in your mouth so that you might snap and cut it as does a stallion camel?”
2266. Narrated Ibn Juraij from ‘Abdullâh bin Abû Mulaika from his grandfather a similar story: A man bit the hand of another man and caused his own tooth to fall out, but Abû Bakr judged that he had no right for compensation (for the broken tooth).

(6) CHAPTER. If somebody employs someone and tells him the period for which he is employed, is it permissible for him not to tell him the nature of the work?

(It is permissible, if he takes into consideration Allâh’s Statement): He said: “I intend to wed one of these two daughters of mine to you...” (till the end of the Verse) “…Allâh is a Surety over what we say…” (V.28: 27, 28)

(7) CHAPTER. It is permissible for one to employ someone to repair a wall which is about to collapse.

2267. Narrated Ubâi bin Ka’b: Allâh’s Messenger said, “Both of them [Mûsa (Moses) and Al-Khîdhr] proceeded on till they reached a wall which was about to fall.” Sa’îd said, “(Al-Khîdhr pointed) with his hands (towards the wall) and then raised his hands and the wall became straightened up.” Ya’â said, “I think Sa’îd said, ‘He (Khidr) passed his hand over it and it was straightened up.’ (Mûsa said to him), “If you had wanted you could have taken wages for it.” Sa’îd said, “Wages with which to buy food.”
2268. Narrated Ibn 'Umar: The Prophet said, "Your example and the example of the people of the two Scriptures (i.e., Jews and Christians) is like the example of a man who employed some labourers and asked them, 'Who will work for me from morning till midday for one Qirát?' The Jews accepted and carried out the work. He then asked, 'Who will work for me from midday up to the Salat-ul-Asr for one Qirát?' The Christians accepted and fulfilled the work. He then said, 'Who will work for me from the Asr till sunset for two Qirát?' You, Muslims have accepted the offer. The Jews and the Christians got angry and said, 'Why should we work more and get lesser wages?' (Allah) said, 'Have I withheld part of your right?' They replied in the negative. He said, 'It is My Blessing, I bestow upon whomever I wish.'"

2269. Narrated 'Abdullah bin 'Umar: Allāh’s Messenger said, "Your example and the example of Jews and Christians is like the example of a man who employed some labourers to whom..."
he said, ‘Who will work for me up to midday for one Qirāt each?’ The Jews carried out the work for one Qirāt each; and then the Christians carried out the work up to the Asr for one Qirāt each; and now you Muslims are working from the Asr up to sunset for two Qirāt each. The Jews and Christians got angry and said, ‘We work more and are paid less.’ The employer (Allāh) asked them, ‘Have I usurped some of your right?’ They replied in the negative. He (Allāh) said, ‘That is My Blessing, I bestow upon whomever I wish.’”

(10) CHAPTER. The sin of him who withholds the wages of the employee.

2270. Narrated Abū Hurairah:

The Prophet ﷺ said, “Allāh said, ‘I will be an opponent to three types of people on the Day of Resurrection:
1. One who makes a covenant in My Name, but proves treacherous;
2. One who sells a free person (as a slave) and eats his price; and
3. One who employs a labourer and takes full work from him but does not pay him for his labour.’”

[Referred: 555]
(11) CHAPTER. Employment from 'Asr till night.

2271. Narrated Abū Mūsa: The Prophet said, “The example of Muslims, Jews and Christians is like the example of a man who employed labourers to work for him from morning till night for specific wages. They worked till midday and then said, ‘We do not need your money which you have fixed for us and let whatever we have done be annulled.’ The man said to them, ‘Don’t quit the work, but complete the rest of it and take your full wages.’ But they refused and went away (like the Jews who refused to believe in the Message of Jesus عليه السلام). The man employed another batch after them and said to them, ‘Complete the rest of the day and yours will be the wages I had fixed for the first batch.’ So, they worked till the time of 'Asr. Then they said, Let what we have done be annulled and keep the wages you have promised us for yourself. The man said to them ‘Complete the rest of the work, as only a little of the day remains.’ But they refused (like the Christians who refused to believe in the Message of Muhammad ﷺ). Thereafter he employed another batch to work for the rest of the day and they worked for the rest of the day till sunset, and they received the wages of the two former batches (like the Muslims). So, that was the example of this light [Islamic Monotheism, the Qur'an, the Sunna (legal ways of the Prophet ﷺ) and the guidance which Prophet Muhammad ﷺ brought] which they (Muslims) have accepted willingly”.

(1) (H. 2271) The Jews refused to believe in the Message of 'Iesa (Jesus), so all their work was annulled; similarly, the Christians refused to accept the Message of Muhammad ﷺ and thus their work was annulled too. Such people were not rewarded, because they refused to have true Faith for the rest of their lives and died as disbelievers. They should have believed in the latest Message; for their insistence on keeping their old-
(12) CHAPTER. Whosoever employed a labourer (and after completing the work) the labourer left the wages and went away. The employer invested that money in some way and increased it thereby, or whoever invested somebody else's money in business and increased it thereby.

2272. Narrated ‘Abdullah bin ‘Umar: I heard Allah’s Messenger saying, “Three men from among those who were before you, set out together till they reached a cave at night and entered it. A big rock rolled down the mountain and closed the mouth of the cave. They said (to each other), ‘Nothing could save you from this rock but to invoke Allah by giving reference to the righteous deed which you have done (for Allah’s sake only).’ So, one of them said, ‘O Allah! I had old parents (whom I used to provide milk first) and I never provided my family (wife, children etc.) with milk before them. One day, by chance I was delayed, and I came late (at night) while they had slept. I milked the sheep for them and took the milk to them, but I found them sleeping. I disliked to provide my family with the milk before them. I waited for them and the bowl of milk was in my hand and I kept on waiting for them to get up till the day dawned. Then they got up and drank the milk. O Allah! If I did that for Your sake only, please relieve us from our critical situation caused by this rock.’ So, the rock shifted a little, but they could not get out.”
The Prophet further said, "The second man said, 'O Allah! I had a cousin who was the dearest of all people to me and I wanted to have sexual intercourse with her but she refused. Later, she had a hard time in a year from amongst the famine years and she came to me and I gave her one hundred and twenty Dinars on the condition that she would not resist my desire, and she agreed. When I was about to fulfil my desire, she said: It is illegal for you to outrage my chastity except by legitimate marriage. So, I thought it a sin to have sexual intercourse with her and left her, though she was the dearest of all the people to me, and also I left the gold I had given her. O Allah! If I did that for Your sake only, please relieve us from the present calamity.' So, the rock shifted a little more, but still they could not get out from there."

The Prophet added, "Then the third man said, 'O Allah! I employed few labourers and I paid them their wages with the exception of one man who did not take his wages and went away. I invested his wages and I got much property thereby. (Then after some time) he came and said to me: O Allah's slave! Pay me my wages. I said to him: All the camels, cows, sheep and slaves you see, are yours. He said: O Allah's slave! Don't mock at me. I said: I am not mocking at you. So, he took all the herd and drove them away and left nothing. O Allah! If I did that for Your sake only, please relieve us from the present suffering.' So, that rock shifted completely and they got out walking."
(13) CHAPTER. One who employs himself to carry loads on his back and then gives in charity from his wages, and (what is said about) the wages of porters.

2273. Narrated Abū Mas'ūd Al-Ansārī: Whenever Allah's Messenger ﷺ ordered us to give in charity we would go to the market and work as porters to earn a Mudd (two hand-fulls) (of foodstuff), but now some of us have one hundred thousand Dirham or Dinār. (The sub-narrator) Shaqiq said, “I think Abū Mas'ūd meant himself by saying (some of us).”

(14) CHAPTER. Wages of a broker.

Ibn Sirīn, ‘Aṭā’, Ibrāhīm and Al-Ḥasan did not see any harm in them. Ibn ‘Abbās said, “There is no harm if one says (to a broker), ‘Sell this garment for such a price and whatever more you get, is for you.’”

Ibn Sirīn said, “If one says to a broker, ‘Sell it for such a price and if you get more, the profit will be for you or divided between us,’ there is no harm in it.”

The Prophet ﷺ said, “Muslims should abide by their conditions.”

2274. Narrated Tāwūs: Ibn ‘Abbās ﷺ said, “The Prophet ﷺ forbade the meeting of caravans (on the way) and
ordained that no townsman is permitted to sell things on behalf of a bedouin.” I asked Ibn ‘Abbās, “What is the meaning of his saying, ‘No townsman is permitted to sell things on behalf of a bedouin.’” He replied, “He should not work as a broker for him.”

(15) CHAPTER. Is it permissible for a Muslim to work as an employee for Mushrikun in a land of infidelity?

2275. Narrated Khabbāb: I was a blacksmith and did some work for Al-‘Āṣ bin Wā’il. When he owed me some money for my work, I went to him to ask for that amount. He said, “I will not pay you unless you disbelieve in Muḥammad (ﷺ).” I said, “By Allāh! I will never do that till you die and be resurrected.” He said, “Will I be dead and then resurrected after my death?” I said, “Yes.” He said, “There I will have property and offspring and then I will pay you your due.” Then Allāh revealed: “Have you seen him who disbelieved in Our ‘Ayat’ (this Qur’ān and Muhammad ﷺ) and said: I shall certainly be given wealth and children?” (V.19: 77)

(16) CHAPTER. What is paid for Ruqya (i.e., Divine Speech recited as a means of curing diseases) with Sūrat Al-Fāṭiha, when practised over an Arab tribe.
2276. Narrated Abu Sa‘id ibn Abi Waqqas: Some of the Companions of the Prophet (ﷺ) went on a journey till they reached some of the Arab tribes (at night). They asked the latter to treat them as their guests but they refused. The chief of that tribe was then bitten by a snake (or stung by a scorpion) and they tried their best to cure him but in vain. Some of them said (to the others), “Nothing has benefited him, will you go to the people who resided here at night, it may be that some of them might possess something (as treatment).” They went to the group of the Companions (of the Prophet (ﷺ)) and said, “Our chief has been bitten by a snake (or stung by a scorpion) and we have tried everything but he has not benefited. Have you got anything (useful)?” One of them replied, “Yes, by Allah! I can recite a Ruqya, but as you have refused to accept us as your guests, I will not recite the Ruqya for you unless you fix for us some wages for it.” They agreed to pay them a flock of sheep. One of them then went and recited (Sūrat Al-Fātiha): All the praises and thanks be to Allah, the Lord of the `Alamīn (mankind, jinn and all that exists). And puffed over the chief who became all right as if he was released from a chain, and got up and started walking, showing no signs of sickness. They paid them what they agreed to pay. Some of them (i.e., the Companions) then suggested to divide their earnings among themselves.
but the one who performed the recitation said, “Do not divide them till we go to the Prophet and narrate the whole story to him, and wait for his order.” So, they went to Allah’s Messenger and narrated the story. Allah’s Messenger asked, “How did you come to know that Sūrat Al-Fāṭiha was recited as Ruqya?” Then he added, “You have done the right thing. Divide (what you have earned) and assign a share for me as well.” The Prophet smiled thereupon.

(17) CHAPTER. The taxes imposed on the slaves by their masters; and the leniency in imposing taxes on female slaves.

2277. Narrated Anas bin Mālik: When Abū Taiba cupped the Prophet and the Prophet ordered that he be paid one or two Șā‘ of foodstuff and he interceded with his masters to reduce his taxes.

(18) CHAPTER. The wages of one who has the profession of cupping.

2278. Narrated Ibn ‘Abbās: When the Prophet was cupped, he paid the man who cupped him his wages.
2279. Narrated Ibn ‘Abbās رضي الله عنهما:
When the Prophet ﷺ was cupped, he paid the man who cupped him his wages. If it had been undesirable he would not have paid him.

2280. Narrated Anas ﷺ رضي الله عنه:
The Prophet ﷺ used to get cupped and would never withhold the wages of any person.

(19) CHAPTER. Whoever appealed to the masters of a slave to reduce his taxes.

2281. Narrated Anas bin Mālik رضي الله عنه:
The Prophet ﷺ sent for a slave who had the profession of cupping, and he cupped him. The Prophet ﷺ ordered that he be paid one or two ӹ, or one or two Mudd of foodstuff, and appealed to his masters to reduce his taxes.

(20) CHAPTER. The earnings of prostitutes and female-slaves.
Ibrāhīm hated the earnings of female wailers and female singers.

The Statement of Allāh ﷻ: “...And force not your maids to prostitution, if they desire chastity, in order that you may make a gain in the (perishable) goods of this worldly life. But if anyone compels them (to prostitution) then after such compulsion, Allāh is Oft-Forgiving, Most Merciful (to those women i.e., He will forgive them
because they have been forced to do this evil action unwillingly)" (V.24:33).

2282. Narrated Abū Mas‘ūd Al-Anṣārī: Allāh’s Messenger Ἡ prohibited (from taking) the price of a dog, the earnings of a prostitute, and the charges taken by a sooth-sayer.

2283. Narrated Abū Hurairah: The Prophet Ἡ prohibited the earnings of slave-girls (through prostitution).

(21) CHAPTER. (Charging for) the semen of a male animal, (i.e., copulation of animals).


(22) CHAPTER. If somebody rents land and he or the owner of the land dies (will the contract be cancelled)?

According to Ibn Sirin the inheritors have no right to expel the tenant before the term of the contract has elapsed.

Al-Ḥakam, Al-Ḥasan and Ayās bin Mu‘āwiyah said, “The contract remains valid till the end of the term.”

Ibn ‘Umar said, “The Prophet Ἡ rented the land of Khaybar on the terms that half the
yield would be his share. That contract continued during the lifetime of the Prophet, Abu Bakr, and the early part of 'Umar's caliphate." It was not mentioned that Abu Bakr renewed the contract after the death of the Prophet.

2285. Narrated Abdullah bin Umar: "Allah's Messenger gave the land of Khaibar to the Jews to work on it and cultivate it and take half of its yield." Ibn Umar added, "The land used to be rented for a certain portion (of its yield)." Nafi mentioned the amount of the portion but I forgot it.

2286. Rafi' bin Khadij said, "The Prophet forbade renting farms."

Narrated 'Ubaidullah, Nafi' said: Ibn 'Umar said: (The contract of Khaibar continued) till 'Umar evacuated the Jews (from Khaibar).
(1) CHAPTER. Al-Ḥawāla (the transference of a debt from one person to another. It is an agreement whereby a debtor is released from a debt by another becoming responsible for it).

Can Ḥawāla be rejected by the creditors after accepting it?

Al-Ḥasan and Qatāda said, “If the transferee was rich when the debt was transferred, the agreement is final and irrevocable by the creditor.”

Ibn ‘Abbās said, “When two partners disassociate and one of them accepts assets while the other accepts debts as a part of his share, if the debts could not be collected (because of the death of the debtor, his bankruptcy, or his denial of the debt, etc.), the one who has accepted the debts would have no right to demand any compensation from his partner.” This is applied also in setting the affairs of inheritors.

2287. Narrated Abū Hurairah: The Prophet ﷺ said, “Procrastination (delay) in paying debts by a wealthy man is injustice. So, if your debt is transferred from your debtor to a rich debtor, you should agree.”(1)

(2) CHAPTER. If somebody’s debt are transferred to a rich debtor, the Ḥawāla

(1) (H. 2287) As the postponement of paying debts by a rich person is injustice, one should accept Ḥawāla upon that man, for one may be better able to collect the debt from the rich man than the transferor. Thus, by accepting the Ḥawāla one helps the rich man to avoid injustice. (Fath Al-Bārî).
2288. Narrated Abu Hurairah: The Prophet ﷺ said, "Procrastination (delay) in paying debts by a wealthy person is injustice. So, if your debts is transferred from your debtor to a rich debtor, you should agree."

(3) CHAPTER. If the debts due on a dead person are transferred to somebody, the transference is legal and valid.

2289. Narrated Salama bin Al-Akwa': Once, while we were sitting in the company of Prophet ﷺ, a dead body was brought. The Prophet ﷺ was requested to lead the funeral Salât (prayer) for the deceased. He said, "Is he in debt?" The people replied in the negative. He said, "Has he left any wealth?" They said, "No." So, he led his funeral prayer. Another dead person was brought and the people said, "O Allah's Messenger! Lead his funeral Salât (prayer)." The Prophet ﷺ said, "Is he in debt?" They said, "Yes." He said, "Has he left any wealth?" They said, "Three Dinâr." So, he led the funeral prayer. Then a third dead person was brought and the people said (to the Prophet ﷺ), "Please lead his funeral Salât (prayer)." He said, "Has he left any wealth?" They said,"No." He asked, "Is he in debt?" They said, ("Yes! He has to pay) three Dinâr." He [refused to offer funeral Salât (prayer) and] said, "Then offer Salât (prayer) for your (dead) companion." Abu Qatâda said, "O Allah's Messenger! Lead his funeral prayer, and I will pay his debt." So, he led the Salât (prayer).
2290. Narrated Muhammad bin 'Amr Al-AslamI that his father Hamza said: 'Umar sent him (i.e., Hamza) as a Sadaqa/Zakat collector. A man had committed illegal sexual intercourse with the slave-girl of his wife. Hamza took (personal) sureties for the adulterer till they came to 'Umar. 'Umar had lashed the adulterer one hundred lashes. 'Umar confirmed their claim (that the adulterer had already been punished) and excused him because of being ignorant.\(^1\)

Jarir Al-Ash'ath said to Ibn Mas'ud regarding renegades (i.e., those who became infidels after embracing Islam), “Let them repent and take (personal) sureties for them.” They repented and their relatives stood sureties for them.\(^2\)

\(^1\) (H. 2290) This is an abridged version of a long story which goes: 'Umar sent Hamza to collect Zakat. A man argued with his wife before Hamza. He told her to pay the Zakat of the wealth of her slave-girl's son, while she told him to pay the Zakat of his son's wealth. Hamza asked what the matter was. He was told that the man was the husband of that woman and that he had committed illegal sexual intercourse with her slave-girl who gave birth to a boy. The woman manumitted the boy who inherited the wealth from his mother.

On hearing the story, Hamza said to the man, “I will definitely stone you (in punishment of the crime).”

The people said, “The case had been taken to 'Umar (the caliph) who gave him one hundred lashes but did not sentence him to stoning.” Somebody stood surety for the man. When Hamza came to 'Umar, 'Umar confirmed their claim and said that he had not stoned him, because he had committed illegal sexual intercourse ignorantly (i.e., he thought that it was legal for him to have sexual relation with his wife's slave-girl).

(Ibid p. 374).

\(^2\) (Ch. 2290) The story of the renegades was narrated by Haritha bin Madrab, who=
According to Hammâd, if somebody stands surety for another person and that person dies, the person giving surety will be released from responsibility. According to Al-Ḥakam, his responsibility continues.

2291. Narrated Abû Hurairah: The Prophet said, “An Israelî man asked another Israelî to lend him one thousand Dinâr. The second man required witnesses. The former replied, ‘Allâh is sufficient as a witness.’ The second said, ‘I want a surety.’ The former replied, ‘Allâh is sufficient as a surety.’ The second said, ‘You are right,’ and lent him the money for a certain period. The debtor went across the sea. When he finished his job, he searched for a conveyance so that he might reach in time for the repayment of the debt, but he could not find any. So, he took a piece of wood and made a hole in it, inserted in it one thousand Dinâr and a letter to the lender and then closed (i.e., sealed) the hole tightly. He took the piece of wood to the sea and said, ‘O Allâh! You know well that I took a loan of one thousand Dinâr from so-and-so. He demanded a surety from me but I told him that Allâh’s Guarantee was sufficient and he accepted Your Guarantee. He then asked for a witness and I told him that Allâh was sufficient as a witness. No doubt, I have tried hard to find a conveyance so that I could pay back his money but could not find, so I hand over this money to You.’ Saying that, he threw the piece of wood into the sea.

said, “I offered the morning prayer with ‘Abdullâh bin Mas‘ûd. When the Salât (prayer) ended, a man got up and informed him that he had gone to the mosque of Bânî Ḥanifa and heard the Mu‘âdhîn of ‘Abdullâh bin An-Nawwâhâ saying, ‘I testify that Musâilâma (the liar) is Allâh’s Messenger.’ Ibn Mas‘ûd sent for Ibn An-Nawwâhâ and had put him to death. He then consulted his companions regarding Ibn An-Nawwâhâ’s followers who were one hundred and seventy men. ‘Adî bin Ḥâtîm suggested that they be killed. Jarîr and Al-‘Ash’âth got up and said, ‘No, but let them repent and let their tribes stand sureties for them.’ So, they repented and their tribes stood sureties for them.” (Ibid. p. 375)
the sea till it went out far into it, and then he went away. Meanwhile he started searching for a conveyance in order to reach the creditor's country. One day the lender came out of his house to see whether a ship had arrived bringing his money, and all of a sudden he saw the piece of wood in which his money had been deposited. He took it home to use as fire-wood. When he sawed it, he found his money and the letter inside it. Shortly after that, the debtor came bringing one thousand Dinār to him and said, 'By Allāh, I had been trying hard to get a boat so that I could bring you your money, but failed to get one before the one I have come by.' The lender asked, 'Have you sent something to me?' The debtor replied, 'I have told you I could not get a boat other than the one I have come by.' The lender said, 'Allāh has delivered on your behalf the money you sent in the piece of wood. So, you may keep your one thousand Dinār and depart, guided on the right path.'

(2) CHAPTER. The Statement of Allāh

"...To those also with whom you have made a pledge (brotherhood), give them their due portion by Wasiya (wills)...." (V. 4:33)

2292. Narrated Sa'id bin Jubair: Ibn 'Abbās R.A. said, "In the Verse: 'And to everyone, We have appointed heirs of that (property)...' (4:33). (And regarding the Verse) 'And those with whom you have..."
made a pledge,' Ibn 'Abbās said, "When the emigrants came to the Prophet in Al-Madina, the emigrant would inherit the Ansārī, while the latter's relatives would not inherit him because of the bond of brotherhood which the Prophet established between them (i.e., the emigrants and the Ansār). When the Verse: 'And to everyone We have appointed heirs' (V.4:33) was revealed, it cancelled [the bond (the pledge) of brotherhood regarding inheritance]." Then he said, "The verse: 'To those also with whom you have made a pledge (brotherhood)' remained valid regarding co-operation and mutual advice, while the matter of inheritance was excluded; and it became permissible to assign something in one's testament to the person who had had the right of inheriting before.

2293. Narrated Anas: 'Abdur-Rahmān bin 'Aūf came to us and Allāh's Messenger established a bond of brotherhood between him and Sa'd bin Rabī'.

2294. Narrated 'Āṣim: I asked Anas bin Mālik (saying): "Have you been conveyed (or ever heard) that the Prophet said, 'There is no alliance in Islām'?" He replied, "The Prophet made alliance between the Quraish and the Ansār in my house."
(3) CHAPTER. He who undertakes to repay the debts of a dead person has not the right to change his mind.

Al-Hasan said the same.

2295. Narrated Salama bin Al-Akwa’رضي الله عنه: A dead person was brought to the Prophet ﷺ so that he might lead the funeral prayer for him. He asked, “Is he in debt?” When the people replied in the negative, he led the funeral prayer. Another dead person was brought and he asked, “Is he in debt?” They said, “Yes.” He (refused to lead the prayer and) said, “Lead the prayer of your friend.” Abu Qatada said, “O Allâh’s Messenger! I undertake to pay his debt.” Allâh’s Messenger ﷺ then led his funeral prayer.

2296. Narrated Jâbir bin ‘Abdullâhرضي الله عنه: Once the Prophet ﷺ said (to me), “If the money of Bahrain comes, I will give you so much and so much (a certain amount from it).” The Prophet ﷺ had breathed his last before the money of Bahrain arrived. When the money of Bahrain reached, Abu Bakr announced, “Whoever was promised by the Prophet ﷺ should come to us.” I went to Abu Bakr and said, “The Prophet ﷺ promised me so-and-so.” Abu Bakr gave me a handful of coins and asked me to count it. When I counted them, they were five hundred in number. Abu Bakr then said, “Take twice the amount you have taken (besides).”

(4) CHAPTER. The pledge of protection given to Abu Bakr (by someone) during the
2297. Narrated 'Aishah, wife of the Prophet: Since I reached the age when I could remember things, I have seen my parents worshipping according to the right faith of Islam. Not a single day passed but Allah’s Messenger visited us, both in the morning and in the evening. When the Muslims were persecuted, Abu Bakr set out for Ethiopia as an emigrant. When he reached a place called Bark-al-Ghimad, he met Ibn Ad-Daghina, the chief of the Qara tribe, who asked Abu Bakr, “Where are you going?” Abu Bakr said, “My people have turned me out of the country and I would like to tour the world and worship my Lord.” Ibn Ad-Daghina said, “A man like you will not go out, nor will he be turned out as you help the poor earn their living, keep good relation with your kith and kin, help the disabled (or the dependents), provide guests with food and shelter, and help people during their troubles. I am your protector. So, go back and worship your Lord at your home.” Ibn Ad-Daghina went along with Abu Bakr and took him to the chiefs of Quraish saying to them, “A man like Abu Bakr will not go out, nor will he be turned out. Do you turn out a man who helps the poor earn their living, keeps good relations with kith and kin, helps the disabled, provides guests with food and shelter, and helps people during their troubles?” So, Quraish allowed Ibn Ad-Daghina’s guarantee of protection and told Abu Bakr that he was secure, and said to Ibn Ad-Daghina, “Advise Abu Bakr to worship his Lord in his house and to offer prayer and read what he liked and not to hurt us and not to do these things publicly, for we fear that our sons and women may follow him.” Ibn Ad-Daghina told Abu Bakr of all that. So, Abu Bakr continued worshipping his Lord in...
his house and did not offer ِ_salāt (prayer) or recite Qur'ān aloud except in his house. Later on Abū Bakr had an idea of building a mosque in the courtyard of his house. He fulfilled that idea and started offering ِsalāt (prayer) and reciting Qur’ān there publicly. The women and the offspring of the Mushrikūn\(^{(1)}\) started gathering around him and looking at him in astonishment. Abū Bakr was a softhearted person and could not help weeping while reciting Qur’ān. This horrified the Mushrik chiefs of Qurāish. They sent for Ibn Ad-Daghina and when he came, they said, “We have given Abū Bakr protection on condition that he will worship his Lord in his house, but he has transgressed that condition and has built a mosque in the courtyard of his house and offered his ِsalāt and recited Qur’ān in public. We are afraid lest he mislead our women and offspring. So, go to him and tell him that if he wishes he can worship his Lord in his house only, and if not, then tell him to return your pledge of protection as we do not like to betray you by revoking your pledge, nor can we tolerate Abū Bakr’s declaration of Islam (his worshipping) in public.”

‘Aishah added: Ibn Ad-Daghina came to Abū Bakr and said, “You know the conditions on which I gave you protection, so you should either abide by those conditions or revoke my protection, as I do not like to hear the Arabs saying that Ibn Ad-Daghina gave the pledge of protection to a person and his people did not respect it.” Abū Bakr said, “I revoke your pledge of protection and am satisfied with Allah’s Protection.” At that time Allah’s Messenger ﷺ was still in Makkah and he said to his Companions, “Your place of

\(^{(1)}\) (H. 2297) Al-Mushrikūn: Polytheists, pagans, idolators, and disbelievers in the Oneness of Allah and in His Messenger Muhammad (ﷺ)
emigration has been shown to me. I have seen salty land, planted with date-palms and situated between two mountains which are the two Ḥarra.” So, when the Prophet ﷺ told it, some of the companions migrated to Al-Madīna, and some of those who had migrated to Ethiopia returned to Al-Madīna. When Abū Bakr prepared for emigration, Allāh’s Messenger ﷺ said to him, “Wait, for I expect to be permitted to emigrate.” Abū Bakr asked, “May my father be sacrificed for your sake, do you really expect that?” Allāh’s Messenger ﷺ replied in the affirmative. So, Abū Bakr postponed his departure in order to accompany Allāh’s Messenger ﷺ, and fed two camels which he had with the leaves of Samur trees for four months.

(5) CHAPTER. The debts.

2298.Narrated Abū Hurairah ﷺ:
Whenever a dead man in debt was brought to Allāh’s Messenger ﷺ (for funeral prayer) he
would ask, “Has he left anything to repay his debt?” If he was informed that he had left something to repay his debts, he would offer his funeral prayer, otherwise he would tell the Muslims to offer their friend’s funeral prayer. When Allah made the Prophet wealthy through conquests, he said, “I am more rightful than other believers to be the guardian of the believers, so if a Muslim dies while in debt, I am responsible for the repayment of his debt, and whoever leaves wealth (after his death) it will belong to his heirs.”
(1) CHAPTER. A partner can deputize for another while distributing things etc.

No doubt, the Prophet shared his Hady (i.e., sacrificing animals) with ‘Ali and then ordered ‘Ali to distribute them.

2299. Narrated ‘Ali: Allâh’s Messenger ordered me to distribute the saddles and skins of the Budn which I had slaughtered.

2300. Narrated ‘Uqba bin ‘Amir that the Prophet had given him sheep to distribute among his companions and a male kid was left (after the distribution). When he informed the Prophet of it, he said (to him), “Offer it as a sacrifice on your behalf.”

(2) CHAPTER. If a Muslim deputizes a non-Muslim warrior in a country of infidelity or in a Muslim state, the contract is valid.

2301. Narrated ‘Abdur-Rahmân bin ‘Auf: I got an agreement written between me and Umaiyya bin Khalaf that Umaiyya would look after my property (or family) in Makkah and I would look after his in Al-Madînâ. When I mentioned the word ‘Ar-Rahmân’ in the documents Umaiyya said, “I do not know ‘Ar-Rahmân.’ Write down to me your name, (with which you
called yourself) in the Pre-Islamic Period of Ignorance.” So, I wrote my name “Abdu ‘Amr’. On the day (of the battle) of Badr, when all the people went to sleep, I went up the hill to protect him. Bilāl (1) saw him (i.e., Umaiyya) and went to a gathering of Ḍa‘lir and said, “(Here is) Umaiyya bin Khalaf! I will not be saved if Umaiyya is saved”. (Woe to me if he escapes!”) So, a group of Ḍa‘lir went out with Billāl to follow us (‘Abdur-Rahmān and Umaiyya). Being afraid that they would catch us, I left Umaiyya’s son for them to keep them busy but the Ḍa‘lir killed the son and insisted on following us. Umaiyya was a fat man, and when they approached us, I told him to kneel down, and he knelt, and I laid myself on him to protect him, but the Ḍa‘lir killed him by passing their swords underneath me, and one of them injured my foot with his sword. (The subnarrator said, “Abdur Raḥmān used to show us the trace of the wound on the back of his foot.”)

(3) CHAPTER. To deputize one in exchanging money and weighing goods.

‘Umar and Ibn ‘Umar deputized (a person) in money exchanges.

2302, 2303. Narrated Abū Sa‘īd Al-Khudrī and Abū Hurairah (1) (H. 2301) Umaiyya used to torture Bilāl severely when he was in Makkah because he had embraced Islām.

[http://islamsbooks.wordpress.com/](http://islamsbooks.wordpress.com/)
Allah's Messenger employed someone as a governor at Khaibar. When the man came to Al-Madina, he brought with him dates called Janib. The Prophet asked him, "Are all the dates of Khaibar of this kind?" The man replied, "(No), we exchange two Sā' of bad dates for one Sā' of this kind of dates (i.e., Janib), or exchange three Sā' for two." On that, the Prophet said, "Don't do so, as it is a kind of Ribâ (usury) but sell the dates of inferior quality for money, and then buy Janib with the money." The Prophet said the same thing about dates sold by weight.

[See Hadith No.2312].

(4) CHAPTER. If a shepherd or a deputy saw a dying sheep or something which is going to be spoiled, he is allowed to slaughter the sheep and save the thing liable to be spoiled.

2304. Narrated Ka'b bin Mālik: We had some sheep which used to graze at Sal'. One of our slave-girls saw a sheep dying and she broke a stone and slaughtered the sheep with it. He (my father) said to them (the people), "Don't eat it till I ask the Prophet about it (or till I send somebody to ask the Prophet)." So, he asked or sent somebody to ask the Prophet, and the Prophet permitted them to eat it. ‘Ubaidullāh (a subnarrator) said, "I admire that girl, for though she was a slave-girl, she dared to slaughter the sheep."
(5) CHAPTER. It is permissible to depute a person whether he is present or absent.

‘Ubaidullāh bin ‘Amr wrote to his representative who was not present, to pay (Sadaqat-al-Fitr) on behalf of the children both young and old.

2305. Narrated Abū Hurairah: The Prophet owed somebody a camel of a certain age. When he came to demand it back, the Prophet said (to some people), “Give him (his due).” When the people searched for a camel of that age, they found none, but found a camel one year older. The Prophet said, “Give (it to) him.” On that, the man remarked, “You have given me my right in full. May Allah give you in full.” The Prophet said, “The best amongst you is the one who pays the rights of others generously.”

(6) CHAPTER. To depute a person to repay debts.

2306. Narrated Abū Hurairah: A man came to the Prophet demanding his debts and behaved rudely. The Companions of the Prophet intended to harm him, but Allāh’s Messenger said (to them), “Leave him, for the creditor (i.e., owner of a right) has the right to speak.” Allāh’s Messenger then said, “Give him a camel of the same age as that of his.” The people said, “O Allāh’s Messenger! There is only a camel that is older and better than his.” Allāh’s Messenger said, “Give (it to) him, for the best amongst you is he who pays the rights of others generously.”
(7) CHAPTER. It is permissible for one to give a gift to a deputy (of some people) or to their intercessor.

This is confirmed by the statement of the Prophet ﷺ to the delegates of the tribe of Hawāzin when they appealed to him to return the booty to them. The Prophet ﷺ said, “I give my share to you.”

2307, 2308. Narrated Marwān bin Al-Ḥakam and Al-Miswar bin Makhrama: When the delegates of the tribe of Hawāzin after embracing Islam, came to Allah’s Messenger ﷺ, he got up. They appealed to him to return their properties and their captives. Allah’s Messenger ﷺ said to them, “The most beloved statement to me is the true one. So, you have the option of restoring your properties or your captives, for I have delayed distributing them.” (The narrator added), Allah’s Messenger ﷺ had been waiting for them for more than ten days on his return from Taif. When they realized that Allah’s Messenger ﷺ would return to them only one of the two things, they said, “We choose our captives.” So, Allah’s Messenger ﷺ got up in the gathering of the Muslims, praised Allah as He deserved, and said, “Then after! These brothers of yours have come to you with repentance (asking for Allah’s Forgiveness) and I see it proper to return their captives to them. So, whoever amongst you likes to do that as a favour, then he can do it, and whoever of you wants to stick to his share till we pay him from the very first booty which Allah will give us then he can do so.” The people replied, “We agree to give up our shares willingly as a favour for Allah’s Messenger ﷺ.” Then Allah’s
Messenger said, “We don’t know who amongst you has agreed and who has not. Go back and your chiefs may tell us your opinion.” So, all of them returned and their chiefs discussed the matter with them and then they (i.e., their chiefs) came to Allah’s Messenger to tell him that they (i.e., the people) had given up their shares gladly and willingly.

(8) CHAPTER. If someone deputes a person to give something but does not mention how much to give, it is permissible for the deputy to distribute it amongst the people according to the conventional custom.

2309. Narrated Jâbir bin ‘Abdullãh : I was accompanying the Prophet on a journey and was riding a slow camel that was lagging behind the others. The Prophet passed by me and asked, “Who is this?” I replied, “Jâbir bin ‘Abdulläh.” He asked, “What is the matter, (why are you late)?” I replied, “I am riding a slow camel.” He asked, “Do you have a stick?” I replied in the affirmative. He said, “Give it to me.” When I gave it to him, he beat the camel and rebuked it. Then that camel surpassed the others thenceforth. The Prophet said, “Sell it to me.” I replied, “It is (a gift) for you, O Allâh’s Messenger.” He said, “Sell it
to me. I have bought it for four Dinãr (gold pieces) and you can keep on riding it till Al-Madina.” When we approached Al-Madina, I started going (towards my house). The Prophet ﷺ said, “Where are you going?” I said, “I have married a widow.” He said, “Why have you not married a virgin so that you may play with her and she may play with you?” I said, “My father died and left daughters, so I decided to marry a widow (an experienced woman) (to look after them).” He said, “Well done.” When we reached Al-Madina, Allah’s Messenger ﷺ said, “O Bilal, pay him (the price of the camel) and give him extra money.” Bilal gave me four Dinãr and one Qirât extra. (A subnarrator said): Jãbir added. “The extra Qirât of Allah’s Messenger ﷺ never parted from me.” The Qirât was always in Jãbir bin ‘Abdullãh’s purse. (1)

(9) CHAPTER. A woman can depute the ruler in the matter of marriage.

2310. Narrated Sahl bin Sa’d: A woman came to Allah’s Messenger ﷺ and said, “O Allah’s Messenger! I want to give up myself to you.” A man said, “Marry her to me.” The Prophet ﷺ said, “We agree to marry her to you with what you know of the Qur’an by heart.”

(1) (H. 2309) The Prophet ﷺ did not mention how much extra money Bilal was to give, so Bilal gave according to convention.
(10) CHAPTER. If a person deputes somebody, and the deputy leaves something, and the owner agrees that, then it is allowed, and if the deputy lends something of what is in his custody, for a specific time, it is permissible (if the owner agrees).

2311.Narrated Abū Hurairah: Allah's Messenger ﷺ deputed me to keep Sadaqat (Al-Fitr) of Ramaḍān. A comer(1) came and started taking handfuls of the foodstuff (of the Sadaqa) (stealthily). I took hold of him and said, "By Allah, I will take you to Allah's Messenger ﷺ." He said, "I am needy and have many dependents, and I am in great need." I released him, and in the morning Allah's Messenger ﷺ asked me, "What did your prisoner do yesterday?"(2) I said, "O Allah's Messenger! The person complained of being needy and of having many dependents, so, I pitied him and let him go." Allah's Messenger ﷺ said, "Indeed, he told you a lie and he will be coming again." I believed that he would show up again as Allah's Messenger ﷺ had told me that he would return. So, I waited for him watchfully. When he (showed up and) started stealing handfuls of foodstuff, I caught hold of him again and said, "I will definitely take you to Allah's Messenger ﷺ." He said, "Leave me, for I am very needy and have many dependents. I promise I will not come

(1) (H.2311) Comer: Satan
(2) (H.2311) Allah’s Messenger ﷺ was inspired Divinely about the whole story and this was the reason why he asked Abū Hurairah, though Abū Hurairah had told him nothing.
back again.” I pitied him and let him go. In the morning Allâh’s Messenger ﷺ asked me, “What did your prisoner do?” I replied, “O Allâh’s Messenger! He complained of his great need and of too many dependents, so I took pity on him and set him free.” Allâh’s Messenger ﷺ said, “Verily, he told you a lie and he will return.” I waited for him attentively for the third time, and when he (came and) started stealing handfuls of the foodstuff, I caught hold of him and said, “I will surely take you to Allâh’s Messenger ﷺ as it’s the third time you promise not to return, yet you break your promise and come.” He said, “(Forgive me and) I will teach you some words with which Allâh will benefit you.” I asked, “What are they?” He replied, “Whenever you go to bed, recite Ayat-al-Kursî – ‘Allâhu lâ ilâhâ illâ Huwal-Hâ'y-u1-Qaiyyûm’(1) till you finish the whole Verse. (If you do so), Allâh will appoint a guard for you who will stay with you and no satan will come near you till morning”. So, I released him. In the morning, Allâh’s Messenger ﷺ asked, “What did your prisoner do yesterday?” I replied, “He claimed that he would teach me some words by which Allâh will benefit me, so I let him go.” Allâh’s Messenger ﷺ asked, “What are they?” I replied, “He said to me, ‘Whenever you go to bed, recite Ayat-al-Kursî from the beginning to the end – Allâhu lâ ilâhâ illâ Huwal-Hâ'y-u1-Qaiyyûm .’” He further said to me, “(If you do so), Allâh will appoint a guard for you who will stay with you, and no satan will come near you till morning.’ [Abû Hurairah or another subnarrator] added that they (the Companions) were very eager to do good deeds]. The Prophet ﷺ said, “He really spoke the truth, although he is an absolute

(1) (H. 2311) Sûrat Al-Baqarah, Verse No. 255.
liar. Do you know whom you were talking to, these three nights, O Abū Hurairah?” Abū Hurairah said, “No.” He said, “It was Satan.”

(11) CHAPTER. If a deputy sells something (in an illegal manner), the transaction is invalid.

2312. Narrated Abū Sa‘īd al-Khudrī: Once Bilāl brought Barnī (i.e., a kind of dates) to the Prophet ﷺ and the Prophet ﷺ asked him, “From where have you brought these?” Bilāl replied, “I had some inferior type of dates and exchanged two Ṣā’ of it for one Ṣā’ of Barnī (dates) in order to give it to the Prophet ﷺ to eat.” Thereupon the Prophet ﷺ said, “Beware! Beware! This is definitely Ribā (usury)! This is definitely Ribā (usury).! Don’t do so, but if you want to buy (a superior kind of dates), sell the inferior kind of dates for money and then buy the superior kind of dates with that money.”

(12) CHAPTER. The deputyship for managing the Waqf (religious endowment) and the expenses of the trustee. The trustee can provide his friends from it and he himself can eat from it reasonably (according to his work).

2313. Narrated ‘Amr concerning the Waqf of ‘Umar: It was not sinful of the

(1) (H.2312) Ribā: See glossary.
trustee (of the *Waqf*) to eat or provide his friends from it, provided the trustee had no intention of collecting fortune (for himself).

Ibn ‘Umar was the manager of the trust of ‘Umar and he used to give presents from it to those with whom he used to stay at Makkah.

**(13) CHAPTER. To depute a person to carry out a (legal) Allah’s ordained punishment.**

2314, 2315. Narrated Zaid bin Khalid and Abü Hurairah: The Prophet said, “O Unais! Go to the wife of this (man) and if she confesses (that she has committed illegal sexual intercourse), then stone her to death.”

2316. Narrated ‘Uqba bin Al-Hārith: When An-Nuaimān or his son was brought in a state of drunkenness, Allah’s Messenger ordered all those who were present in the house to beat him. I was one of those who beat him. We beat him with shoes and palm-leaf stalks.
(14) CHAPTER. To depute someone to sacrifice Budn (camels for sacrifice) and to look after them.

2317. Narrated ‘Aishah: I twisted the garlands of the Hady (i.e., animals for sacrifice) of Allah’s Messenger with my own hands. Then Allah’s Messenger put them around their necks with his own hands, and sent them with my father (to Makkah). Nothing legal was regarded illegal for Allah’s Messenger till the animals were slaughtered.(1)

(15) CHAPTER. If a person tells his deputy, “Spend it as Allah directs you,” and the deputy says, “I have heard what you have said.”

2318. Narrated Anas bin Malik: Abū Ṭalḥa was the richest man in Al-Madina amongst the Ansār, and Beeruba’ (garden) was the most beloved of his property, and it was situated opposite the mosque (of the Prophet). Allah’s Messenger used to enter it and drink from its sweet water. When the following Divine Verse was revealed: “By no means shall you attain Al-Birr (piety, righteousness, here it means Allah’s Reward i.e., Paradise), till you spend (in Allah’s Cause) of that which you love…” (V.3:92) Abū Ṭalḥa got up in front of Allah’s Messenger and said, “O Allah’s...

(1) (H. 2317) Sending the Hady to Makkah while one is somewhere else, does not require that one should be treated as a Muhrim.
Messenger! Allâh says in his Book, ‘By no mean shall you attain Al-Bîrâr (piety, righteousness, etc., – here it means Allâh’s Reward i.e., Paradise) unless you spend (in Allâh’s Cause) of that which you love...’ and verily, the most beloved to me of my property is Bairubah (garden), so I give it in charity and hope for its reward from Allâh. O Allâh’s Messenger! Spend it wherever you like.” Allâh’s Messenger appreciated that and said, “That is perishable wealth! That is perishable wealth! I have heard what you have said; I suggest you to distribute it among your relatives.”(1) Abû Talha said, “I will do so, O Allâh’s Messenger.” So, Abû Talha distributed it among his relatives and cousins. The subnarrator (Mâlik) said, the Prophet ð said: “That is a profitable wealth,” instead of “perishable wealth.”

(16) CHAPTER. To depute a trustworthy treasurer for the treasury and similar things.

2319. Narrated Abu Müsa: The Prophet ð said, “An honest treasurer who gives what he is ordered to give fully, perfectly and willingly to the person to whom he is ordered to give, is regarded as one of the two charitable persons.”(2)

(1) (H. 2318) That is perishable wealth and it is better for you to spend it in charity whereby you will get what will be imperishable (i.e., Allâh’s Reward).
(2) (H. 2319) The owner is the other charitable person.

http://islamsbooks.wordpress.com/
41 - THE BOOK OF CULTIVATION AND AGRICULTURE

(1) CHAPTER. The superiority of sowing seeds and planting trees if some of the product is eaten (by people or animals).

The Statement of Allah ﷻ: “Then tell Me about the seed that you sow in the ground, is it you that make it to grow, or are We the grower? Were it Our Will, We could crumble it to dry pieces…” (V.56: 63-65)

2320. Narrated Anas bin Malik: Allah's Messenger ﷺ said, “There is none amongst the Muslims who plants a tree or sows seeds, and then a bird, or a person or an animal eats from it, but is regarded as a charitable gift for him.”

(2) CHAPTER. What is to be afraid of the results of indulging in the agricultural mechanical equipment, or to transgress the prescribed limits.

2321. It is narrated that Abū Umāma al-Bahili saw some agricultural equipments and said, “I heard the Prophet ﷺ saying: “There is no house in which these equipment enter except that Allah will cause humiliation to enter it.””

(1) (H. 2321) This Hadith indicates that the profession of cultivation is often a source of=
2322. Narrated Abū Hurairah: Allah’s Messenger ﷺ said, “Whoever keeps a dog, one Qirāṭ (of the reward) of his good deeds is deducted daily, unless the dog is used for guarding a farm or cattle.”

Abū Hurairah (in another quotation) said: “The Prophet ﷺ said, “… unless it is (used) for (guarding) sheep or farms, or for hunting.”

Abū Hurairah added: The Prophet ﷺ said, “… unless a dog is kept (for guarding) cattle or for hunting.”

2323. Narrated As-Sa‘ib bin Yazid: Abū Sufyān bin Abū Zuhair, a man from Azd Shami‘a and one of the Companions of the Prophet ﷺ said, “I heard Allah’s Messenger ﷺ saying, ‘If one keeps a dog which is meant for guarding neither a farm nor cattle will get a daily deduction of one Qirāṭ of the reward of his good deeds.’”

=oppression and humiliation, especially under the feudal system. By indulging in this work, one may neglect Jihad in Allah’s Cause and other important Allah’s Obligations. It is also said that this Hadith is concerned with those living near the enemies: If they got busy in agriculture and left Jihad, the enemies might overcome and humiliate them. Of course, the Hadith should not be taken literally. Farming is not undesirable in itself but we should beware the results of indulging too much in it. (Fath Al-Bārī)
I asked, “Did you hear this from Allah’s Messenger?” He said, “Yes, by the Lord of this mosque.”

(4) CHAPTER. Employing oxen for ploughing.

2324. Narrated Abū Hurairah: The Prophet ﷺ said, “While a man was riding a cow, it turned towards him and said, ‘I have not been created for this purpose (i.e., carrying), I have been created for ploughing.’” The Prophet ﷺ added, “I, Abū Bakr and 'Umar believe in this story.” The Prophet ﷺ further said, “A wolf caught a sheep, and when the shepherd chased it, the wolf said, ‘Who will be its guard on the day of wild beasts, when there will be no shepherd for it except I?’” After narrating it, the Prophet ﷺ said, “I, Abū Bakr and 'Umar too believe it.”

(1) Abū Salama (a subnarrator) said, “Abū Bakr and 'Umar were not present then.”

(2) (H. 2324) It has been written that a wolf also spoke to a shepherd during the Prophet’s lifetime near Al-Madina as narrated in Musnad Imām Ahmad in the Musnad of Abū Sa’īd Al-Khudrī (Vol. 3): Narrated Abū Sa’īd Al-Khudrī: (While a shepherd was in his herd of sheep), suddenly a wolf attacked a sheep and took it away, the shepherd chased the wolf and took back the sheep, the wolf sat on its tail and addressed the shepherd saying: “Be afraid of Allāh, you have taken the provision from me which Allāh gave me”. The shepherd said: ‘What an amazing thing! A wolf sitting on its tail speaks to me in the language of a human being.” The wolf said: “Shall I tell you something more amazing than this? There is Muhammad, the Messenger of Allāh (ﷺ) in Yathrib (Al-Madina) informing the people about the news of the past.” Then the shepherd (after hearing that) proceeded (towards Al-Madina) driving his sheep till he entered Al-Madina, cornered his sheep in a place, and came to Allāh’s Messenger (Muhammad ﷺ) informing the whole story. Allāh’s Messenger ordered for the proclamation of a congregational prayer (صلاة الجمعة), then he came out and asked=...
(5) CHAPTER. (It is permissible for one) to say to another, "Look after my date-palm trees or other trees and share the fruits with me."

2325. Narrated Abu Hurairah: The Anṣār said to the Prophet ﷺ, "Distribute the date-palm trees between us and our emigrant brothers." He replied, "No." The Anṣār said (to the emigrants), "Look after the trees (water and watch them) and share the fruits with us." The emigrants said, "We listen and obey."

(6) CHAPTER. The cutting of trees and date-palm trees.

Anas said, "The Prophet ﷺ ordered that the date-palm trees be cut down and they were cut down."

2326. Narrated 'Abdullāh: The Prophet ﷺ got the date-palm trees of the tribe of Bani An-Naḍîr burnt and the trees cut down at a place called Al-Buwaira. Hassān bin Thabit said in a poetic verse:

=the shepherd to inform the people (about his story) and he informed them. Then Allāh's Messenger said: "He (the shepherd) has spoken the truth. By Him (Allāh) in Whose Hands my soul is, the Day of Resurrection will not be established till beasts of prey (سَعَاء) speak to the human beings, and the stick lash and the shoe-laces of a person speak to him and his thigh informs him about his family as to what happened to them after him [(Musnad Imam Ahmad, Vol. 3, in the Musnad of Abū Sa'īd Al-Khudri]. (See H. 3663).

(1) (Ch. 6) The date-palm trees referred here to are those of the mosque of the Prophet ﷺ which were cut down during its construction.
“The chiefs of Bani Lu’ai found it easy to watch fire spreading at Al-Buwaira.”(1)

وقطع، وهي البوعرة ولها يفول
حسناء
لهان على سرارة بيبي لؤي
حريق بالبوعرة مستطير
[نظر: 121, 130, 42, 4884]

(7) CHAPTER:

2327. Narrated Rafi’ bin Khadij: We worked on farms more than anybody else in Al-Madina. We used to rent the land at the yield of specific delimited portion of it to be given to the landlord. Sometimes the vegetation of that portion was affected by blights etc., while the rest remained safe and vice versa, so the Prophet forbade this practice. At that time gold or silver were not used (for renting the land).

(8) CHAPTER. Temporary share-cropping contract on the basis of dividing the yield into halves, one for each partner or on other basis.

Narrated Abu Ja’far: All the emigrants in Al-Madina used to cultivate the land (for the Ansar) on the condition of having one-third or one-fourth of the yield. ‘Ali, Sa’d bin Malik, ‘Abdullâh bin Mas‘üd, ‘Umar bin Abdul ‘Aziz, Al-Qasim, ‘Urwa and the families of Abu Bakr, of ‘Umar and of ‘Ali, and Ibn Sirin cultivated the land of ‘Abdur-Rahmân bin Yazid on the basis of taking a portion of the yield.” ‘Umar made a deal with the people that if he provided the seeds,

(1) (H. 2326) The trees were burnt and the palm trees were cut down to make an open space for fighting.
he would get half of the yield, and if they provided the seeds, they would get so-and-so much. Al-Hasan said, “There is no harm if the land belongs to one, but both spend on it and the yield is divided between them.” Az-Zuhri had the same opinion. Al-Hasan said, “There is no harm if cotton is picked on the condition of having half the yield.” Ibrāhim, Ibn Sirin, ‘Atā, Al-Ḥakam, Az-Zuhri and Qatāda said, “There is no harm in giving the yarn to the weaver to weave into cloth on the basis that one-third of the cloth is given to the weaver for his labour.” Ma‘mar said, “There is no harm in hiring animals for a definite (fixed) period on the basis that one-third or one-fourth of the products carried by the animals is given to the owner of the animals.”

2328. Narrated ‘Abdullah bin ‘Umar: The Prophet concluded a contract with the people of Khaibar to utilize the land on the condition that half the products of fruits or vegetation would be their share. The Prophet used to give his wives one hundred Wasq each, eighty Wasq of dates and twenty Wasq of barley. (When ‘Umar became the caliph) he gave the wives of the Prophet the option of either having the land and water as their shares, or carrying on the previous practice. Some of them chose the land and some chose the Wasq, and ‘Aishah chose the land.
(9) CHAPTER. When no period is specified in the contract of share-cropping.

2329. Narrated Ibn ‘Umar:

The Prophet made a deal with the people of Khāibar that they would have half the fruits and vegetation of the land they cultivated.

(10) CHAPTER:

2330. Narrated ‘Amr:

"I wish you would give up Mukhābara (share-cropping), for the people say that the Prophet forbade it." On that Tawūs replied, "O ‘Amr! I give the land to sharecroppers and help them. No doubt; the most learned man, namely Ibn ‘Abbās told me that the Prophet had not forbidden it (i.e., Al-Mukhābara) but said, ‘It is more beneficial for one to give his land free to one’s brother than to charge him a fixed rental.’ ”

(11) CHAPTER. Share-cropping with the Jews.

2331. Narrated Ibn ‘Umar:

Allāh’s Messenger gave the land of Khāibar to the Jews on the condition that they work on it and cultivate it, and be given half of its yield.

---

(1) Sharecropping is not forbidden, but it is recommended that one should let his Muslim brethren utilize one’s own land without charging them anything.
(12) CHAPTER. What conditions are disliked in share-cropping.

2332. Narrated Râfi': We worked on farms more than anybody else in Al-Madîna. We used to rent the land and say to the owner, "The yield of this portion is for us and the yield of that portion is for you (as the rent)." One of those portions might yield something and the other might not. So, the Prophet forbade us to do so.

(13) CHAPTER. If a person invests the money of someone else in cultivation without taking his permission and the enterprise effects profit, (to whom will the profit belong?)

2333. Narrated 'Abdullâh bin 'Umar: The Prophet said, "While three men were walking, it started raining and they took shelter (refuge) in a cave in a mountain. A big rock rolled down from the mountain and closed the mouth of the cave. They said to each other, 'Think of good deeds which you did for Allah's sake only, and invoke Allah by giving reference to those deeds so that He may remove this rock from you.' One of them said, 'O Allah! I had old parents and small children and I used to graze the sheep for them. On my return to them in the evening, I used to milk (the sheep) and start providing my parents first of all before my children. One day I was delayed and came late at night and found my parents sleeping. I
milked (the sheep) as usual and stood by their heads. I hated to wake them up and disliked to give milk to my children before them, although my children were weeping (because of hunger) at my feet till the day dawned. O Allah! If I did this for Your sake only, kindly remove the rock so that we could see the sky through it.' So, Allah removed the rock a little and they saw the sky. The second man said, 'O Allah! I was in love with a cousin of mine like the deepest love a man may have for a woman. I wanted to outrage her chastity but she refused unless I gave her one-hundred Dinār. So, I struggled to collect that amount. And when I sat between her legs, she said: O Allah's slave! Be afraid of Allah and do not deflower me except rightfully (by legal marriage). So, I got up. O Allah! If I did it for Your sake only, please remove the rock.' The rock shifted a little more. Then the third man said, 'O Allah! I employed a labourer for a Faraq of rice and when he finished his job and demanded his right, I presented it to him, but he refused to take it. So, I sowed the rice many time till I gathered cows and their shepherd (from the yield). (Then after some time) he came and said to me: Fear Allah (and give me my right). I said: Go and take those cows and the shepherd. He said: Be afraid of Allah! Don't mock at me. I said: I am not mocking at you. Take (all that). So, he took all that. O Allah! If I did that for Your sake only, please remove the rest of the rock.' So, Allah removed the rock.'

[Also see Hadith No.2272]
(14) CHAPTER. The Aqāf (i.e., endowments) of the companions of the Prophet ﷺ and the land of Kharāj (Zakāt), the contracts of share-cropping and other agreements of the companions.

The Prophet ﷺ said to 'Umar, “Give those trees as a whole in charity (as Waqf) so that those might not be sold but their fruits can be spent and given in charity.” So, 'Umar gave those trees in charity.

2334. Narrated Zaid bin Aslam on the authority of his father: 'Umar ﷺ said, “But for the future Muslim generations, I would have distributed the land of the villages I conquer among the soldiers as the Prophet ﷺ distributed the land of Khaibar.”(1)

(15) CHAPTER. Whoever cultivates neglected uncultivated land belonging to nobody (will own it).

'Ali had the same opinion concerning such land in Kufa. 'Umar said, “Whoever cultivates uncultivated land (belonging to nobody) will possess it.” 'Umar and Ibn 'Auf narrated the same from

(1) (H. 2334) 'Umar ﷺ meant to keep the land as Waqf for the Muslims to benefit by through the Kharāj (Zakāt of cultivated land).
the Prophet adding, “... provided that the land does not belong to any Muslim; otherwise one has no right to plant anything in it oppressively.”

2335. Narrated `A'ishah: The Prophet said, “He who cultivates land that does not belong to anybody is more rightful (to own it).” `Urwa said, “`Umar gave the same verdict in his caliphate.”

(16) CHAPTER:

2336. Narrated `Abdullãh bin `Umar: While the Prophet was passing the night at his place of rest in Dhul-Hulaifa in the bottom of the valley (of Al-`Aqiq), he saw a dream and it was said to him, “You are in a blessed valley.” Mûsá said, “Salim let our camels kneel at the place where `Abdullãh used to make his camel kneel, seeking the place where Allah’s Messenger used to take a rest, which is situated below the mosque which is in the bottom of the valley; it is midway between the mosque and the road.”

2337. Narrated `Umar: While the Prophet was in Al-`Aqiq he said, “Someone [meaning Jibrîl (Gabriel)] came to me from my Lord tonight (in my dream) and said, ‘Offer the Salât (prayer) in this blessed valley and say (I intend to perform) ‘Umra
(17) CHAPTER. If the owner of the land (says to the tenant), “I let you utilize the land as long as Allāh permits you,” and does not mention a specific time for the expiration of the lease, then the lease can be continued according to the approval of both the parties.

2338. Narrated Ibn ‘Umar (17) if Allāh’s Messenger ☦ expels the Jews and the Christians from Ḥijāz. When Allāh’s Messenger ☦ had conquered Ḥaibar, he wanted to expel the Jews from it as its land became the property of Allāh, His Messenger, and the Muslims.

Allāh’s Messenger ☦ intended to expel the Jews but they requested him to let them stay there on the condition that they would do the labour and get half of the fruits.

Allāh’s Messenger ☦ told them, “We will let you stay on this condition, as long as we wish.” So, they (i.e., Jews) kept on living there until ‘Umar forced them to go towards Taimā’ and Ariha.”
2339. Narrated Râfi’ bin Khadij: My uncle Zuhair said, “Allâh’s Messenger forbade us to do a thing which was a source of help to us.” I said, “Whatever Allâh’s Messenger said was right.” He said, “Allâh’s Messenger sent for me and asked, ‘What are you doing with your farms?’ I replied, ‘We give our farms on rent on the basis that we get the yield produced at the banks of the water streams (rivers) for the rent, or rent it for some Wasq of barley and dates.’ Allâh’s Messenger said, ‘Do not do so, but cultivate (the land) yourselves or let it be cultivated by others gratis, or keep it uncultivated.’ I said, ‘We hear and obey.’”

[See Hadith No.2346, 2447].

2340. Narrated Jâbir: The people used to rent their land for cultivation for one-third, one-fourth or half its yield. The Prophet said, “Whoever has land should cultivate it himself or give it to his (Muslim) brother gratis for cultivation; otherwise keep it uncultivated.”

2341. Narrated Abû Hurairah:

(1) (H. 2339) The majority of the religious scholars agree that to rent the land for its yields was not allowed by the Prophet, but to rent it for money was allowed. See Fath Al-Bârî.
Allah's Messenger said, "Whoever has land should cultivate it himself or give it to his (Muslim) brother gratis for cultivation; otherwise he should keep it uncultivated."

[See Hadith No.2346, 2347].

2342. Narrated 'Amr: When I mentioned it (i.e., the narration of Rafi' bin Khadij. No.2339) to Tawus, he said, "It is permissible to rent the land for cultivation, for Ibn 'Abbas said, 'The Prophet did not forbid that, but said: One had better give the land to one's brother gratis rather than charge a certain amount for it.'"

2343. Narrated Nafi': Ibn 'Umar used to rent his farms in the time of Abu Bakr, 'Umar, 'Uthman, and in the early days of Muawiya.

2344. Then he was told the narration of Rafi' bin Khadij that the Prophet had forbidden the renting of farms. Ibn 'Umar went to Rafi' and I accompanied him. He asked Rafi' who replied that the Prophet had forbidden the renting of farms. Ibn 'Umar said, "You know that we used to rent our farms in the lifetime of Allah's Messenger for the yield of the banks of the water streams (rivers) and for certain amount of figs.

[And in some copies of Sahih Al-Bukhari it is written "At-Tib" i.e., chopped straw instead of figs.]
2345. Narrated Sālim: ‘Abdullâh bin ‘Umar رضي الله عنهما said, “I knew that the land was rented for cultivation in the lifetime of Allâh’s Messenger ﷺ.” Later on Ibn ‘Umar was afraid that the Prophet ﷺ had forbidden it, and he had no knowledge of it, so he gave up renting his land.

(19) CHAPTER. To rent the land for gold and silver.

Ibn ‘Abbâs said, “The best thing to do is to take the uncultivated land on yearly rental basis.”

2346, 2347. Narrated Hânẓla bin Qais: Râfî’ bin Khâdîj said, “My two uncles told me that they (i.e., the companions of the Prophet ﷺ) used to rent the land in the lifetime of the Prophet ﷺ for the yield on the banks of water streams (rivers), or for a portion of the yield stipulated by the owner of the land. The Prophet ﷺ forbade it.” I said to Râfî’, “What about renting the land for Dinâr and Dirham?” He replied, “There is no harm in renting for Dinâr-Dirham. Al-Laith said, “If those who have discernment for distinguishing what is legal from what is illegal looked into what has been forbidden concerning this matter, they would not permit it; for it is surrounded with dangers.”(1)

(1) (H. 2346) Al-Laith agrees in the Hadîth with the common opinion of the scholars who think that renting the land is forbidden if it leads to arrogance and mischief; the principle of renting is not illegal. The scholars differ as to what ways of renting are permissible. And the majority of the religious scholars agree that to rent the land for
2348. Narrated Abu Hurairah

Once the Prophet was narrating (a story), while a bedouin was sitting with him. (saying), "One of the inhabitants of Paradise will ask Allah to allow him to cultivate the land. Allah will ask him, 'Are you not living in the pleasures you like?' He will say, 'Yes, but I like to cultivate the land.'" The Prophet said, "When the man (will be permitted) he will sow the seeds and the plants will grow up and get ripe, ready for reaping and so on till it will be as huge as mountains within a wink. Allah will then say to him, 'O son of Adam! Here you are. Take it and gather (the yield); nothing satisfies you.' On that, the bedouin said, "The man must be either from Quraysh (i.e., an emigrant) or an Ansari, for they are farmers, whereas we are not farmers." The Prophet smiled (at this).

(20) CHAPTER: What is said about planting trees.

its yields was not allowed by the Prophet but to rent it for money was allowed. (Fath Al-Bari)
We used to be very happy on Friday as an old lady used to cut some roots of the *Silq*, which we used to plant on the banks of our small water streams, and cook them in a pot of her's, adding to them, some grains of barley. [Ya'qūb, the sub-narrator said, “I think the narrator mentioned that the food did not contain fat or melted fat (taken from meat).”] When we offered the Friday prayer we would go to her and she would serve us with the dish. So, we used to be happy on Fridays because of that. We used not to take our meals or the midday nap except after the *Jumu'ah* prayer.

The people say that Abū Hurairah narrates too many narrations. In fact Allāh knows whether I say the truth or not. They also say: “Why do the emigrants and the *Ansār* not narrate as he does?” In fact, my emigrant brethren were busy trading in the markets, and my *Ansār* brethren were busy with their properties. I was a poor man keeping the company of Allāh’s Messenger ﷺ and was satisfied with what filled my stomach. So, I used to be present while they (i.e., the emigrants and the *Ansār*) were absent, and I used to remember while they forgot (the Hadīth). One day the Prophet ﷺ said, “Whoever spreads his sheet till I finish this statement of mine and then gathers it over his chest, will never forget anything of my statement.” So, I spread my covering sheet which was the only garment I had, till the Prophet ﷺ finished his statement and then I gathered it over my chest. By Him Who had sent him (i.e., Allāh’s Messenger ﷺ) with the truth, since then I did not forget even a
single word of that statement of his, till this
day of mine. By Allâh, but for two Verses in
Allâh’s Book, I would never have related any
narration (from the Prophet ﷺ).” (These
two Verses are): “Verily, those who conceal
the clear proofs, evidences and the guidance,
which we have sent down… (up to)… the
Most Merciful.” (V.2:159, 160)
CHAPTER. The Statement of Allah:

"... And We have made from water every living thing. Will they not then believe." (V.21:30)

And His Statement: "Then tell me about the water that you drink. Is it you who cause it from the rainclouds to come down, or are We the Causer of it to come down? If We willed, We verily could make it salt (and undrinkable), why then do you not give thanks (to Allah)?" (V.56:68-70).

(1) CHAPTER. Whoever thinks that giving water in charity, or as a gift or by way of a testament is permissible, whether it is divided or not. (1)

Narrated 'Uthmân: The Prophet said, "Who will buy the well of Râmâh (a well-known well in Al-Madîna) (and endow it for the good of Muslims) so that he may use it as the other Muslims do without any privilege?" 'Uthmân bought it.

2351. Narrated Sahl bin Sa’d: A tumbler (full of milk or water) was brought to the Prophet who drank from it, while on his right side there was sitting a boy who was the youngest of those who were present, and on his left side there were old men. The Prophet asked, "O boy, will you allow me to give it (i.e., the rest of the drink) to the old men?" The boy said, "O Allah’s Messenger! I will not give preference to anyone over me to drink the rest of it from which you have..."

(1) (Ch. 1) Al-Bukhârî wants to refute the opinions of those who think that water cannot be possessed. (Fath Al-Bârî).
drunk.” So, the Prophet ﷺ gave it to him.

2352. Narrated Az-Zuhri: Anas bin Malik رضي الله عنه said that once a domestic sheep was milked for Allâh’s Messenger ﷺ while he was in the house of Anas bin Malik. The milk was mixed with water drawn from the well in Anas’ house. A tumbler of it was presented to Allâh’s Messenger ﷺ who drank from it. Then Abû Bakr was sitting on his left side and a bedouin on his right side. When the Prophet ﷺ removed the tumbler from his mouth, ‘Umar was afraid that the Prophet ﷺ might give it to the bedouin, so he said, “O Allâh’s Messenger! Give it to Abû Bakr who is sitting by your side.” But the Prophet ﷺ gave it to the bedouin, who was to his right and said, “You should start with the one on your right side.”

(2) CHAPTER. Whoever said, “The owner of the water has the right to drink till he is satisfied, as the Prophet ﷺ said, ‘Superfluous water should not be withheld from others.’”

2353. Narrated Abû Hurairah رضي الله عنه: Allâh’s Messenger ﷺ said, “Do not withhold the superfluous water, for that will prevent people from grazing their cattle.”(1)

(1) (H. 2353) This Hadîth means that if one has a well near which there is a pasture and there is no other source of water in the area, one should not withhold the water from the sheep grazing there, for that would make it impossible for the sheep to graze there as they would be in great need of water after grazing. So, to withhold the water means to prevent sheep from grazing as well. (Fath Al-Bâri).
2354. Narrated Abū Hurairah that Allāh’s Messenger said, “Do not withhold the superfluous water in order to withhold the superfluous grass.”

(3) CHAPTER. If one digs a well in his own land and somebody falls in it and dies, the owner is not responsible.

2355. Narrated Abū Hurairah that Allāh’s Messenger said, “No blood-money will be charged if somebody dies in a mine, or in a well, or is killed by an animal; and if somebody finds a treasure in his land he has to give one-fifth of it to the government.”

(4) CHAPTER. Disputes and controversies about wells and the settlement of such disputes and controversies.

2356, 2357. Narrated ‘Abdullāh (bin Mas‘ūd) that the Prophet said, “Whoever takes a false oath to deprive somebody of his property will meet Allāh while He will be angry with him.”

Allāh revealed: “Verily, those who

(1) (H. 2355) The owner of the well is not responsible if somebody falls and dies in it, if the well is in his land or in uncultivated land belonging to nobody. (This is true concerning mines also.) But if the well is dug on the way of the Muslims or in the land of somebody else without his permission and somebody falls and dies in it, then the person who has dug the well has to pay blood-money.

If an animal has untied itself and kills somebody or spoils his property, the owner of the animal is not responsible unless he is present at the time of the accident. (Al-Qastalānt)
purchase a small gain at the cost of Allāh’s Covenant, and their oaths…” (V.3:77)

Al-Ash’āth came (to the place where ‘Abdullāh was narrating) and said, “What has Abū ‘Abdur-Rahmān (i.e., ‘Abdullāh) been telling you? This Verse was revealed concerning me. I had a well in the land of a cousin of mine. The Prophet asked me to bring witnesses (to confirm my claim). I said, ‘I do not have witnesses.’ He said, ‘Let the defendant take an oath then.’ I said, ‘O Allāh’s Messenger! He will take a (false) oath immediately.’ Then the Prophet mentioned the above narration and Allāh revealed the Verse to confirm what he had said.” (See Hadith No.2515, 2516)

(5) CHAPTER. The sin of him who withholds water from wayfarer and travellers.

2358. Narrated Abū Hurairah: Allāh’s Messenger said, “There are three types of people whom Allāh will neither look at them on the Day of Resurrection, nor will he purify them (from sins) and they shall have a painful torment. They are:

1. A man possessed superfluous water, on a way and he withheld it from travellers.
2. A man who gave a Bai’a (pledge) to a ruler and he gave it only for worldly benefits. If the ruler gives him something he gets satisfied, and if the ruler withholds...
something from him, he gets dissatisfied. 3. And a man displayed his goods for sale after the Asr prayer (and took a false oath by) saying, 'By Allah, except Whom none has the right to be worshipped, I have been given so much for my goods,' and somebody believes him (and buys them).”

The Prophet ﷺ then recited: “Verily, those who purchase a small gain at the cost of Allah’s Covenant and their oaths…” (V.3:77)

(6) CHAPTER. The dams of rivers.

2359, 2360.Narrated ‘Abdullãh bin Az-Zubair رضي الله عنهما: An Ansãri man quarrelled with Az-Zubair in the presence of the Prophet ﷺ about the Harra canals which were used for irrigating the date-palms. The Ansãri man said to Az-Zubair, “Let the water pass”, but Az-Zubair refused to do so. So, the case was brought before the Prophet ﷺ who said to Az-Zubair, “O Zubair! Irrigate (your land) and then let the water pass to your neighbour.” On that the Ansãri got angry and said to the Prophet ﷺ, “Is it because he (i.e., Zubair) is your aunt’s son?” On that the colour of the face of Allah’s Messenger ﷺ changed (because of anger) and he said, “O Zubair! Irrigate (your land) and then withhold the water till it reaches the walls between the pits round the trees.” Zubair said, “By Allah, I think that the following Verse was revealed on this occasion:

‘But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them’.” (V.4:65)
(7) CHAPTER. The land nearer to the source of water has the right to be irrigated before the one that is farther.

2361. Narrated 'Urwa: When a man from the Ansâr quarrelled with Az-Zubair, the Prophet said, “O Zubair! Irrigate (your land) first and then let the water flow (to the land of the others).” On that the Ansâr said (to the Prophet), “Is it because he is your aunt’s son?” On that the Prophet said, “O Zubair! Irrigate till the water reaches the walls between the pits around the trees and then stop (i.e., let the water go to the other’s land).” I think the following Verse was revealed concerning this event:

“But no, by your Lord, they can have no Faith, until they make you (O Muhammad) judge in all disputes between them.” (V.4:65)

(8) CHAPTER. The land nearer to the source of water has the right to be covered with water up to the ankles.

2362. Narrated 'Urwa bin Az-Zubair: An Ansâr man quarrelled with Az-Zubair about a canal in the Harra which was used for irrigating date-palms. Allâh’s Messenger ordering Az-Zubair to be moderate, said, “O Zubair! Irrigate (your land) first and then leave the water for your neighbour.” The Ansâr said, “Is it because he is your aunt’s son?” On that the colour of the face of Allâh’s Messenger changed (because of anger) and he said, “O Zubair!
Irrigate (your land) and withhold the water till it reaches the walls that are between the pits around the trees." So, Allâh’s Messenger ﷺ gave Az-Zubair his full right. Az-Zubair said, “By Allâh, the following Verse was revealed in that connection:

‘But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them.’” (V.4:65)

(The subnarrator). Ibn Shihâb said to Juraij (another subnarrator), “The Ansâr and the other people interpreted the saying of the Prophet ﷺ: ‘Irrigate (your land) and withhold the water till it reaches the walls between the pits around the trees,’ as meaning up to the ankles.”

2363. Narrated Abû Hurairah ﷺ: Allâh’s Messenger ﷺ said, “While a man was walking he felt thirsty and went down a well and drank water from it. On coming out of it, he saw a dog panting and eating mud because of excessive thirst. The man said, ‘This (dog) is suffering from the same problem as that of mine. So he (went down the well), filled his shoe with water, caught hold of it with his teeth and climbed up and watered the dog. Allâh thanked him for his (good) deed and forgave him.” The people asked, “O Allâh’s Messenger! Is there a reward for us in serving (the) animals?” He replied, “Yes, there is a reward for serving any animate (living being).”

http://islamsbooks.wordpress.com/
2364. Narrated 'Asmâ’ bint 'Abi Bakr: The Prophet ﷺ offered the eclipse Salât (prayer), and then said, “Hell was displayed so close that I said, ‘O my Lord! Am I going to be one of its inhabitants?’” Suddenly he saw a woman. I think he said, “...who was being scratched by a cat.” He said, “What is wrong with her?” He was told, “She had imprisoned it (i.e., the cat) till it died of hunger.”

2365. Narrated 'Abdullâh bin 'Umar: Allah’s Messenger ﷺ said, “A woman was tortured and was put in (Hell) Fire because of a cat which she had kept locked till it died of hunger.” Allah’s Messenger ﷺ further said, “Allah knows better. Allah said (to the woman), ‘You neither fed it nor watered it when you locked it up, nor did you set it free to eat the vermin of the earth.’”

(10) CHAPTER. Whoever thinks that the owner of a tank, or of a leather water-container has more right to use the water than any other person.

2366. Narrated Sahl bin Sa’d: Once a tumbler (full of milk or water) was brought to Allah’s Messenger ﷺ who drank from it, while on his right side there was sitting a boy who was the youngest of those...
who were present, and on his left side there were old men. The Prophet asked, “O boy! Do you allow me to give (the drink) to the elder people (first)?” The boy said, “I will not give preference to anybody over me to have my share from you, O Allah’s Messenger!” So, he gave it to the boy.

2367. Narrated Abu Hurairah: The Prophet said, “By Him in Whose Hands my soul is, some people will be driven away from my Tank [Haud (Al-Kauthar)] on the Day of Resurrection as strange camels are driven away from a private tank (trough).”

2368. Narrated Ibn ‘Abbas: The Prophet said, “May Allah be Merciful to the mother of Isma’il (Ishmael)! If she had left the water of Zamzam (fountain) as it was, (without constructing a basin for keeping the water), (or said, “If she had not taken handfuls of its water”), it would have been a flowing stream. Jurhum (an Arab tribe) came and asked her, ‘May we settle at your dwelling?’ She said, ‘Yes, but you have no right to possess the water.’ They agreed.”

2369. Narrated Abu Hurairah: The Prophet said, “There are three types
of people whom Allah will neither speak to them, nor look at them, on the Day of Resurrection. (They are):

1. A man who takes an oath falsely that he has been offered for his goods so much more than what he is given,

2. A man who takes a false oath after the Asr (prayer) in order to grab a Muslim's property, and

3. A man who withholds his superfluous water. Allah will say to him, 'Today I will withhold My Grace from you as you withheld the superfluity of what you had not created.'"

(11) CHAPTER. No Himā (private pasture) except according to what Allah and His Messenger did. (1)

2370. Narrated As-Sa'b bin Jaththama: Allah's Messenger said, "No Himā (2) except for Allah and His Messenger (3).

We have been told that Allah's Messenger made a place called An-Naqi' as Himā, and 'Umar made Ash-Sharaf and Ar-Rabadha Himā (for grazing the animals of Zakāt).

(1) (Ch. ii) This means that the Imam has the right to assign certain pastures for certain purposes (e.g., for grazing the animals of the Zakāt). Nobody would then have the right to use the pastures for other purposes. (Fatā Al-Bārī)

(2) (H. 2370) The origin of this word is that when an Arab chief came to a certain place suitable for pasturing, he would let his dog bark at a high place. The area across which the sound of the dog spread would be a private pasture for the chief's cattle, and nobody else would have the right to graze his cattle in it. So Himā means a private pasture, originally belonging to nobody, and nobody is allowed to cultivate it, but it is kept for grazing private animals. (Fatā Al-Bārī)

(3) (H. 2370) Allah's Messenger and the Muslim leaders only have the right to keep pastures of this sort; no individual has the right to keep Himā for his personal good as the Arabs used to do in the Pre-Islamic Period of Ignorance. (Ibid.)
2371. Narrated Abū Hurairah Ḥ: Allah’s Messenger (ﷺ) said, “Keeping horses may be a source of reward to some (men), a shelter to another (i.e., means of earning one’s living), or a burden to a third. He, to whom the horse will be a source of reward is the one who keeps it in Allah’s Cause (prepare it for holy battles) and ties it by a long rope in a pasture (or a garden). He will get a reward equal to what its long rope allows it to eat in the pasture or the garden, and if that horse breaks its rope and crosses one or two hills, then all its foot-steps and its dung will be counted as good deeds for its owner; and if it passes by a river and drinks from it, then that will also be regarded as a good deed for its owner even if he has had no intention of watering it then. Horses are a shelter from poverty to the second person who keeps horses for earning his living so as not to ask others, and at the same time he gives Allah’s Right (i.e., Zakāt) (from the wealth he earns through using them in trading etc.), and does not overburden them. He who keeps horses just out of pride and for showing off and as a means of harming the Muslims, his horses will be a source of sins to him.”

When Allah’s Messenger (ﷺ) was asked

(1) (H. 2371) Horses are kept as a means of conveyance or for commercial purposes. One may use them in the way that pleases Allah and gets a reward for his obedience, another may use them in disobeying Allah and is consequently punished, and still another may use them just for earning his living. (Qaṣṭalānī)
about donkeys, he replied, “Nothing particular was revealed to me regarding them except this general unique Verse which is applicable to everything:

‘So whosoever does good equal to the weight of an atom (or a small ant), shall see it. And whosoever does evil equal to the weight of an atom (or a small ant), shall see it.’” (1)

2372. Narrated Zaid bin Khālid رضي الله عنه: A man came to Allāh’s Messenger ﷺ and asked about Al-Luqā’ة (a fallen thing). The Prophet ﷺ said, “Recognise its container and its tying material and then make public announcement about it for one year and if its owner shows up, give it to him; otherwise use it as you like.” The man said, “What about a lost sheep?” The Prophet ﷺ said, “It is for you, your brother or the wolf.” The man asked “What about a lost camel?” The Prophet ﷺ said, “Why should you take it as it has got its water-container (its stomach) and its hooves and it can reach the places of water and can eat the trees till its owner finds it?” (3)

(13) CHAPTER. The selling of wood and grass.

2373. Narrated Az-Zubair bin Al-

(1) (H. 2371) This means that if one treats his donkeys kindly and does not overburden them, he will be rewarded for that in the Hereafter, and if he does the opposite, he will gain the fruit of his ill-behaviour. (Qastalani)

(2) (H. 2372) It is for you if its owner does not show up, or for its owner if he shows up, or for the wolf to eat if you leave it and its owner does not find it.

(3) (H. 2372) The Prophet ﷺ forbids the man from taking the lost camel because it can stay in the desert for a long period without any danger. It is like a well-provided traveller; it can reach its destination.
‘Awwãm 

The Prophet said, “No doubt, one had better take a rope (and cut) and tie a bundle of wood and sell it whereby Allâh will keep his face away (from Hell-fire) rather than ask others who may give him or not.”

2374. Narrated Abû Hurairah: Allâh’s Messenger said, “No doubt, it is better for anyone of you to cut a bundle of wood and carry it over his back (and earn his living thereby) rather than to ask somebody who may or may not give him.” (See H. 2074).

2375. Narrated Husain bin ‘Alli: ‘Ali bin Abî Talib said, “I got a she-camel as my share of the war booty on the day (of the battle) of Badr, and Allâh’s Messenger gave me another she-camel. I let both of them kneel at the door of one of the Ansar, intending to carry Idkhir on them to sell it and use its price for my wedding banquet on marrying Fâtimah. A goldsmith from Bani Qainuqa’ was with me. Hamza bin ‘Abdul-Mu’talib was in that house drinking wine and a lady singer was reciting:

‘O Hamza! (Kill) the (two) fat old she-camels (and serve them to your guests).’

So Hamza took his sword and went towards the two she-camels and cut off their humps and opened their flanks and took a part of their livers.” (I said to Ibn Shihâb,
“Did he take part of the humps?” He replied, “He cut off their humps and carried them away.”) ‘Ali further said, “When I saw that dreadful sight, I went to the Prophet \(\Phi\) and told him the news. The Prophet \(\Phi\) came out in the company of Zaid bin Hāritha who was with him then, and I, too, went with them. He went to Ḥamza and spoke harshly to him. Hamza looked up and said, ‘Aren’t you only the slaves of my forefathers?’ The Prophet \(\Phi\) retreated and went out. This incident happened before the prohibition of drinking (alcoholic drinks).”

(14) CHAPTER. The uncultivated pieces of land (granted by the ruler to some individuals).

2376. Narrated Anas: The Prophet \(\Phi\) decided to grant a portion of (the uncultivated land of) Bahrain to the \(\textit{Ansār}.\) The \(\textit{Ansār}\) said, “(We will not accept it) till you give a similar portion to our emigrant brothers (from \(\textit{Quraish}\)).” He said, “(O \(\textit{Ansār}!) You will soon see people giving preference to others, so remain patient till you meet me (on the Day of Resurrection).”(1)

(1) (H. 2376) This prophecy was a sign of the Prophethood of Allah’s Messenger \(\Phi\). It came true that the \(\textit{Quraish}\) kings had the source of wealth and power in their hands. The Prophet \(\Phi\) tells the \(\textit{Ansār}\) to be patient and wait for a great reward in the Hereafter as a compensation for the pleasures they would miss in this life.
(15) CHAPTER. Documentation of the land grants.

2377. Narrated Anas: The Prophet called the Anṣār so as to grant them a portion of (the land of) Bahra. They said, “O Allāh’s Messenger! If you grant this to us, write a similar document to our Quraish (emigrant) brothers.” But the Prophet did not have enough grants and he said, “After me you will see the people giving preference (to others), so be patient till you meet me.”

(16) CHAPTER. Milking she-camels at water places.

2378. Narrated Abū Hurairah: The Prophet said, “One of the rights of a she-camel is that it should be milked at a place of water.”

(17) CHAPTER. One may have the right to pass through a garden or to have a share in date-palms.

The Prophet said, “If somebody sells date-palms after pollinating them, their fruits will be for him and he has the right to enter

(1) (Ch. 2377) Perhaps the grants given to the Anṣār were land grants or money grants from the Jizya tax levied from that land. The Prophet could not assign similar grants to the emigrants, perhaps because there were not many conquests then. (Qastalānī)
the garden and irrigate the date-palms till he reaps the fruits. The owner of 'Ariya has a similar right.

2379. Narrated 'Abdulläh Allâh: Allâh’s Messenger ﷺ said, “If somebody buys date-palms after they have been pollinated, the fruits will belong to the seller unless the buyer stipulates the contrary. If somebody buys a slave having some property, the property will belong to the seller unless the buyer stipulates that it should belong to him.”

2380. Narrated Zaid bin Thâbit i: The Prophet ﷺ permitted selling the dates of the ‘Arâyâ for ready dates by estimating the amount of the former (as they are still on the trees).

2381. Narrated Jâbir bin ‘Abdulläh: The Prophet ﷺ forbade the sales called Al-Mukhâbara, Al-Muḥqâqa and Al-Muzâbâna and the selling of fruits till they are free from blights. He forbade the selling of the fruits except for money, except the ‘Arâyâ.

2382. Narrated Abû Hurairah: The Prophet ﷺ allowed the sale of the dates...
of the ‘Arāyā for ready dates by estimating the former which should be estimated as less than five Awsuq or five Awsuq. (Dawūd, the subnarrator is not sure as to the right amount.)

2383, 2384. Narrated Rāfi' bin Khadij and Sahl bin Abī Hathma: Allāh's Messenger forbade the sale of Muzābana, i.e., selling of fruits for fruits, except in the case of ‘Arāyā; he allowed the owners of ‘Arāyā such kind of sale.

(1) (H. 2382) Since there is doubt about the limits of estimation, less than five Awsuq is regarded as the legal amount; five Awsuq or more is regarded as illegal. (Qastālānī).

http://islamsbooks.wordpress.com/
43 - THE BOOK OF LOANS, PAYMENT OF LOANS, FREEZING OF PROPERTY, AND BANKRUPTCY.

(1) CHAPTER. Whoever buys a thing on credit and does not have its price or has it, but not at the place of the transaction.

2385. Narrated Jābir bin ‘Abdullāh: While I was in the company of the Prophet in one of his Ghazawāt, he asked, “What is wrong with your camel? Will you sell it?” I replied in the affirmative and sold it to him. When he reached Al-Madīna, I took the camel to him in the morning and he paid me its price.

2386. Narrated Al-A‘mash: When we were with Ibrāhīm, we talked about mortgaging in deals of Salam. Ibrāhīm narrated from Aswād that ‘Āishah had said, “The Prophet bought some foodstuff on credit from a Jew and mortgaged an iron armour to him.”

(2) CHAPTER. Whoever takes the money of the people intending to repay it or to destroy it or to spoil it.

2387. Narrated Abū Hurairah: The Prophet said, “Whoever takes the money of the people with the intention of repaying it, Allāh will repay it on his behalf, and whoever takes it in order to destroy it, then Allāh will destroy him.”
(3) CHAPTER. Repayment of debts.

And the Statement of Allâh ﷺ:

“Verily! Allâh commands that you should render back the trusts to those, to whom they are due; and that when you judge between men, you judge with justice. Verily, how excellent is the teaching which He (Allâh) gives you! Truly, Allâh is Ever All-Hearer, All-Seer.” (V.4:58)

2388. Narrated Abû Dhar ﷺ:

Once, while I was in the company of the Prophet ﷺ, he saw the mountain of Uhud and said, “I would not like to have this mountain turned into gold for me unless nothing of it, not even a single Dinâr remains of it with me for more than three days (i.e., I will spend all of it in Allah’s Cause), except that Dinâr which I will keep for repaying debts.” Then he said, “Those who are rich in this world would have little reward in the Hereafter, except those who spend their money here and there (in Allah’s Cause), and they are few in number.” Then he ordered me to stay at my place and went not far away. I heard a voice and intended to go to him but I remembered his order, “Stay at your place till I return.” On his return I asked, “O Allah’s Messenger! (What was) that noise which I heard?” He said, “Did you hear anything?” I said, “Yes.” He said, “Jibrîl [Gabriel] came to me and said, ‘Whoever amongst your followers dies, worshipping none along with Allâh, will enter Paradise.’” I said, “Even if he did such and such things (i.e., even if he stole or committed illegal sexual intercourse)”
He (ﷺ) said, “Yes.”

2389. Narrated Abū Hurairah رضى الله عنه: Allah’s Messenger  سبحانه وتعالى said, “If I had gold equal to the mountain of Uhud, it would not please me that it should remain with me for more than three days, except an amount which I would keep for repaying debts.”

(4) CHAPTER. To buy camels on credit.

2390. Narrated Abū Hurairah رضى الله عنه: A man demanded his debts from Allah’s Messenger  سبحانه وتعالى in such a rude manner that the companions of the Prophet  سبحانه وتعالى intended to harm him, but the Prophet  سبحانه وتعالى said, “Leave him, no doubt, for he (the creditor) has a right to demand it (harshly). Buy a camel and give it to him.” They said, “The camel that is available is older and better than the camel he demands.” The Prophet  سبحانه وتعالى said, “Buy it and give it to him, for the best among you are those who repay their debts handsomely.”
(5) CHAPTER. Demanding debts handsomely.

2391. Narrated Hudhaifa: I heard the Prophet saying, “Once a man died and was asked, ‘What did you use to say (or do) (in your lifetime)?’ He replied, ‘I was a businessman and used to give time to the rich to repay his debt and (used to) deduct part of the debt of the poor.’ So he was forgiven (his sins).”

Abu Mas'ud said, “I heard the same (Hadith) from the Prophet.”

(6) CHAPTER. Can one give an older (camel) than that he owes?

2392. Narrated Abu Hurairah: A man came to the Prophet and demanded a camel (the Prophet owed him). Allah's Messenger told his companions to give him (a camel). They said, “We do not find except an older and better camel (than what he demands).”

(The Prophet ordered them to give him that camel). The man said, “You have paid me in full and may Allah also pay you in full.” Allah's Messenger said, “Give him, for the best amongst the people is he who repays his debts in the most handsome manner.”

(7) CHAPTER. Repaying debts handsomely.

2393. Narrated Abu Hurairah: The Prophet owed a camel of a certain age to a man who came to demand it back. The Prophet ordered his companions to give him. They looked for a camel of the same age
but found nothing but a camel one year older. The Prophet ﷺ told them to give it to him. The man said, “You have paid me in full, and may Allâh pay you in full.” The Prophet ﷺ said, “The best amongst you is he who pays his debts in the most handsome manner.”

2394. Narrated Jâbir bin ‘Abdullah رضي الله عنهما ﷺ: I went to the Prophet ﷺ while he was in the mosque. (Mis’ar thinks, that Jâbir went in the forenoon.) The Prophet ﷺ told me to offer two Rak‘ât prayer, and then he repayed me the debt he owed me and gave me an extra amount.

(8) CHAPTER. If somebody repays less than what he owes, (and the creditor accepts it) or if the creditor exempts the debtor from paying (there is no objection).

2395. Narrated Jâbir bin ‘Abdullah رضي الله عنهما ﷺ: My father was martyred on the day (of the battle) of Uhud, and he was in debt. His creditors demanded their rights persistently. I went to the Prophet ﷺ (and informed him about it). He told them to take the fruits of my garden and exempt my father from the debts, but they refused to do so. So, the Prophet ﷺ did not give them my garden and told me that he would come to me the next morning. He came to us early in the morning and wandered among the date-palms and invoked Allâh to bless their fruits. I then plucked the dates and paid the creditors, and there remained some of the dates for us.
(9) CHAPTER. It is permissible for one to settle one’s accounts by repaying for the dates one owes, dates or other things, and one can repay them without weighing or measuring them (if the creditor agrees).

2396. Narrated Jâbir bin ‘Abdullãh: When my father died he owed a Jew thirty Aawsuq (of dates). I requested him to give me respite for repaying but he refused. I requested Allâh’s Messenger to intercede with the Jew. Allâh’s Messenger went to the Jew and asked him to accept the fruits of my trees in place of the debt but the Jew refused. Allâh’s Messenger entered the garden of the date-palms, wandering among the trees and ordered me (saying), “Pluck (the fruits) and give him his due.” So, I plucked the fruits for him after the departure of Allâh’s Messenger and gave his thirty Aawsuq, and still had seventeen Aawsuq extra for myself. Jâbir said: I went to Allâh’s Messenger to inform of what had happened, but found him offering the Asr prayer. After the Salât (prayer) I told him about the extra fruits which remained. Allâh’s Messenger told me to inform (‘Umar) Ibn Al-Khattãb about it. When I went to ‘Umar and told him about it, ‘Umar said, “When Allâh’s Messenger walked in your garden, I was sure that Allâh would definitely bless it.”
(10) CHAPTER. Whoever seeks refuge with Allah from being in debt.

2397. Narrated 'Aishah: Allah's Messenger used to invoke Allah in the Salat (prayer) saying, “O Allah, I seek refuge with you from all sins, and from being in debt.” Someone said, “O Allah’s Messenger! (I see) very often you seek refuge with Allah from being in debt.” He replied, “If a person is in debt, he tells lies when he speaks, and breaks his promises when he promises.”

(11) CHAPTER. The funeral Salat (prayer) for a dead person in debt.

2398. Narrated Abü Hurairah: The Prophet said, “If someone leaves some property, it will be for the inheritors, and if he leaves some weak offspring, it will be for us to support them.”

2399. Narrated Abü Hurairah: The Prophet said, “I am closer to the believers than their own selves in this world and in the Hereafter, and if you like, you can read Allah’s Statement:

‘The Prophet is closer to the believers than their own selves…’” (V.33:6)

So, if a true believer dies and leaves
behind some property, it will be for his inheritors (from the father's side), and if he leaves behind some debt to be paid or needy offspring, then they should come to me as I am the guardian of the deceased.”

(12) CHAPTER. Procrastination (delay) in repaying debts by a wealthy person is injustice.

2400. Narrated Abū Hurairah: Allah's Messenger said, “Procrastination (delay) in repaying debts by a wealthy person is injustice.”

(13) CHAPTER. The owner of the right has the permission to demand his right.

The Prophet said, “The delay in the payment of debt by one who can afford to pay, justifies his defamation and torture by the lender.” Defamation means that the lender tells him in public that he has delayed the payment. Torture means legal imprisonment.

2401. Narrated Abū Hurairah: The Prophet said, “Leave him, as the creditor (one who has a right) has the full right to demand it (or to speak harshly).”
(14) CHAPTER. If somebody lends something or sells it on credit or deposits it as a trust, and the new possessor gets bankrupt, the former owner has more right than the other creditors to restore that thing if he finds it with the bankrupt.

Al-Ḥasan said, "If somebody becomes bankrupt and he is judged to be so, he is not permitted to free his slave or sell or buy things."

Saʿīd bin Al-Musayyab said, "'Uthmān gave a verdict that if a creditor took something from the debtor before the latter was declared bankrupt, it would belong to him (i.e., the other creditors would have no right to take it), and if the creditor recognized his things, he had more right to restore them (than any other creditor)."

2402. Narrated Abū Hurairah: Allah's Messenger said, "If a man finds his very things with a bankrupt, he has more right to take them back than anyone else."

(15) CHAPTER. Whoever delayed the repayment of debts for a day or so and did not regard it as procrastination.

Jābir said, "When the creditors of my father demanded their rights persistently, the Prophet requested them to take the fruits of my garden instead of the debt, but they refused. So, the Prophet neither gave..."
them the fruits nor had the fruits plucked for them, but said, 'I will come to you tomorrow.' He came to us early in the morning and invoked Allah to bless the garden's fruits, and so I paid the creditors their rights."

(16) CHAPTER. Whoever sold the property of a bankrupt or a poor man and divided the money amongst the creditors or gave it (piecemeal) to the man to spend it on his affairs.

2403. Narrated Jâbir bin ‘Abdullâh: A man pledged that his slave would be manumitted after his death. The Prophet asked, "Who will buy the slave from me?"(1) Nu‘aim bin ‘Abdullâh bought the slave and the Prophet took its price and gave it to the owner.

(17) CHAPTER. It is permissible to lend money for a fixed time or sell on credit for a fixed time.

Ibn ‘Umar said concerning loans for a fixed time, "There is no objection to it, even if the debtor gives more than he owes if the creditor has not stipulated it."

‘Atâ’ and ‘Amr bin Dinâr said, "The lender has no right to demand his money before the due time of payment."

2404. Narrated Abû Hurairah: Allah’s Messenger mentioned an Israeli man who asked another Israeli to lend him money, and the latter gave it to him for a fixed period. (Abû Hurairah mentioned the rest of the narration.)

[See chapter: Kafâla in loans and

(1) (H. 2403) The man became in need or in debt, so the Prophet sold the slave for him although he had promised that he would be manumitted after his death.
debts. Hadith 2291].

(18) CHAPTER. Intercession for the reduction of debts.

2405. Narrated Jâbir: When ‘Abdullâh (my father) died, he left behind children and debts. I asked the lenders to put down some of his debt, but they refused, so I went to the Prophet ﷺ to intercede with them, yet they refused. The Prophet ﷺ said (to me), “Classify your dates into their different kinds: Ḥdhq Ibn Zaid, Lean and ‘Ajwa, each kind separately and call all the creditors and wait till I come to you.” I did so, and the Prophet ﷺ came and sat beside the dates and started measuring to each his due till he paid them fully, and the amount of dates remained as it was before, as if he had not touched them.

2406. (On another occasion) I took part in one of Ghazawat along with the Prophet ﷺ and I was riding one of our camels. The camel got tired and was lagging behind the others. The Prophet ﷺ hit it on its back. He said, “Sell it to me, and you have the right to ride it till Al-Madina.” When we approached Al-Madina, I took the permission from the Prophet ﷺ to go to my house, saying, “O Allah’s Messenger! I am married recently.” The Prophet ﷺ asked, “Have you married a virgin or a matron (a widow or divorcee)?” I said, “I have married a matron, as ‘Abdullâh (my father) died and left behind daughters small in their ages, so I married a matron
who may teach them and bring them up with good manners." The Prophet then said (to me), "Go to your family." When I went there and told my maternal uncle about the selling of the camel, he admonished me for it. On that I told him about its slowness and exhaustion and about what the Prophet had done to the camel and his hitting it. When the Prophet arrived, I went to him with the camel in the morning and he gave me the price of the camel and the camel itself, and also my share from the war booty as he gave the other people.

(19) CHAPTER. What is forbidden as regards wasting money.

And the Statement of Allâh:
"... And Allâh likes not mischief..." (V.2:205).
"... Verily Allâh does not set right the work of Al-Mufsidun (the evil-doers, corrupters)...." (V.10:81)
And the Statement of Allâh:
"Does your Salât (prayer) command that we give up what our fathers used to worship, or that we give up doing what we like with our property?...." (V.11:87)
Allâh also said:
"And give not unto the foolish your property...." (V.4:5)
And to keep away from all these (things), and (also) what is forbidden as regards deceit.

2407. Narrated Ibn ‘Umar: A man came to the Prophet and said, "I am often betrayed in bargaining." The Prophet advised him, "When you buy something, say (to the seller), 'No deception'." The man used to say so afterwards.
2408. Narrated Al-Mughira bin Shu‘ba رضي الله عنه: The Prophet ﷺ said, “Allah has forbidden for you (1) to be undutiful to your mothers, (2) to bury your daughters alive, (3) to not to pay the rights of the poor and others (e.g. charity) and (4) to beg of men (i.e., begging). And Allah hates for you (1) Qīl and Qāl (sinful and useless talk like backbiting or that you talk too much about others), (2) to ask too many questions, (in disputed religious matters), and (3) to waste the wealth (by extravagance with lack of wisdom and thinking).”

(20) CHAPTER. A slave is a guardian of the property of his master and he should not use it except with the master’s permission.

2409. Narrated ‘Abdullah bin ‘Umar رضي الله عنهما: I heard Allah’s Messenger ﷺ saying, “Everyone of you is a guardian and responsible for what is in his custody. The ruler is a guardian of his subjects and responsible for them; a husband is a guardian of his family and is responsible for it; a lady is a guardian of her husband’s house and is responsible for it, and a servant is a guardian of his master’s property and is responsible for it.” I heard that from Allah’s Messenger ﷺ and I think that the Prophet ﷺ also said, “A man is a guardian of his father’s property and is responsible for it; so all of you are guardians and responsible for your wards and things under your care.”
(1) CHAPTER. What is mentioned about the people, and quarrels between the Jews and the Muslims.

2410. Narrated ‘Abdullãh bin Mas’üd: I heard a man reciting a Verse (of the Qur’an) but I had heard the Prophet reciting it differently. So, I caught hold of the man by the hand and took him to Allah’s Messenger who said, “Both of you are right.” Shu‘ba, the subnarrator said, “I think he said to them, “Don’t differ, for the nations before you differed and perished (because of their differences).”

2411. Narrated Abû Hurairah: Two persons, a Muslim and a Jew, quarrelled. The Muslim said, “By Him Who gave Muhammad (saw) superiority over all the people!” The Jew said, “By Him Who gave Mûsa [Moses (saw)] superiority over all the people!” At that the Muslim raised his hand and slapped the Jew on the face. The Jew went to the Prophet and informed him of what had happened between him and the Muslim. The Prophet sent for the Muslim and asked him about it. The Muslim informed him of the event. The Prophet said, “Do not give me superiority over Mûsa, for on the Day of Resurrection all the people will fall unconscious and I will be one of them, but I will be the first to regain consciousness, and will see Mûsa standing and holding the side of the Throne (of Allah). I will not know whether (Mûsa) has also fallen unconscious and got up before
me, or Allâh has exempted him from that stroke.”

2412. Narrated Abû Sa‘îd Al-Khudrî: While Allâh’s Messenger ﷺ was sitting, a Jew came and said, “O Abû Qâsim! One of your companions has slapped me on my face.” The Prophet ﷺ asked who that was. He replied that he was one of the Anâr. The Prophet ﷺ sent for him, and on his arrival, he asked him whether he had beaten the Jew. He (replied in the affirmative and) said, “I heard him taking an oath in the market saying, ‘By Him Who gave Mûsâ (Moses) superiority over all the human beings.’ I said, ‘O wicked man! (Has Allâh given Mûsâ superiority) even over Muḥammad ﷺ?’ I became furious and slapped him over his face.” The Prophet ﷺ said, “Do not give a Prophet superiority over another, for on the Day of Resurrection all the people will fall unconscious; and I will be the first to emerge from the earth, and will see Mûsâ standing and holding one of the pillars of the Throne. I will not know whether Mûsâ has fallen unconscious or the first unconsciousness was sufficient for him.”

(1) (H. 2412) This is an allusion to the event where Mûsâ (Moses) fell unconscious on wishing to see Allâh when he was beside the mountain. (See the Qur’ân V. 7:143)
2413. Narrated Anas: A Jew crushed the head of a girl between two stones. The girl was asked who had crushed her head, and some names were mentioned before her, and when the name of the Jew was mentioned, she nodded agreeing. The Jew was caught and when he confessed, the Prophet ordered that his head be crushed between two stones.

(2) CHAPTER. Whoever cancelled the deals done by a weak-minded or an extravagant person even if the ruler had not assumed control over his wealth.

Jābir narrated that the Prophet rejected the gift of charity (given by a poor man) before he prohibited him (from giving in charity).

Mālik said, “If a person is in debt and he has nothing except a slave, it is not permissible for him to manumit the slave.”

(3) CHAPTER. If somebody sells a thing for a weak-minded person and pays him the price, and advised him to utilize it in a proper way and not to spoil it, and he spoils it, he can stop him from doing so, for the Prophet had forbidden the wasting of the property. The Prophet ordered the person who said that he had always been cheated in buying, to say, at the time of the deal, “No cheating!” The Prophet did not take his money (of the person who sold his slave, because he had not proved foolish).

2414. Narrated Ibn ‘Umar: A man was often cheated in buying. The
Prophet said to him, “When you buy something, say (to the seller), ‘No cheating.’” The man used to say so thenceforward.

2415. Narrated Jābir: A man manumitted a slave and he had no other property than that, so the Prophet cancelled the manumission (and sold the slave for him). Nu‘aim bin An-Nahhām bought the slave from him.

(4) CHAPTER. The talk of opponents against each other.

2416, 2417. Narrated ‘Abdullah bin Mas‘ūd: Allah’s Messenger said, “Whoever takes a false oath so as to take the property of a Muslim (illegally) will meet Allāh while He will be angry with him.”

Al-Ash‘ath said: By Allāh, that saying concerned me. I had common land with a Jew, and the Jew later on denied my ownership, so I took him to the Prophet who asked me whether I had a proof of my ownership. When I replied in the negative, the Prophet asked the Jew to take an oath. I said, “O Allāh’s Messenger! He will take an oath and deprive me of my property.” So, Allāh revealed the following Verse:

“Verily: those who purchase a small gain at the cost of Allāh’s Covenant and their oaths…” (V.3:77)
2418. Narrated ‘Abdullâh bin Ka‘b bin Mâlik: Ka‘b bin Mâlik demanded his debt back from Ibn Abi Ḥadrâd in the mosque and their voices grew louder till Allâh’s Messenger heard them while he was in his house. He came out to them raising the curtain of his room and addressed Ka‘b, “O Ka‘b!” Ka‘b replied, “Labbaik, O Allah’s Messenger.” (He said to him), “Reduce your debt to half,” gesturing with his hand. Ka‘b said, “I have done so, O Allah’s Messenger!” On that the Prophet said to Ibn Abi Ḥadrâd, “Get up and repay the debt to him.”

2419. Narrated ‘Umar bin Al-Khattâb: I heard Hîshâm bin Ḥakîm bin Ḥîzâm reciting Sûrat Al-Furqân in a way different to that of mine. Allâh’s Messenger had taught it to me (in a different way). So, I was about to quarrel with him [during the Salât (prayer)] but I waited till he finished, then I tied his garment round his neck and seized him by it and brought him to Allâh’s Messenger and said, “I have heard him reciting Sûrat Al-Furqân in a way different to the way you taught it to me.” The Prophet ordered me to release him and asked Hîshâm to recite it. When he recited it, Allâh’s Messenger said, “It was revealed in this way.” He then asked me to recite it. When I recited it, he said, “It was revealed in this way. The Qur’ân has been
revealed in seven different ways, so recite it in the way that is easier for you.”

(5) CHAPTER. Turning out the sinners and the quarrelsome people of the houses after the impropriety of their behaviour gets evident.

‘Umar turned Abū Bakr’s sister (out of the house) for her wailing (over a dead person).

2420. Narrated Abū Hurairah: The Prophet said, “No doubt, I was about to order somebody to pronounce the Iqāma of the (compulsory congregational) Salāt (prayer) and then I would go to the houses of those who do not attend the Salāt (prayer) (in mosque) and burn their houses over them.” (See H. 644).

(6) CHAPTER. To file a case for fulfilling the will of the deceased.

2421. Narrated ‘Āishah: ‘Abd bin Zam’a and Sa’d bin Abī Waqqāṣ carried the case of their claim of the (ownership) of the son of a slave-girl of Zam’a before the Prophet. Sa’d said, “O Allah’s Messenger! My brother, before his death, told me that when I would return (to Makkah), I should search for the son of the slave-girl of Zam’a and take him into my

(1) (H. 2420) See Iqāmat-as-Salāt in glossary.
custody as he was his son." ‘Abd bin Zam’a said, “He is my brother and the son of the slave-girl of my father, and was born on my father’s bed.” The Prophet noticed a resemblance between ‘Utba and the boy but he said, “O ‘Abd bin Zam’a! You will get this boy, as the son goes to the owner of the bed. You, Sauda, screen yourself from the boy.”

(7) CHAPTER. Tying the person who is liable to do mischievous things.

Ibn ‘Abbas chained ‘Ikrima to teach him the Qur’ân, the Prophet’s Sunna (legal ways), and the knowledge of Farā‘ūd (laws of inheritance).

2422. Narrated Abu Hurairah: Allah’s Messenger sent horsemen to Najd and they arrested and brought a man called Thumãma bin Uthãl, the chief of Yamãma, and they fastened him to one of the pillars of the mosque. When Allah’s Messenger came up to him; he asked, “What have you to say, O Thumãma?” He replied “I have good news, O Muhammad!” Abu Hurairah narrated the whole narration which ended with the order of the Prophet, “Release him!” (See H. 4372)

(8) CHAPTER. Fastening and imprisoning in the Haram.

Nâfi’ bin Al-Ḥārith bought a house from Šafwân bin Umaiyya for using it as a prison on the condition that the deal would be
confirmed if 'Umar agreed to it, and if 'Umar did not agree to it, Shaybān would take four hundred (Dinar). Ibn Az-Zubair imprisoned (the culprits) in Makkah.”

2423. Narrated Abū Hurairah: The Prophet sent some horsemen to Najd and they arrested and brought a man called Thumāma bin Uthāl from the tribe of Bani Ḥanifa, and they fastened him to one of the pillars of the mosque.

(9) CHAPTER. (The creditor's) pursuit (after his debtors).

2424. Narrated 'Abdullāh bin Ka'b bin Mālik Al-Anṣāri on the authority of Ka'b bin Mālik that 'Abdullāh bin Abī Ḥadrad Al-Aslamī owed him some debt. Ka'b met him and caught hold of him and they started talking and their voices grew louder. The Prophet passed by them and addressed Ka'b, pointing out to him to reduce the debt to half. So, Ka'b got half of the debt and exempted the debtor from the other half.

(10) CHAPTER. Demanding one's debts.

2425. Narrated Khabbāb: I was a blacksmith in the Pre-Islamic Period of...
Ignorance, and 'Āṣ bin Wā'il owed me some money. I went to him to demand it, but he said to me, "I will not pay you unless you reject faith in Muḥammad." I replied, "By Allāh, I will never disbelieve Muḥammad till Allāh let you die and then resurrect you." He said, "Then wait till I die and come to life again, for then I will be given property and offspring and will pay your right." So, this revelation came:

"Have you seen him who disbelieved in Our Ayāt (this Qur'an and Muḥammad) and said, 'I shall certainly be given wealth and children [if I will be alive (again)].'"

(V.19:77)
(A well-tied pouch or purse or lost things picked up by somebody).

(1) CHAPTER. When the owner of the Luqata informs its description exactly (proves that it belongs to him) it should be returned to him.

2426. Narrated Ubai bin Ka'b: I found a purse containing one hundred Dinár. So I went to the Prophet (and informed him about it), he said, “Make public announcement about it for one year.” I did so, but nobody turned up to claim it, so I again went to the Prophet who said, “Make public announcement for another year.” I did, but none turned up to claim it. I went to him for the third time and he said, “Keep the container and the string which is used for its tying and count the money it contains, and if its owner comes, give it to him; otherwise, utilize it.”

The subnarrator Salama said, “I met him (Suwaid, another subnarrator) in Makkah and he said, ‘I don’t know whether Ubai made the announcement for three years or just one year.’”

(2) CHAPTER. Lost camels.

2427. Narrated Zaid bin Khalid Al-Juhani: A bedouin went to the Prophet and asked him about picking up a lost thing. The Prophet said, “Make public announcement about it for one year. Remember the description of its container and the string with which it is tied; and if somebody comes and claims it and describes it correctly (give it to him); otherwise, utilize
it.” He said, “O Allâh’s Messenger! What about a lost sheep?” The Prophet ﷺ said, “It is for you, for your brother (i.e., its owner), or for the wolf.” He further asked, “What about a lost camel?” On that the face of the Prophet ﷺ became red (with anger) and said, “You have nothing to do with it, as it has its feet, its water reserve and can reach places of water and drink, and eat trees.”

(3) CHAPTER. Lost sheep.

2428. Narrated Yahyâ: Yazîd Mâlûb Al-Munba‘îth heard Zaid bin Khâlid al-Juñâni saying, “The Prophet ﷺ was asked about Luqâţa. He said, ‘Remember the description of its container and the string it is tied with, and announce it publicly for one year.’” Yazîd added, “If nobody claims then the person who has found it can spend it, and it is regarded as a trust entrusted to him.” Yahyâ said, “I do not know whether the last sentence were said by the Prophet ﷺ or by Yazîd.” Zaid further said, “The Prophet ﷺ was asked, ‘What about a lost sheep?’ The Prophet ﷺ said, ‘Take it, for it is for you or for your brother (i.e., its owner) or for the wolf.’” Yazîd added that it should also be announced publicly. The man then asked the Prophet ﷺ about a lost camel. The Prophet ﷺ said, “Leave it, as it has its feet, water-container (reservoir), and it will reach a place of water and eat trees till its owner finds it.”

http://islamsbooks.wordpress.com/
(4) CHAPTER. If the owner of a lost thing is not found for one year, then the thing is for the one who has found it.

2429. Narrated Zaid bin Khālid: A man came and asked Allâh’s Messenger about picking a lost thing. The Prophet said, “Remember the description of its container and the string it is tied with, and make public announcement about it for one year. If the owner shows up, give it to him; otherwise, do whatever you like with it.” He then asked, “What about a lost sheep?” The Prophet said, “It is for you, for your brother (i.e., its owner), or for the wolf.” He further asked, “What about a lost camel?” The Prophet said, “It is none of your concern. It has its water-container (reservoir) and its feet, and it will reach water and drink it and eat the trees till its owner finds it.”

(5) CHAPTER. If someone finds a piece of wood or a lash or similar things in the sea.

2430. Narrated ‘Abdur-Rahmān bin Hurmuz: Abū Hurairah said, “Allâh’s Messenger mentioned an Israeli man.” Abū Hurairah then told the whole narration. (At the end of the narration it was mentioned that the creditor) went out to the sea, hoping that a boat might have brought his money. Suddenly he saw a piece of wood and he took it to his house to use as firewood. When he sawed it, he found his money and a letter in it.

[See Hadith No. 2291 for details].

(6) CHAPTER. If somebody finds a date on the way.
2431. Narrated Anas: The Prophet passed by a date fallen on the way and said, “Were I not afraid that it may be from a Sadaqa (charity), I would have eaten it.”

2432. Narrated Abu Hurairah: The Prophet said, “Sometimes when I return home and find a date fallen on my bed, I pick it up in order to eat it, but I fear that it might be from a Sadaqa (charity), so I throw it.”

(7) CHAPTER. How the Luqata at Makkah is to be announced.

Narrated Ibn 'Abbas: The Prophet said, “Nobody should pick up the Luqata (lost things) (of Makkah) except the one who makes public announcement for it.” Ibn 'Abbas said (in another narration): The Prophet said, “None should pick up the fallen things of Makkah except that who announces it publicly.”

2433. Narrated Ibn 'Abbás: Allah's Messenger also said, “It (i.e., Makkah's) thorny bushes should not be uprooted and its game should not be chased, and picking up its fallen things is
illegal except by him who makes public announcement about it, and its grass should not be cut.” ‘Abdās said, “O Allah’s Messenger! Except *Idhkhir* (a kind of grass).” The Prophet ﷺ said, “Except *Idhkhir*."

2434. Narrated Abū Hurairah: When Allah gave victory to His Messenger ﷺ over the people of Makkah, Allah’s Messenger ﷺ stood up among the people and after glorifying Allah, said, “Allah has prohibited fighting in Makkah and has given authority to His Messenger and the believers over it, so fighting was illegal for anyone before me, and was made legal for me for a part of a day, and it will not be legal for anyone after me. Its game should not be chased, its thorny bushes should not be uprooted, and picking up its fallen things is not allowed except for one who makes public announcement for it, and he whose relative is murdered has the option either to accept a compensation for it or to retaliate.” Al-‘Abbas said, “Except *Al-Idhkhir*, for we use it in our graves and houses.” Allah’s Messenger ﷺ said, “Except *Al-Idhkhir.*” Abū Shāh, a Yemenite, stood up and said, “O Allah’s Messenger! Get it written for me.” Allah’s Messenger ﷺ said, “Write it for Abū Shāh.” (The sub-narrator asked Al-Auzā’i): What did he mean by saying, “Get it written, O Allah’s Messenger?” He replied, “The speech which he had heard from Allah’s Messenger ﷺ.”
(8) CHAPTER. No animal may be milked without the permission of its owner.

2435. Narrated Ibn `Umar: Allah's Messenger said, "An animal should not be milked without the permission of its owner. Does any of you like that somebody comes to his store and breaks his container and takes away his food? The udders of the animals are the stores of their owners where their provision is kept, so nobody should milk the animals of somebody else, without the permission of its owner."

(9) CHAPTER. If the owner of lost property comes back after a year, it should be returned to him as it is a trust with the one who has found it.

2436. Narrated Zaid bin Khālid Al-Juhani: A man asked Allah's Messenger about the Luqata. He said, "Make public announcement of it for one year, then remember the description of its container and the string it is tied with; utilize the money, and if its owner comes back after that, give it to him." The people asked, "O Allah's Messenger! What about a lost sheep?" Allah's Messenger said, "Take it, for it is for you, for your brother, or for the wolf." The man asked, "O Allah's Messenger! What about a lost camel?" Allah's Messenger got angry and his cheeks or face became red, and said, "You
have no concern with it as it has its feet, and its water-container, till its owner finds it.”

(10) CHAPTER. Should one pick up a fallen thing, lest it should be spoilt or taken by somebody who does not deserve it?

2437. Narrated Suwaid bin Ghafala: While I was in the company of Salmān bin Rabī’a and Zaid bin Suhān, in one of the holy battles, I found a whip. One of them told me to drop it, but I refused to do so and said that I would give it to its owner if I found him, otherwise I would utilize it. On our return we performed Ḥajj and on passing by Al-Madīna, I asked Ubāī bin Ka’b about it. He said, “I found a bag containing a hundred Dinār in the lifetime of the Prophet ﷺ and took it to the Prophet ﷺ who said to me, ‘Make public announcement about it for one year.’ So, I announced it for one year and went to the Prophet ﷺ who said, ‘Announce it publicly for another year.’ So, I announced it for another year. I went to him again and he said, ‘Announce for another year.” So I announced for still another year. I went to the Prophet ﷺ for the fourth time, and he said, ‘Remember the amount of money, the description of its container and the string it is tied with, and if its owner comes, give it to him; otherwise, utilize it.’”

Salama narrated the above narration from Ubāī bin Ka’b, adding, “I met the subnarrator at Makkah later on, but he did not remember whether Ka’b had announced
what he had found for one year or three years.”

(11) CHAPTER. Whoever announced the Luqata in public and did not hand it over to the ruler.

2438. Narrated Zaid bin Khālid: A bedouin asked the Prophet about the Luqata. The Prophet said, “Make public announcement about it for one year and if then somebody comes and describes the container of the Luqafa and the string it was tied with, (give it to him); otherwise, spend it.” He then asked the Prophet about a lost camel. The face of the Prophet became red and he said, “You have no concern with it as it has its water reservoir and feet and it will reach water and drink and eat trees. Leave it till its owner finds it.” He then asked the Prophet about a lost sheep. The Prophet said, “It is for you, for your brother, or for the wolf.”

(12) CHAPTER:

2439. Narrated Abū Bakr: While I was on my way, all of a sudden I saw a shepherd driving his sheep, I asked him whose servant he was. He replied that he was the servant of a man from Quraish, and then he mentioned his name and I recognized him. I asked, “Do your sheep have some milk?” He replied in the affirmative. I said, “Are you going to milk for me?” He replied in the affirmative. I ordered him and he tied the legs of one of the sheep. Then I told him to clean the udder (teats) of dust and to remove dust off his hands. He removed the dust off his hands by clapping his hands. He
then milked a little milk. I put the milk for Allâh’s Messenger in a pot and closed its mouth with a piece of cloth and poured water over it till it became cold. I took it to the Prophet and said, “Drink, O Allâh’s Messenger!” He drank it till I was pleased.
Concerning oppressions and unlawful taking (of something) by violence.

And the Statement of Allah تعالى:

"Consider not that Allah is unaware of that which the Zālimūn (polytheists, wrongdoers) do, but He gives them respite up to a Day when the eyes will stare in horror. (They will be) hastening forward with necks outstretched, their heads raised up (towards the sky), their gaze returning not towards them and their hearts empty (from thinking because of extreme fear). And warn (O Muḥammad ﷺ) mankind of the Day when the torment will come unto them; then the wrong-doers will say: ‘Our Lord! Respite us for a little while, we will answer Your Call and follow the Messengers!’ (It will be said): ‘Had you not sworn aforetime that you would not leave (the world for the Hereafter). And you dwelt in dwellings of men who wronged themselves, and it was clear to you how We had dealt with them. And We put forth (many) parables for you.’ Indeed they planned their plot, and their plot was with Allah, though their plot was not such as to remove the mountains (real mountains or the Islamic laws) from their places (as it is of no importance). So think not that Allah will fail to keep His Promise to His Messengers. Certainly Allah is All-Mighty, All-Able of Retribution." (V.14:42-47)

(1) CHAPTER. Retaliation (on the Day of Judgement) in cases of oppressions.

(1) (Ch. 1) It is said in Tafsir Ibn Kathir as regarding this Verse that the Quraish pagans plotted against Prophet Muḥammad ﷺ to kill him but they failed and were unable to carry out their plot which they plotted.

http://islamsbooks.wordpress.com/
46 - THE BOOK OF AL-MAZÂLIM (THE OPPRESSIONS)

2440. Narrated Abû Sa'id Al-Khudrî: Allah's Messenger ﷺ said, "When the believers pass safely over (the bridge across) Hell, they will be stopped at an arched bridge in between Hell and Paradise, where they will retaliate upon each other for the injustices done among them in the world, and when they get purified of all their sins, they will be admitted into Paradise. By Him in Whose Hands the soul of Muḥammad ﷺ is, everybody will (recognize) his dwelling in Paradise better than he recognizes his dwelling in this world."

(2) CHAPTER. The Statement of Allah ﷻ:

"... No doubt! The curse of Allah is on the Zalimûn (polytheists, oppressors, and the wrong-doers) (V.11:18)

2441. Narrated Ṣafwân bin Muḥrîz Al-Mâzînî: While I was walking with Ibn 'Umar رضي الله عنهما holding his hand, a man came in front of us and asked, "What have you heard from Allah's Messenger ﷺ about An-Najwa?"(1) Ibn 'Umar رضي الله عنهما said, "I heard Allah's Messenger ﷺ saying, 'Allah will bring a believer near Him and shelter him with His Screen and ask him: Did you commit such and such sins? He will say: Yes, my Lord. Allah will keep on asking him till he will confess all his sins and will think..."

(1) (Ch. 2441) An-Najwa is confidential talk between Allah and his devotee on the Day of judgement. It is a favour from Allah upon His devotee. The Hadith explains the word clearly.

http://islamsbooks.wordpress.com/
that he is ruined. Allāh will say: I did screen your sins in the world and I forgive them for you today. And then he will be given the book (record) of his good deeds. Regarding disbelievers and hypocrites (their evil acts will be exposed publicly) and the witnesses will say: These are the ones who lied against their Lord. No doubt! The curse of Allāh is on the Zalimūn (polytheists, oppressors and the wrong-doers).'' (V.11:18)

(3) CHAPTER. A Muslim should not oppress another Muslim, nor should he hand him over to an oppressor.

2442. Narrated 'Abbūdullāh bin 'Umar: Ḥadīth: Allāh's Messenger ﷺ said, "A Muslim is a brother of another Muslim, so he should not oppress him, nor should he hand him over to an oppressor. Whoever fulfilled the needs of his brother, Allāh will fulfill his needs; whoever brought his (Muslim) brother out of a discomfort, Allāh will bring him out of the discomforts of the Day of Resurrection, and whoever screened a Muslim, Allāh will screen him on the Day of Resurrection."

(4) CHAPTER. Help your brother whether he is an oppressor or he is an oppressed one. (See Ḥadīth 2444 below).

2443. Narrated Anas bin Mālik: Ḥadīth: Allāh's Messenger ﷺ said, "Help your brother, whether he is an oppressor or he is
an oppressed one.”

2444. Narrated Anas: Allah’s Messenger ﷺ said, “Help your brother, whether he is an oppressor or he is an oppressed one. People asked, “O Allah’s Messenger! It is all right to help him if he is oppressed, but how should we help him if he is an oppressor?” The Prophet ﷺ said, “By preventing him from oppressing others.”

(5) CHAPTER. To help the oppressed.

2445. Narrated Mu‘awiya bin Suwaid: I heard Al-Bara’a bin ‘Azib saying, “The Prophet ﷺ ordered us to do seven things and prohibited us from doing seven other things.” Then Al-Bara’a mentioned: (He ﷺ ordered us the following):
1. To pay a visit to the sick (enquiring about his health),
2. to follow funeral procession,
3. to say to a sneezer, “May Allah be Merciful to you” (if he says, ‘Praise be to Allah!’),
4. to return greetings,
5. to help the oppressed,
6. to accept invitations,
7. to help others to fulfill their oaths.

[See Ḥadīth 5863 and H. 1239]

2446. Narrated Abū Mūsa: The Prophet ﷺ said, “A believer to another believer is like a building whose different parts reinforce each other.” The Prophet ﷺ then clasped his hands, with the fingers interlaced (while saying that).
(6) CHAPTER. To retaliate upon an oppressor (by invoking Allâh to punish him).

As is referred to in this Statement of Allâh:

“Allâh does not like that the evil should be uttered in public except by him who has been wronged. And Allâh is Ever All-Hearer, All-Knower.” (V.4:148)

“And those who, when an oppressive wrong is done to them, take revenge.” (V.42:39)

Ibrahim said, “They disliked to be humiliated, and when they were powerful, they would forgive (their oppressors).”

(7) CHAPTER. Forgiveness granted by the oppressed person.

As is referred to by the Statement of Allâh:

“Whether you (mankind) disclose (by good words of thanks) a good deed (done to you in the form of a favour by someone), or conceal it, or pardon an evil... verily, Allâh is Ever Oft-Pardoning, All-Powerful.” (V.4:149)

“The recompense for an evil is an evil like thereof, but whoever forgives and makes reconciliation, his reward is with Allâh; Verily, He likes not the Zâlimûn (polytheists, oppressors and wrong-doers). And indeed whosoever takes revenge after he has suffered wrong, for such there is no way (of blame) against them.

The way (of blame) is only against those who oppress men and wrongly rebel in the earth without justification; for such there will be a painful torment.

And verily, whosoever shows patience and forgives, that would truly be from the things
recommended by Allâh.

And whomsoever Allâh sends astray, for him there is no Wali (protector, helper, guardian) after Him. And you will see the Zâlimûn (polytheists, wrong-doers, oppressors) when they behold the torment, they will say: Is there any way of return (to the world).” (V.42:40-44)

(8) CHAPTER. Az-Zulm (oppression) will be a darkness on the Day of Resurrection.


(9) CHAPTER. One should save oneself from the curse of the oppressed.

2448. Narrated Ibn ‘Abbâs رضي الله عنهما: The Prophet ﷺ sent Mu‘âdh to Yemen and said, “Be afraid, from the curse of the oppressed as there is no screen between his invocation and Allâh.”

(10) CHAPTER. If the oppressed one forgives the oppressor, is it necessary to describe his oppression?

2449. Narrated Abû Hurairah رضي الله عنه: The Prophet ﷺ said, “A person who forgives his oppressor has his case taken up sooner or later.” (Qastalânî).

(1) (H. 2448) Allâh will respond to his invocation and punish the oppressor sooner or later. (Qastalânî).
Allāh’s Messenger ﷺ said, “Whoever has oppressed another person concerning his reputation or anything else, he should beg him to forgive him before the Day of Resurrection when there will be no money (to compensate for wrong deeds), but if he has good deeds, those good deeds will be taken from him according to his oppression which he has done, and if he has no good deeds, the sins of the oppressed person will be loaded on him.”

(11) CHAPTER. If the oppressed person forgives the oppressor, he has no right to back out (of his forgiveness).

2450. Narrated ‘Aishah رضي الله عنها regarding the explanation of the following Verse:

“And if a woman fears cruelty or desertion on her husband’s part…” (V.4:128)

A man may dislike his wife and intend to divorce her, so she says to him, “I give up my rights, so do not divorce me.” The above Verse was revealed concerning such a case.

(12) CHAPTER. If a person allows another or permits him (the latter) to have...
something of his right and does not clarify as to how much is that?

2451. Narrated Saḥl bin Sa’d As-Sa’idi: A drink (milk mixed with water) was brought to Allah’s Messenger who drank some of it. A boy was sitting to his right, and some old men to his left. Allah’s Messenger said to the boy, “Do you allow me to give the rest of the drink to these people?” The boy said, “O Allah’s Messenger! I will not give preference to anyone over me to have my share from you (i.e., to drink the rest of it from which you have drunk).” So Allah’s Messenger handed the bowl (of drink) to the boy.

[See Hadīth No.2351].

(13) CHAPTER. The sin of him who usurps the land of others.

2452. Narrated Sa’īd bin Zaid: Allah’s Messenger said, “Whoever usurps the land of somebody unjustly, his neck will be encircled with seven earths (on the Day of Resurrection).”

2453. Abu Salama narrated that there was a dispute between him and some people (about a piece of land). When he told ‘Aishah about it, she said, “O Abu Salama! Avoid taking the land unjustly, for the Prophet said, ‘Whoever usurps even one span of the land of somebody, his neck will be encircled with seven earths (on the Day of Resurrection).’”
2454. Narrated Sâlim’s father (i.e., ‘Abdullah): The Prophet ﷺ said, “Whoever takes a piece of the land of others unjustly, he will sink down the seven earths on the Day of Resurrection.”

2455. Narrated Jabala: “We were in Al-Madîna with some of the Iraqi people, and we were struck with drought (famine) and Ibn Az-Zubair used to give us dates. Ibn ‘Umar ﷺ used to pass by us and say, “The Prophet ﷺ forbade us to eat two dates at a time, unless one takes the permission of one’s companions.”

2456. Narrated Abû Mas‘ûd: There was an Anṣârî man called Abû Shu‘aib who had a slave butcher. Abû Shu‘aib said to him, “Prepare a meal sufficient for five persons so that I might invite the Prophet ﷺ.”
besides other four persons." Abû Shu'âib had seen the signs of hunger on the face of the Prophet and so he invited him. Another man who was not invited followed the Prophet. The Prophet said to Abû Shu'âib, "This man has followed us. Do you invite him to share the meal?" Abû Shu'âib said, "Yes."

(15) CHAPTER. The Statement of Allâh : "Yet he is the most quarrelsome of the opponents..." (V.2:204)

2457. Narrated 'Aishah : The Prophet ﷺ said, "The most hated person to Allâh is the most quarrelsome person of the opponents."

(16) CHAPTER. The sin of a man who quarrels unjustly over something while he knows that he is wrong.

2458. Narrated Umm Salama : "Allâh’s Messenger ﷺ heard some people quarrelling at the door of his dwelling. He came out and said, "I am only a human being, and opponents come to me (to settle their problems); may be someone amongst you can present his case more eloquently than the other, whereby I may consider him true and give a verdict in his favour. So, if I give the right of a Muslim to another by mistake, then it is only a portion of (Hell) Fire, he has the option to take or give up (before the Day of Resurrection)."
46 – THE BOOK OF AL-MAZALIM (THE OPPRESSIONS)

(17) CHAPTER. (The sin of) the person who, when quarrelling, behaves impudently (i.e., by using bad words or false accusation).

2459. Narrated ‘Abdullah bin ‘Amr: The Prophet ﷺ said, “Whoever has (the following) four (characteristics) will be a hypocrite, and whoever has one of the following four characteristics will have one characteristic of hypocrisy until he gives it up. These are:

(1) Whenever he speaks, he tells a lie;
(2) whenever he makes a promise, he breaks it;
(3) whenever he makes a covenant, he proves treacherous;
(4) and whenever he quarrels, he behaves impudently in an evil, insulting manner.”

[See Vo. 1, Hadith No.33, 34].

(18) CHAPTER. The retaliation of the oppressed person if he finds the property of his oppressor.

Ibn Sirin said, “The oppressed person can take what is equal to the amount taken by the oppressor.” He then recited:

“And if you punish (your enemy, O you believers in the Oneness of Allah), then punish them with the like of that with which you were afflicted...” (V.16:126)

miser. Is there any harm if I spend something from his property for our children?” He said, “There is no harm for you if you feed them from it justly and reasonably (with no extravagance).”

2461. Narrated ‘Uqba bin ‘Amir: We said to the Prophet ﷺ, “You send us out and it happens that we have to stay with such people who do not entertain us. What do you think about it?” He said to us, “If you stay with some people and they entertain you as they should for a guest, accept their hospitality, but if they don’t do, take the right of the guest from them.”

(19) CHAPTER. What is said about sheds.

And the Prophet ﷺ along with his companions, sat in the shed of Banî Sâ’îda.

2462. Narrated ‘Umar: When Allâh took away the soul of His Prophet ﷺ at his death, the Ansâr assembled in the shed of Banî Sâ’îda. I said to Abû Bakr, “Let us go.” So, we came to them (i.e., to Ansâr) at the shed of Banî Sâ’îda.

[See Vol 5, Hadîth No.3667, for details].
(20) CHAPTER. No one should prevent his neighbour from fixing a wooden peg in his wall.

2463. Narrated Abū Hurairah: Allah’s Messenger said, “No one should prevent his neighbour from fixing a wooden peg in his wall.” Abū Hurairah then said (to his companions), “Why do I find you averse to it? By Allah, I certainly will narrate it to you.”

(21) CHAPTER. Spilling wine on the way.

2464. Narrated Anas: I was the butler of the people in the house of Abū Ṭalḥa, and in those days drinks were prepared from dates. Allāh’s Messenger ordered somebody to announce that alcoholic drinks had been prohibited. Abū Ṭalḥa ordered me to go out and spill the wine. I went out and spilled it, and it flowed in the streets of A-Madīna. Some people said, “Some people were killed and wine was still in their stomachs.” On that the Divine revelation came:

“Those who believe and do righteous good deeds, there is no sin on them for what they ate (in the past)...” (V.5:93)
(22) CHAPTER. What is said about the open courtyards of houses and sitting in them, and sitting on the ways.

Narrated 'Aishah : Abū Bakr got a mosque constructed in front of his house and used to offer Salāt (prayer) and recite the Qur'ān there. The women and children of the Mushrikūn used to encircle him and were astonished at his behaviour. The Prophet ﷺ was staying at Makkah during those days.

2465. Narrated Abū Sa‘īd Al-Khudrī: The Prophet ﷺ said, “Beware! Avoid sitting on the roads (ways).” The people said, “There is no way out of it as these are our sitting places where we have talks.” The Prophet ﷺ said, “If you must sit there, then observe the rights of the way.” They asked, “What are the rights of the way?” He said, “They are the lowering of your gazes (on seeing what is illegal to look at), refraining from harming people, returning greetings, enjoining Al-Ma‘rūf (i.e., Islāmic Monotheism and all that Islām orders one to do) and forbidding Al-Munkar (i.e., polytheism, disbelief, and all that Islām has forbidden).”

(23) CHAPTER. The digging of wells on the ways (is permissible) if they do not cause trouble to the people.

2466. Narrated Abū Hurairah: The Prophet ﷺ said, “A man felt very thirsty while he was on the way, there he came across a well. He went down the well, quenched his thirst and came out.
Meanwhile he saw a dog panting and licking mud because of excessive thirst. He said to himself, 'This dog is suffering from thirst as I did.' So, he went down the well again and filled his shoe with water and watered the dog. Allāh thanked him for that deed and forgave him. The people said, "O Allāh's Messenger! Is there a reward for us in serving the animals?" He replied: "Yes, there is a reward for serving any animate (living being)."

[See Ḥadīth No.2363].

(24) CHAPTER. To remove harmful things from the roads.

Narrated Abū Ḥurairah: The Prophet ﷺ said, "To remove harmful things from the roads is Ṣadaqa (a charitable act)."

(25) CHAPTER. (The permissibility of living on) higher places of a house, looking upon other houses or not looking upon other houses, whether these places are on roofs or not.

2467. Narrated Usāma bin Zaid: Once the Prophet ﷺ stood at the top of one of the castles (or higher buildings) of Al-Madīna and said, "Do you see what I see? No doubt I see the places or spots of Al-Fitan (trials and afflictions) amongst your houses as numerous as the spots where rain-drops fall (during a heavy rain).

[See Ḥadīth No.1878]
2468. Narrated ‘Abdullãh bin ‘Abbãs : I had been eager to ask ‘Umar about the two ladies from among the wives of the Prophet regarding whom Allah said (in the Qur‘ân saying): “If you two (wives of the Prophet namely ‘Aishah and Hafsa) turn in repentance to Allah, it will be better for you, your hearts are indeed so inclined (to oppose what the Prophet likes)...” (V.66:4), till I performed the Hajj along with ‘Umar. (And on our way back from Hajj) he went aside (to answer the call of nature) and I also went aside along with him carrying a tumbler of water. When he had answered the call of nature and returned, I poured water on his hands from the tumbler and he performed ablution. I said, “O chief of the believers!” Who were the two ladies from among the wives of the Prophet to whom Allah said: ‘If you two (wives of the Prophet namely ‘Aishah and Hafsa) turn in repentance to Allah, it will be better for you, your hearts are indeed so inclined (to oppose what the Prophet likes)...’” (V.66:4) He said, “I am astonished at your question, O Ibn ‘Abbãs. They were ‘Aishah and Hafsa.” Then ‘Umar went on relating the narration and said, “I and an Ansârî neighbour of mine from Bani Umaiyya bin Zaid who used to live in ‘Awãlib Al-Mâdina, used to visit the Prophet in turns. He used to go one day, and I another day. When I went, I would bring him the news of what had happened that day regarding the instructions and orders, and when he went, he used to do the same for me. We, the people of Quraish, used to have authority over women, but when we came to live with the Ansâr, we noticed that the Ansârî women had the upperhand over their men, so our women started acquiring the habits of the
Ansārī women. Once I shouted at my wife and she shouted back at me in return and I disliked that she should answer me back. She said, ‘Why do you take it ill that I retort upon you? By Allah, the wives of the Prophet ﷺ retort upon him, and some of them may not speak with him for the whole day till night.’ What she said scared me and I said to her, ‘Whoever amongst them does so, will be a great loser.’ Then I dressed myself and went to Hafṣa and asked her, ‘Does any of you keep Allāh’s Messenger angry all the day long till night?’ She replied in the affirmative. I said, ‘She is a ruined losing person (and will never have success)! Doesn’t she fear that Allāh may get angry for the anger of Allāh’s Messenger ﷺ and thus she will be ruined? Don’t ask Allāh’s Messenger ﷺ too many things, and don’t retort upon him in any case, and don’t desert him. Demand from me whatever you like, and don’t be tempted to imitate your neighbour (i.e., ‘Aīshah) in her behavior towards the Prophet ﷺ, for she (i.e., ‘Aīshah) is more beautiful than you, and more beloved to Allāh’s Messenger ﷺ. In those days it was rumoured that Ghassān, (a tribe living in Shām) was getting prepared their horses to invade us. My companion went (to the Prophet ﷺ) on the day of his turn, went and returned to us at night and knocked at my door violently, asking whether I was sleeping. I was scared (by the hard knocking) and came out to him. He said that a great thing had happened. I asked him: ‘What is it? Have Ghassān come?’ He replied that it was worse and more serious than that, and added that Allāh’s Messenger ﷺ had divorced all his wives. I said, ‘Hafṣa is a ruined loser! I expected that it would happen some day.’ So I dressed myself and offered the Fajr (prayer) with the Prophet ﷺ. Then the Prophet ﷺ entered an upper room and
stayed there alone. I went to Haifa and found her weeping. I asked her, ‘Why are you weeping? Didn’t I warn you? Have Allâh’s Messenger divorced you all?’ She replied, ‘I don’t know. He is there in the upper room.’ I then went out and came to the pulpit and found a group of people around it and some of them were weeping. Then I sat with them for some time, but could not endure the situation. So, I went to the upper room where the Prophet was and requested to a black slave of his: ‘Will you get the permission of (Allâh’s Messenger) for Umar (to enter)?’ The slave went in, talked to the Prophet about it and came out saying, ‘I mentioned you to him but he did not reply.’ So, I went and sat with the people who were sitting by the pulpit, but I could not bear the situation, so I went to the slave again and said: ‘Will you get the permission for Umar?’ He went in and brought the same reply as before. When I was leaving, behold, the slave called me saying, ‘Allâh’s Messenger has granted you permission.’

So, I entered upon the Prophet and saw him lying on a mat without bedding on it, and the mat had left its mark on the body of the Prophet, and he was leaning on a leather pillow stuffed with palm fibres. I greeted him and while still standing, I said: ‘Have you divorced your wives?’ He raised his eyes to me and replied in the negative. And then while still standing, I said chattily: ‘Will you heed what I say, O Allâh’s Messenger! We, the people of Quraish used to have the upper hand over our women (wives), and when we came to the people whose women had the upper hand over them,…’” “Umar told the whole story (about his wife).” "Umar smiled.” "Umar further said, “I then said, ‘I went to Haifa and said to her: Do not be tempted to imitate your
companion (‘Aishah) for she is more beautiful than you and more beloved to the Prophet ﷺ.' The Prophet ﷺ smiled again. When I saw him smiling, I sat down and cast a glance at the room, and by Allah, I couldn’t see anything of importance but three hides. I said (to Allāh’s Messenger ﷺ) ‘Invoke Allāh to make your followers prosperous for the Persians and the Byzantines have been made prosperous and given worldly luxuries, though they do not worship Allāh?’ The Prophet ﷺ was leaning then (and on hearing my speech he sat straight) and said, ‘O Ibn Al-Khaṭṭāb! Do you have any doubt (that the Hereafter is better than this world)? These people have been given rewards of their good deeds in this world only.’ I asked the Prophet ﷺ, ‘Please ask Allāh’s Forgiveness for me.’ The Prophet ﷺ did not go to his wives because of the secret which Hafṣa had disclosed to ‘Aishah,(1) and he said that he would not go to his wives for one month as he was angry with them when Allāh admonished him (for his oath that he would not approach Maria). When twenty-nine days had passed, the Prophet ﷺ went to ‘Aishah first of all. She said to him, ‘You took an oath that you would not come to us for one month, and today only twenty-nine days have passed, as I have been counting them day by day.’ The Prophet ﷺ said, ‘The month is also of twenty-nine days.’ That month consisted of twenty-nine days. ‘Aishah said, ‘When the Divine Revelation of “choice” was revealed, the Prophet ﷺ started with me, saying to me, ‘I am telling you something, but you needn’t hurry to give the reply till you consult your

(1) (H. 2468) The Prophet ﷺ was alone with Maria on the day that was devoted to ‘Aishah. When Hafṣa learned that, the Prophet ﷺ told her to keep that as a secret and promised that he would not come near Maria. But Hafṣa disclosed the secret to ‘Aishah who got angry and then provoked the Prophet ﷺ who took an oath that he would desert her for one month.
parents.' ‘Aishah knew that her parents would not advise her to part with the Prophet. The Prophet said that Allah had said: ‘O Prophet (Muhammad)! Say to your wives... (up to)... an enormous reward.’ (V.33:28) ‘Aishah said, ‘Am I to consult my parents about this? I indeed prefer Allah, His Messenger, and the home of the Hereafter.’ After that the Prophet gave the choice to his other wives and they also gave the same reply as ‘Aishah did.”

2469. Narrated Anas: Allâh’s Messenger took an oath that he would not go to his wives for one month as his foot had been sprained. He stayed in an upper room when ‘Umar went to him and said, “Have you divorced your wives?” He said, “No, but I have taken an oath that I would not go to them for one month.” The Prophet stayed there for twenty-nine days, and then came down and went to his wives.

(26) CHAPTER. Whoever tied his camel at the pavement (of the mosque) or at the gate of the mosque.

2470. Narrated Jâbir: The Prophet entered the mosque, and I, too, went there after tying the camel at the pavement of the mosque. I said (to the Prophet), “This is your camel.” He came out and started examining the camel and...
said, “Both the camel and its price are for you.”

(27) CHAPTER. Standing and urinating at the dumps of some people.

2471. Narrated Ḥudhaifa: I saw Allâh’s Messenger coming (or the Prophet came) to the dumps of some people and urinated there while standing.

(28) CHAPTER. (The reward of him) who removes a branch of a tree or any other thing which harms the people from the way.

2472. Narrated Abū Hurairah: Allâh’s Messenger said, “While a man was on the way, he found a thorny branch of a tree there on the way and removed it. Allâh thanked him for that deed and forgave him.”

(29) CHAPTER. When there is a dispute about a public way and the owner of the land wishes to build (something), he should leave seven cubits for the people to pass through.

2473. Narrated Abū Hurairah: The Prophet judged that seven cubits should be left as a public way when there was...
a dispute about the land.

(30) CHAPTER. Robbing (taking away somebody’s property publicly by force without his permission).

‘Ubada said, “We gave the Bai’a (pledge) to the Prophet that we would not commit robbery.”

2474. Narrated ‘Abdullãh bin Yazid Al-Anãri: The Prophet forbade robbery (taking away what belongs to others by force without their permission), and also forbade mutilation (or maiming) of bodies.

2475. Narrated Abû Hurairah: The Prophet said, “When an adulterer commits illegal sexual intercourse, then he is not a believer at the time he is committing it, and when a drinker of an alcoholic liquor drinks it, then he is not a believer at the time of drinking it, and when a thief steals, then he is not a believer at the time of stealing, and when a robber robs, and the people look at him, then he is not a believer at the time of committing robbery."
(31) CHAPTER. The breaking of the cross and the killing of the pigs.

2476. Narrated Abü Hurairah: Allâh’s Messenger ﷺ said, “The Hour will not be established until the son of Mary [i.e., ‘Iesa (Jesus)] descends amongst you and will judge mankind justly by the Law of the Qur’ân (as a just ruler); he will break the cross, kill the pigs, and abolish the Jizya tax. Money will be in abundance so that nobody will accept it (as charitable gifts).”

(See H. 2222)

[See Fath Al-Bâri]

(32) CHAPTER. (Is it permissible) to break the pots containing wine, or tear the leather containers holding wine? If one breaks an idol, a cross, or a drum (for amusement), or any other thing, the wood of which is useless (should one give a compensation)?

A case of a drum broken by somebody was presented to Shurâib who did not impose a compensation on the person who had broken it.

2477. Narrated Salama bin Al-Akwa’ RA: On the day (the battle) of Khaibar the Prophet ﷺ saw fires being lighted. He asked, “Why are these fires being lighted?” The people replied that they were cooking the meat of donkeys. He ﷺ said, “Break the pots and throw away their contents.” The people

(1) (H. 2476) The Jizya is a tax imposed on non-Muslims who would keep their own religion rather than embrace Islâm, this will not be accepted by ‘Iesa (Jesus), but all people will be required to embrace Islâm and there will be no other alternative.
said, “Shall we throw away their contents and wash the pots (rather than break them)?” He said, “Wash them.”

2478. Narrated ‘Abdullâh bin Mas‘ûd: The Prophet entered Makkah and (at that time) there were three hundred and sixty idols around the Ka’bah. He started stabbing the idols with a stick he had in his hand and reciting:

“And say Truth (i.e., Islamic Monotheism or this Qur’an or Jihad against polytheists) has come and Batil (falsehood, i.e., Satan or polytheism) has vanished.”
(V.17:81)

2479. Narrated Al-Qäsim: ‘Aishah said that she hung a curtain decorated with pictures on a cupboard. The Prophet tore that curtain and she turned it into two cushions which remained in the house for the Prophet to sit on.

(33) CHAPTER. (What is said about) one who fights to protect his property?

2480. Narrated ‘Abdullâh bin ‘Amr: I heard the Prophet saying,
“Whoever is killed while protecting his property, then he is a martyr.”

(34) CHAPTER. If a person breaks a wooden bowl or something else belonging to somebody, (should he give a compensation)?

2481. Narrated Anas: While the Prophet was with one of his wives, one of the Mothers of the believers (i.e., one of his wives) sent a wooden bowl containing food with a servant. The wife (in whose house he was sitting) struck the bowl with her hand and broke it. The Prophet collected the shattered pieces and put the food back in it and said, “(Help yourselves and) eat.” He kept the servant and the bowl till he had eaten the food. Then the Prophet gave another unbroken bowl to the servant and kept the broken one.

(35) CHAPTER. If one pulls down a wall, one should build a similar one in its place.

2482. Narrated Abū Hurairah: Allah’s Messenger said, “There was an Israeli man called Juraij, while he was offering prayer, his mother came and called him, but he did not respond to her call. He said (to himself) whether he should continue the prayer or reply to his mother. She came to him the second time and called him and..."
said, ‘O Allāh! Do not let him die until he sees the faces of prostitutes.’ Juraij used to live in a hermitage. A woman said that she would entice Juraij, so she went to him and presented herself (for an evil act) but he refused. She then went to a shepherd and allowed him to commit an illegal sexual intercourse with her and later she gave birth to a boy. She alleged that the baby was from Juraij. The people went to Juraij and broke down his hermitage, pulled him out of it and abused him. He performed ablution and offered the prayer, then he went to the male (baby) and asked him: ‘O boy! Who is your father?’ The baby replied that his father was the shepherd. The people said that they would build for him a hermitage of gold but Juraij asked them to make it of mud only.”

(See H. 3436)
(1) CHAPTER. About (sharing) meals and the Nahḍ (i.e., sharing the expenses of a journey or putting the journey food of the travellers together to be distributed among them in equal shares) and ‘Urūḍ (i.e., sharing other goods).

And how to divide what can be measured or weighed i.e., without measuring or weighing it; or by measuring or weighing it.

Muslims see no harm in practising Nahḍ by which some (the partners) may eat so much, and some may eat so much of the food (without measuring or weighing it). And what about distributing gold and silver without weighing them, and about eating two dates at a time (when sharing a meal).

2483. Narrated Jābir bin ‘Abdullāh رضي الله عنه: “Allāh’s Messenger ﷺ sent an army towards the sea coast and appointed Abū ‘Ubaydah bin Al-Jarrāḥ as their chief, and the army consisted of three hundred men including myself. We marched on till we reached a place where our food was about to finish. Abū ‘Ubaydah ordered us to collect all the journey food and it was collected. My (our) journey food was dates. Abū ‘Ubaydah kept on giving us our daily ration in small amounts from it, till it was exhausted. The share of everyone of us used to be one date only.” I said, “How could one date benefit you?” Jābir replied, “We came to know its value when even that too finished.” Jābir added, “When we reached the sea-shore, we saw a huge fish which was like a small mountain. The army ate from it for eighteen days. Then Abū ‘Ubaydah ordered that two of its ribs be fixed and they were fixed in the ground. Then he ordered that a she-camel be ridden and it passed under the
two ribs (forming an arch) without touching them."  

2484. Narrated Salama: Once the journey-food diminished and the people were reduced to poverty. They went to the Prophet and asked his permission to slaughter their camels, and he permitted them. Umar met them and they told him about it, and he said, "How would you survive after slaughtering your camels?" Then he went to the Prophet and said, "O Allah's Messenger! How would they survive after slaughtering their camels?" Allah's Messenger ordered 'Umar, "Call upon the people to bring what has remained of their food." A leather sheet was spread and all the journey food was collected and heaped over it. Allah's Messenger stood up and invoked Allah to bless it, and then directed all the people to come with their utensils, and they started taking from it till all of them got what was sufficient for them. Allah's Messenger then said: I testify that "La ilaha illallah (none has the right to be worshipped but Allah), and I am the Messenger of Allah."  

2485. Narrated Râfi' bin Khadij: We used to offer the Asr prayer with the Prophet and slaughter a camel, the meat of which would be divided in ten parts and we would eat the cooked meat before sunset.
2486. Narrated Abū Musa: The Prophet said, "When the people of Ash'ari tribe ran short of food during the holy battles, or the food of their families in Al-Madina ran short, they would collect all their remaining food in one sheet and then distribute it among themselves equally by measuring it with a bowl. So, these people are from me, and I am from them."

(2) CHAPTER. Partners possessing joint property (sheep) have to pay its Zakât equally. (1)

2487. Narrated Anas that Abū Bakr As-Siddiğ wrote to him the law of Zakât which was made obligatory by Allah's Messenger. He wrote: Partners possessing joint property (sheep) have to pay its Zakât equally.

(3) CHAPTER. Division of sheep.

2488. Narrated 'Abāya bin Rifā'a bin Rāfi' bin Khadij: My grandfather said, "We were in the company of the Prophet at Dhu'l-Hulaifa. The people were struck with hunger and captured some camels and sheep (as booty). The Prophet was behind the people. They hurried and slaughtered the animals and put their meat in pots and started cooking it. (When the Prophet

(1) (Ch. 2) Equally means: As one owner (of sheep) as regards the Zakât.
came) he ordered the pots to be upset and then he distributed the animals (of the booty), regarding ten sheep as equal to one camel. One of the camels fled and the people ran after it till they were exhausted. At that time there were few horses. A man threw an arrow at the camel, and Allah stopped the camel with it. The Prophet said, ‘Some of these animals are like wild animals, so if you lose control over one of these animals, treat it in this way (i.e., shoot it with an arrow).’”

My grandfather added, “We were afraid that we may meet the enemies in the future and have no knives; [we asked the Prophet], ‘can we slaughter the animals with reeds?’” The Prophet said, “Use whatever causes blood to flow, and eat the animals if the Name of Allah has been mentioned on slaughtering them. Do not slaughter with teeth or fingernails and I will tell you why: It is because teeth are bones (i.e., cannot cut properly) and fingernails are the tools used by the Ethiopians (whom we should not imitate for they are infidels).”

(4) CHAPTER. A partner sharing a meal should not eat two dates at a time unless he gets the permission of his partner.

2489. Narrated Ibn ‘Umar: The Prophet decreed that one should not eat two dates together at a time unless he gets the permission from his companions (sharing the meal with him).

2490. Narrated Jabala: While at Al-

(1) (H. 2488) The Prophet did not agree to their slaughtering the animals of the booty before distributing them among the soldiers.
Madina we were struck with famine. Ibn Az-Zubair used to provide us with dates as our food. Ibn ‘Umar used to pass by us and say, “Don’t eat two dates together at a time as the Prophet ﷺ has forbidden eating two dates together at a time (in a gathering) unless one takes the permission of one’s companion brother.”

(5) CHAPTER. To get a joint property evaluated with an adequate price.

2491. Narrated Nāfi’: Ibn ‘Umar ﷺ said, “Allah’s Messenger ﷺ said, ‘If one manumits his share of a jointly possessed slave, and can afford the price of the other share according to the adequate price of the slave, the slave will be completely manumitted; otherwise he will be partially manumitted.’”

(Ayyūb, a subnarrator is not sure whether the saying “… otherwise he will be partially manumitted” was said by Nāfi’ or the Prophet ﷺ).

2492. Narrated Abū Hurairah ﷺ: The Prophet ﷺ said, “Whoever manumits his share of a jointly possessed slave, it is imperative for him to get that slave manumitted completely by paying the remaining price, and if he does not have sufficient money to manumit him, then the price of the slave should be estimated justly, and he (the slave) is to be allowed to work and earn the amount that will manumit him (without overburdening him)”.

http://islamsbooks.wordpress.com/
(6) CHAPTER. Can one draw lots for divisions and shares?

2493. Narrated An-Nu‘mān bin Bassīr: The Prophet said, “The example of the person abiding by Allāh’s Orders and Restrictions in comparison to those who violate them is like the example of those persons who drew lots for their seats in a ship. Some of them got seats in the upper part, and the others in the lower. When the latter needed water, they had to go up to bring water (and that troubled the others), so they said, ‘Let us make a hole in our share of the ship (and get water) saving those who are above us from trouble. So, if the people in the upper part left the others do what they had intended, all of them would be perished, but if they prevented them (from doing so), both parties would be saved.”

(7) CHAPTER. The partnership of orphans and other inheritors.

2494. Narrated ‘Urwa bin Az-Zubair that he had asked ‘Āishah about the meaning of the Statement of Allāh:

“And if you fear that you shall not be able to deal justly... (up to)... or four...” (V.4:3)

She said, “O my nephew! This is about the orphan girl who lives with her guardian and shares his property. Her wealth and beauty may tempt him to marry her without giving her an adequate Mahr (bridal-money) which might have been given by another suitor. So, such guardians were forbidden to marry such
orphan girls unless they treated them justly and gave them the most suitable *Mahr*; otherwise they were ordered to marry any other woman.” ‘Aishah further said, “After that Verse the people again asked the Prophet ﷺ (about the marriage with orphan girls), so Allâh ﷻ revealed the following Verses:

‘They ask your legal instruction concerning women... (up to) ... and yet whom you desire to marry...’ (V. 4:127)

What is meant by Allâh’s Saying:

‘And about what is recited unto you’ is the former Verse which goes:

‘And if you fear that you shall not be able to deal justly with the orphan girls, then marry (other) women of your choice...’

‘Aishah رضي الله عنها said, “Allâh’s Saying in the other Verse:

‘...Yet whom you desire to marry...’ means the desire of the guardian to marry an orphan girl under his supervision when she has not much property or beauty (in which case he should treat her justly). The guardians were forbidden to marry the orphan girls under their care possessing property and beauty without being just to them, as they generally refrain from marrying them (when they are neither beautiful nor wealthy).”
(8) CHAPTER. Sharing land, etc.

2495. Narrated Jâbir bin 'Abdullãh رضي الله عنهما: The Prophet ﷺ established the right of Shuf'a (i.e., pre-emption) in joint properties; but when the land is divided and the ways are demarcated, then there is no pre-emption.

(9) CHAPTER. If partners divide the houses, etc., none of them has the right of backing out or the right of pre-emption.

2496. Narrated Jãbir bin 'Abdullãh رضي الله عنهما: The Prophet ﷺ said, 'The right of pre-emption is valid in every joint property, but when the land is divided and the way is demarcated, then there is no right of pre-emption.'

(10) CHAPTER. Sharing gold, silver and other articles used in money exchange.

2497, 2498. Narrated Sulaimân bin Abû Muslim: I asked Abû Minhãl about money exchange from hand to hand. He said, "I and a partner of mine bought something partly in cash and partly on credit." Al-Barã' bin 'Azib رضي الله عنهما passed by us and we asked about it. He replied, "I and my partner Zaid bin Al-Arqam did the same and then went to the Prophet ﷺ and asked him about it. He ﷺ said, 'Take what was from hand to hand and leave what was on credit.'"
(11) CHAPTER. Partnership with a Dhimmi
(A Jew or a Christian under the protection of a Muslim Government and Al-Mushirkūn
(polytheists, idolaters, pagans) in share-cropping.

2499. Narrated ‘Abdullāh: Allāh’s Messenger rented the land of Khāibar to the Jews on the condition that they would work on it and cultivate it and take half of its yield.

(12) CHAPTER. Distribution of sheep and dividing them justly.

2500.Narrated ‘Uqba bin ‘Amir that Allāh’s Messenger gave him some sheep to distribute among his companions in order to sacrifice them and a kid was left. He told the Prophet about it and the Prophet said to him, “Sacrifice it on your behalf.”

(13) CHAPTER. The sharing of food, etc.

It is said that a man offered some price for something and another man signalled him to buy it. When ‘Umar noticed that, he
considered the second man as a partner of the first.

2501. Narrated ‘Abdullāh bin Hīṣām, that his mother Zainab bint Humaid took him to the Prophet sallallāhu ‘alayhi wa sallam and said, “O Allah’s Messenger! Take the Bai’ (pledge) from him.” But he said, “He is still too young for the pledge,” and passed his hand on his (i.e., ‘Abdullāh’s) head and invoked for Allah’s Blessing for him. Zuhra bint Ma‘bad stated that he used to go with his grandfather, ‘Abdullāh bin Hīṣām, to the market to buy foodstuff. Ibn ‘Umar and Ibn Az-Zubair would meet him and say to him, “Be our partner, as the Prophet sallallāhu ‘alayhi wa sallam invoked Allah to bless you.” So, he would be their partner, and very often he would win a camel’s load and send it home.

(14) CHAPTER. Sharing the slaves.

2503. Narrated Ibn ‘Umar: The Prophet sallallāhu ‘alayhi wa sallam said, “Whoever manumits his share of a jointly possessed slave, it is imperative on him to manumit the slave completely if he has sufficient money to pay the rest of its price which is to be estimated justly. He should pay his partners their shares and release him.”
2504. Narrated Abū Hurairah: The Prophet said, “Whoever manumits his share of a jointly possessed slave, it is essential for him to manumit the slave completely if he has sufficient money. Otherwise he should look for some work for the slave (to earn what would enable him to emancipate himself), without overburdening him with work.”

(15) CHAPTER. Sharing the Hady and Budn. (Is it permissible for one) to share the Hady with somebody else after it has been slaughtered?

2505, 2506. Narrated Ibn ‘Abbas: The Prophet (along with his companions) reached Makkah in the morning of the fourth of Dhu-l-Hijjah assuming Ihram for Hajj only. So when we arrived at Makkah, the Prophet ordered us to change our intentions of the Ihram for Umra and that we could finish our Ihram after performing the Umra and could go to our wives (for sexual intercourse). The people began talking about that(1). Jābir said surprisingly, “Shall we go to Mina while semen is dribbling from our male organs?”(2) Jābir moved his hand while saying so. When this news reached the Prophet, he delivered a Khutba (religious talk) and said, “I have been informed that some people were saying so-and-so. By Allah I fear Allah more than you do, and am more obedient to Him than you. If I had known what I know now, I would not have brought (1) (H. 2505) People thought that it was sinful to perform Umra during the months of Hajj, so when the Prophet ordered them to perform Umra with Hajj (i.e., Hajj-at-Tamattu’), they were astonished.
(2) (H. 2505) Jābir thought that it would be inconvenient to assume Ihram for Hajj and go to Mina shortly after having had sexual relation with one’s wife.

http://islamsbooks.wordpress.com/
the Hady (sacrifice) with me and had the Hady not been with me, I would have finished the Ihram.” At that, Surāqa bin Mālik stood up and asked, “O Allāh’s Messenger! Is this permission for us only or is it forever?” The Prophet ﷺ replied, “It is forever.” In the meantime ‘Alī bin Abī Tālib came from Yemen and was saying Labbaik for what the Prophet ﷺ has intended. (According to another man, ‘Alī was saying Labbaik for Ḥajj similar to Allāh’s Messenger ﷺ). The Prophet ﷺ told him to keep on the Ḥijāj and let him share the Hady with him.

(16) CHAPTER. Whoever regarded ten sheep as equal to one camel in distribution.

2507. Narrated ‘Abāyā bin Rifā‘ā: My grandfather, Rāfī‘ bin Khadijā said, “We were in the valley of Dhul-Hulaifa of Tihāma in the company of the Prophet ﷺ and had some camels and sheep (of the booty). The people hurried (in slaughtering the animals) and put their meat in the pots and started cooking. Allāh’s Messenger ﷺ came and ordered them to upset the pots, and distributed the booty considering one camel as equal to ten sheep. One of the camels fled and the people had only a few horses, so they got worried. (The camel was chased and) a man stopped the camel by throwing an arrow at it. Allāh’s Messenger ﷺ said, ‘Some of these animals are untamed like wild animals, so if anyone of them went out of your control, then you should treat it as you have done now.’” My grandfather said, “O Allāh’s Messenger! We fear that we
may meet our enemy tomorrow and we have no knives, could we slaughter the animals with reeds?” The Prophet said, “Yes, or you can use what would make blood flow (slaughter) and you can eat what is slaughtered and the Name of Allah is mentioned at the time of slaughtering. But don’t use teeth or fingernails (in slaughtering). I will tell you why, as for teeth, they are bones, and fingernails are used by Ethiopians for slaughtering.”

[See Hadith No. 2488]
(1) CHAPTER. The mortgaging in places occupied by settled population and the Statement of Allah 

"And if you are on a journey and cannot find a scribe, then let there be a pledge taken (i.e., mortgaging)...

(V.2:283)

2508. Narrated Anas : No doubt, the Prophet ﷺ mortgaged his armour for barley grains. Once, I took barley bread with some dissolved fat on it to the Prophet ﷺ and I heard him saying, “The household of Muḥammad (ﷺ) did not possess except a Sā’ (of food grain, barley, etc.) for both the morning and the evening meals, although they were nine houses.”

(2) CHAPTER. Mortgaging an armour.

2509. Narrated ‘Aishah : The Prophet ﷺ bought some foodstuff on credit for a limited period and mortgaged his armour for it.

(3) CHAPTER. Mortgaging the arms.

2510. Narrated Jābir bin ‘Abdullāh ﷺ: Allah’s Messenger ﷺ said, “Who would kill Ka’b bin Al-Ashraf as he has
harmed Allah and His Messenger ﷺ?" Muḥammad bin Maslama (got up and) said, "I will kill him." So, Muḥammad bin Maslama went to Kaʿb and said, "I want a loan of one or two Wasq of foodgrains." Kaʿb said, "Mortgage your women to me." Muḥammad bin Maslama said, "How can we mortgage our women, and you are the most handsome among the Arabs?" He said, "Then mortgage your sons to me." Muḥammad said, "How can we mortgage our sons, as the people will abuse them for being mortgaged for one or two Wasq of foodgrains? It is shameful for us. But we will mortgage our arms to you." So, Muḥammad bin Maslama promised him that he would come to him next time. They (Muḥammad bin Maslama and his companions) came to him as promised and murdered him. Then they went to the Prophet ﷺ and told him about it.

(4) CHAPTER. It is permissible to mortgage an animal used for riding or milking.

Mughira narrated that Ibrāhīm said: One can ride and milk the lost animal in proportion to the amount of food one gives to it; this is valid also for mortgaged animals.

2511. Narrated Abū Hurairah ﷺ: The Prophet ﷺ said, "One can ride the mortgaged animal because of what one spends on it, and one can drink the milk of a milch animal as long as it is mortgaged."

2512. Narrated Abū Hurairah ﷺ: Allah's Messenger ﷺ said, "The mortgaged animal can be used for riding as long as it is
fed; and the milk of the milch animal can be drunk according to what one spends on it. The one who rides the animal or drinks its milk should provide the expenditures."

(5) CHAPTER. Mortgaging things to Jews and others.

2513. Narrated 'Aishah: Allah's Messenger bought some foodstuff from a Jew and mortgaged his armour to him.

(6) CHAPTER. If a dispute arises between the mortgagor and mortgagee, a proof is to be provided by the plaintiff, otherwise the defendant has to take an oath (if he insists on denying the plaintiff's claim).

2514. Narrated Ibn Abū Mulaika: I wrote a letter to Ibn 'Abbās and he wrote to me that the Prophet had given the verdict that the defendant had to take an oath.

2515, 2516. Narrated Abū Wā'il: 'Abdullāh (bin Mas'ūd) said, "Whoever took a false oath in order to grab somebody's property will meet Allāh while Allāh will be angry with him." Allāh revealed the following Verse to confirm that:
“Verily, those who purchase a small gain at the cost of Allāh’s Covenant and their oaths... (to)... they shall have a painful torment!” (V.3:77)

Al-ʿAshʿath bin Qais came to us and asked as to what Abū Abdur-Rahmān (i.e., Ibn Masʿūd) was telling us.” We related the story to him. On that he said, “He has told the truth. This Verse was revealed about me. I had some dispute with another man regarding a well and we took the case before Allāh’s Messenger ﷺ. Allāh’s Messenger ﷺ said (to me), ‘Produce two witnesses (to support your claim); otherwise the defendant has the right to take an oath (to refute your claim).’ I said, ‘The defendant would not mind to take a false oath.’ Allāh’s Messenger ﷺ then said, ‘Whoever took a false oath in order to grab someone else’s property will meet Allāh, and Allāh will be angry with him.’ Allāh then revealed what confirmed it.” Al-ʿAshʿath then recited the following Verse:

“Verily, those who purchase a small gain at the cost of Allāh’s Covenant and their oaths... (to)... painful torment.” (V.3:77)

[See Ḥadīth No.2356, 2357]
49 – THE BOOK OF MANUMISSION (OF SLAVES)

(1) CHAPTER. What is said regarding the manumission and its superiority

And the Statement of Allāh عَزَّ وَجَلَّ (Allāh is Exalted) says:

"(It is) freeing a neck (slave). Or giving food in a day of hunger (famine), to an orphan near of kin."... (V.90:13-15)

2517. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ said, "Whoever frees a Muslim slave, Allāh will save all the parts of his body from the (Hell) Fire as he has manumitted the body-parts of the slave."

Sa‘īd bin Marjānah said that he narrated that Ḥadīth to ‘Alī bin Al-Ḥusain and he manumitted his slave for whom ‘Abdullāh bin Ja’far had offered him ten thousand Dirham or one thousand Dīnār.

(2) CHAPTER. What is the best kind of manumission (of slaves)?

2518. Narrated Abū Dhar رضي الله عنه: I asked the Prophet ﷺ, “What is the best deed?” He replied, “To believe in Allāh and to fight for His Cause.” I then asked, “What is the best kind of manumission (of slaves)?” He replied, “The manumission of the most expensive slave and the most beloved by his master.” I said, “If I cannot afford to do that?” He said, "Help the weak or do good
for a person who cannot work for himself.” I said, “If I cannot do that?” He said, “Refrain from harming others for this will be regarded as a charitable deed for your own good.”

(3) CHAPTER. Manumitting slaves at the time of eclipses, or on the appearance of some other signs of Allah, is recommended.

2519. Narrated Asmā’ bint Abū Bakr رضي الله عنها: The Prophet ﷺ ordered us to manumit slaves at the time of solar eclipses.

2520. Narrated Asmā’ bin Abū Bakr رضي الله عنها: We were ordered to manumit slaves at the time of lunar eclipses.

(4) CHAPTER. If one manumits a male slave owned by two persons or a female slave owned by a number of partners.

2521. Narrated Ibn ‘Umar رضي الله عنهما: The Prophet ﷺ said, “Whoever manumits a slave owned by two masters, should manumit him completely (not partially) if he is rich after having its price evaluated.”
2522. Narrated 'Abdullãh bin 'Umar رضي الله عنهما: Allâh's Messenger ﷺ said, "Whoever manumits his share of a jointly possessed slave and he has sufficient money to manumit him completely, should let its price be estimated by a just man and give his partners the price of their shares and manumit the slave; otherwise (i.e., if he has not sufficient money) he manumits the slave partially."

2523. Narrated Ibn 'Umar رضي الله عنه: Allâh's Messenger ﷺ said, "Whoever manumits his share of a jointly possessed slave, then it is essential for him to get that slave manumitted completely as long as he has the money to do so. If he has not sufficient money to pay the price of the other shares (after the price of the slave is evaluated justly), the manumitter manumits the slave partially in proportion to his share.

2524. Narrated Ibn 'Umar رضي الله عنهما: The Prophet ﷺ said, "He who manumits his share and has money sufficient to free the remaining portion of that slave's price (justly estimated) then he should manumit him (by giving the rest of his price to the other co-owners)."

Nâfi' added, "Otherwise the slave is
partially free." Ayyūb is not sure whether the last statement was said by Nāfi’ or it was a part of the Ḥadīth.

2525. Narrated Ibn ‘Umar L41. that he used to give his verdict regarding the male or female slaves owned by more than one master, one of whom may manumit his share of the slave. Ibn ‘Umar used to say in such a case, “The manumitter should manumit the slave completely if he has sufficient money to pay the rest of the price of that slave (which is to be justly estimated) and the other share-holders are to take the price of their shares and the slave is freed (released from slavery).” Ibn ‘Umar narrated this verdict from the Prophet ﷺ.

(5) CHAPTER. Whoever manumits his portion of a common slave and does not possess enough money to manumit him completely, then that slave should be helped to work without hardship to earn what will enable him to get complete freedom according to the writing (of emancipation).

2526. Narrated Abū Hurairah that the Prophet ﷺ said, “Whoever
manumits his portion of a (jointly possessed) slave...

2527. Narrated Abū Hurairah: Allah's Messenger ﷺ said, “Whoever manumits his portion of a (jointly possessed) slave should manumit the slave completely by paying the rest of his price from his money if he has enough money; otherwise the price of the slave is to be estimated and the slave is to be helped to work without hardship till he pays the rest of his price.”

(6) CHAPTER. What is said about manumission and divorce by mistake or by forgetfulness. Manumission of slave should be for Allâh’s sake only.

The Prophet ﷺ said, “Everybody will get the reward according to what he has intended.” Doing things by forgetfulness or by mistake is not regarded as intentional action.

2528. Narrated Abū Hurairah: Allah's Messenger ﷺ said, “Allâh has accepted my invocation to forgive what whispers in the hearts of my followers, unless they put it to action or utter it.” (See Ḥadîth No.6664 Vol.8)
2529. Narrated ‘Umar bin Al-Khattāb رضي الله عنهُ: The Prophet ﷺ said, “The (reward of) deeds depends on intentions, and every person will get the reward according to what he has intended. So, whoever emigrates for Allāh and His Messenger, then his emigration will be for Allāh and His Messenger, and whoever emigrates for worldly benefits or for a woman to marry then his emigration will be for what he emigrated for.”

[See Vol. 1, Hadith No.1]

(7) CHAPTER. If somebody says to his slave that he is for Allāh; and by that he intends to manumit him (the slave is manumitted). And the witness for manumission.

2530. Narrated Qais رضي الله عنهُ: When Abū Hurairah accompanied by his slave set out intending to embrace Islām they lost each other on the way. The slave then came while Abū Hurairah was sitting with the Prophet ﷺ. The Prophet ﷺ said, “O Abū Hurairah! Your slave has come back.” Abū Hurairah said, “Indeed, I would like you to witness that I have manumitted him.” That happened at the time when Abū Hurairah recited (the following poetic verse):

‘What a long tedious tiresome night!
Nevertheless, it has delivered us from the land of Kufr (disbelief).’
2531. Narrated Abū Hurairah: On my way to the Prophet I was reciting:

'What a long tedious tiresome night!
Nevertheless, it has delivered us from the land of Kufr (disbelief).'

I had a slave who ran away from me on the way. When I went to the Prophet and gave the Bai’a (pledge) for embracing Islām, the slave showed up while I was still with the Prophet who remarked, “O Abū Hurairah! Here is your slave!” I said, “I manumit him for Allāh’s sake,” and so I manumitted him.

2532. Narrated Qais: When Abū Hurairah accompanied by his slave came intending to embrace Islām, they lost each other on the way. (When the slave showed up) Abū Hurairah said (to the Prophet), “I make you witness that the slave is free for Allāh’s Cause.”

(8) CHAPTER. Umm Al-Walad (i.e., a slave woman who begets a child for her master).
2533. Narrated ‘Āishah: ‘Utba bin Abī Waqqāṣ authorized his brother Sa’īd bin Abī Waqqāṣ to take the son of the slave-girl of Zam’a into his custody, telling him that the boy was his own (illegal) son. When Allāh’s Messenger went (to Makkah) at the time of the conquest, Sa’īd took the son of the slave-girl of Zam’a to Allāh’s Messenger and also brought ‘Abd bin Zam’a with him and said, ‘O Allāh’s Messenger! This is the son of my brother ‘Utba, who authorized me to take him into my custody.’ ‘Abd bin Zam’a said, ‘O Allāh’s Messenger! He is my brother, the son of Zam’a’s slave-girl and he was born on his bed.’ Allāh’s Messenger casted a glance at the son of the slave-girl of Zam’a and noticed much resemblance (to ‘Utba). Allāh’s Messenger said, ‘It is for you, O ‘Abd bin Zam’a as he was born on the bed of your father.’ Allāh’s Messenger then said to Sauda bint Zam’a: ‘Screen yourself O Sauda bint Zam’a from him (the boy),’ as he noticed the boy’s resemblance to ‘Utba and Sauda was the wife of the Prophet. (See H. 4303).

(9) CHAPTER. The selling of a Mudabbar (i.e., the slave who is declared by his master to be manumitted after his master’s death).

2534. Narrated Jābir bin ‘Abdullāh: A man amongst us declared that his
slave would be manumitted after his death. The Prophet \(\text{(pbuh)}\) called for that slave and sold him\(^{(1)}\). The slave died the same year.

(10) CHAPTER. The selling and conferring on others of the \(\text{Walâ’}\) of a manumitted slave.\(^{(2)}\)

2535. Narrated Ibn ‘Umar: Allah’s Messenger \(\text{pbuh}\) forbade the selling or conferring on others of the \(\text{Walâ’}\) of a manumitted slave.

2536. Narrated ‘Aishah: I bought Barira, but her masters put the condition that her \(\text{Walâ’}\) would be for them. I told the Prophet \(\text{pbuh}\) about it. He said (to me), “Manumit her, as her \(\text{Walâ’}\) will be for the one who pays the price.” So, I manumitted her. The Prophet \(\text{pbuh}\) called Barira and gave her the option of either staying with her husband or leaving him. She said, “Even if he gave me so much money, I would not stay with him,” and so she preferred her freedom to her husband.

(11) CHAPTER. If the brother or the uncle of somebody was taken as a war prisoner, then can he ransom him if he is a Mushrik? 

Narrated Anas: Al-‘Abbās said

---

\(^{(1)}\) (H. 2534) The liberator was needy, so the Prophet \(\text{pbuh}\) sold the slave for him, permitting him to cancel his promise of manumitting the slave after his death.

\(^{(2)}\) (Ch. 10) \(\text{Walâ’}\): See glossary.
to the Prophet ﷺ, “I ransom myself and ‘Aqil.” ‘Ali got his share of the booty from the property which was given by his brother ‘Aqil and his uncle Al-‘Abbās.

2537. Narrated Anas: Some men of the Ansār asked for the permission of Allāh’s Messenger ﷺ and said, “Allow us to give up the ransom from our nephew Al-‘Abbās. The Prophet ﷺ said (to them), “Do not leave (even) a Dirham (of his ransom).”

(12) CHAPTER. Manumission of a Mushrik (pagan, polytheist, idolater)

2538. Narrated Hishām: My father told me that Hakīm bin Hizām ﷺ manumitted one hundred slaves in the Pre-Islāmic Period of Ignorance and slaughtered one hundred camels (and distributed them in charity). When he embraced Islam he again slaughtered one hundred camels and manumitted one hundred slaves. Hakīm said, “I asked Allāh’s Messenger ﷺ, ‘O Allāh’s Messenger! What do you think about some good deeds I used to practise in the Pre-Islāmic Period of Ignorance regarding them as deeds of righteousness?’ ” Allāh’s Messenger ﷺ said, “You have embraced Islām along with all those good deeds you did.”
(13) CHAPTER. Whover possessed Arab slaves and gave them as presents, or sold them, or had sexual relation with the females among them, or accepted their ransom, or took their offspring as captives.

And the Statement of Allah h:

"The example (of two men - a believer and a disbeliever); a slave (disbeliever) under the possession of another, he has no power of any sort, and (the other), a man (believer) on whom We have bestowed a good provision from Us, and he spends thereof secretly and openly. Can they be equal? (By no means, not). All the praises and thanks be to Allah. Nay! (But) most of them know not." (V.16:75)

2539, 2540. Narrated Marwān and Al-Miswar bin Makhrama: When the delegates of the tribe of Hāwāzin came to the Prophet s, and they requested him to return their properties and captives the Prophet s stood up and said to them, "I have other people with me in this matter (as you see) and the most beloved statement to me is the true one; you may choose either the properties or the prisoners as I have delayed their distribution." The Prophet s had waited for them for more than ten days since his arrival from Ta’if. So, when it became evident to them that the Prophet s was not going to return them except one of the two, they said, "We choose our prisoners." The Prophet s got up amongst the people and glorified and praised Allah as He deserved and said, "Then after, these brethren of yours have come to us with repentance, and I see it logical to return them the captives. So, whoever amongst you likes to do that as a favour, then he can do it, and whoever of you likes to stick to his share till we recompense him from the very first war booty which Allah will give us, then he can do so (i.e., give up
the present captives).” The people unanimously said, “We do that (return the captives) willingly.” The Prophet ﷺ said, “We do not know which of you have agreed to it and which have not, so go back and let your leaders forward us your decision.” So, all the people then went back and discussed the matter with their leaders who returned and informed the Prophet ﷺ that all the people had willingly given their consent to return the captives. This is what has reached us about the captives of Hawāzin.

Narrated Anas that ‘Abbās said to the Prophet ﷺ, “I paid for my ransom and ‘Aqīl’s ransom.”

2541. Narrated Ibn ‘Aūn: I wrote a letter to Nāfi’, and Nāfi’ wrote in reply to my letter that the Prophet ﷺ had (suddenly) attacked Banī Muṣṭalīq (without warning while they were heedless) and their cattle were being watered at the places of water. Their fighting men were killed and their women and children were taken as captives; the Prophet ﷺ got Juwairiya on that day. Nāfi’ said that Ibn ‘Umar had told him the above narration and that Ibn ‘Umar was in that army.

2542. Narrated Ibn Muḥairiz: I saw Abū Sa‘īd رضي الله عنَّهُ and asked him about coitus interruptus. Abū Sa‘īd said, “We went with Allāh’s Messenger ﷺ in the Ghazwa of Banī Al-Muṣṭalīq and we captured some of the Arabs as captives, and the long separation
from our wives was pressing us hard and we wanted to practise coitus interruptus. We asked Allâh’s Messenger (ﷺ) (whether it was permissible). He said, “It is better for you not to do so. No soul, (that which Allâh has) destined to exist, up to the Day of Resurrection, but will definitely come into existence.”

2543. Narrated Abû Hurairah (R): I have loved the people of the tribe of Bânî Tamîm ever since I heard three things Allâh’s Messenger (ﷺ) said about them. I heard him saying, “These people (of the tribe of Bânî Tamîm) would stand firm against Ad-Dajîl.” When the Sadaqât (gifts of charity) from that tribe came, Allâh’s Messenger (ﷺ) said, “These are the Sadaqât (i.e., charitable gifts) of our folk.” Aishah had a slave-girl from that tribe, and the Prophet (ﷺ) said to ‘Aishah, “Manumit her as she is a descendant of (the Prophet) Isma’îl [Ishmâel] [ عليه السلام].”
(14) CHAPTER. The superiority of him who teaches his slave-girl good manners.

2544.Narrated Abū Mūsa:Allāh’s Messenger ﷺ said, “He who has a slave-girl and educates and treats her nicely and then manumits her and marries her, will get a double reward.” (See H. 5083)

(15) CHAPTER. The saying of the Prophet ﷺ: Slaves are your brothers, so feed them with the like of what you eat.

And the Statement of Allāh ﷻ:

“Worship Allāh and join none with Him (in worship), and do good to parents, kinsfolk, orphans, Al-Masākin (the poor), the neighbour who is near of kin, the neighbour who is a stranger, the companion by your side, the wayfarer (you meet) and those (slaves) whom your right hands posses. Verily, Allāh does not like such as are proud and boastful.” (V.4:36)

2545. Narrated Al-Ma‘rūr bin Suwaid: I saw Abū Dhar Al-Ghifari wearing a cloak, and his slave, too, was wearing a cloak. We asked him about that (i.e., how both were wearing similar cloaks). He replied, “Once I abused a man and he complained of me to the Prophet ﷺ. The Prophet ﷺ asked me, ‘Did you abuse him by slighting his mother?’ He added, ‘Your slaves
are your brethren upon whom Allâh has
given you authority. So, if one has one's
brethren under one's control, one should
feed them with the like of what one eats and
clothe them with the like of what one wears.
You should not overburden them with what
they cannot bear, and if you do so, help them
(in their hard job)."

(16) CHAPTER. (The reward of) a slave who
worships his Lord (Allâh) in a perfect
manner and he is also honest and faithful
to his master.

2546. Narrated Ibn 'Umar: Allâh's Messenger ﷺ said, "If a slave is
honest and faithful to his master and
worships his Lord (Allâh) in a perfect
manner, he will get a double reward." (See
H. 5083)

2547. Narrated Abû Mûsa Al-Ash'âri: The Prophet ﷺ said, "He who has a
slave-girl and teaches her good manners and
educates her and then manumits and marries
her, will get a double reward; and any slave
who observes Allâh's Right and his master's
right will get a double reward." (See H.
5083)

2548. Narrated Abû Hurairah: Allâh's Messenger ﷺ said, "A pious slave
gets a double reward." Abû Hurairah added:
By Him in Whose Hands my soul is but for Jihad (i.e., holy battles), Hajj, and my duty to serve my mother, I would have loved to die as a slave.\footnote{(1)}

2549. Narrated Abū Hurairah: The Prophet ﷺ said, “Goodness and comfort are for him (the slave) who worships his Lord (Allah) in a perfect manner and serves his master sincerely.”

(17) CHAPTER. It is disliked to look down upon a slave or to say, “My slave” or “My slave-girl.”

Allah says:

“And (also marry) the Ṣāliḥūn (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves)...” (V.24:32)

And Allah said,

“A slave (disbeliever) under the possession of another” (V.16:75) “... They both found her lord (i.e., her husband) at the door...” (V.12:25) “... believing girls [from among those (slaves) whom you right hands possess]...” (V.4:25)

And the Prophet ﷺ said, “Get up for your master.”

Allah says:

“...Mention me to your lord (i.e., your king so as to get me out of the the prison)...” (V.12:42)

\footnote{(1) (H. 2548) Abū Hurairah mentioned Jihad, Hajj and duty towards mother as obstacles in the way of his wish, because a slave cannot practise any of these actions without his master’s permission. (Qastālānī).}
(The Prophet said), "And who is your master?" (1)

2550. Narrated 'Abdullāh: The Prophet said, "If a slave serves his Saiyid (i.e., master) sincerely and worships his Lord (Allāh) perfectly, he will get a double reward." (See H. 5083)

2551. Narrated Abū Mūsā: The Prophet said, "The Mamlūk (slave) who worships his Lord (Allāh) in a perfect manner, and is dutiful, sincere and obedient to his Saiyid (master), will get a double reward." (See H. 5083)

2552. Narrated Abū Hurairah: The Prophet said, "You should not say, 'Feed your lord (Rabbaka), help your lord in performing ablution, or give water to your lord' but should say, 'My master (e.g. feed your master instead of lord) (Saiyidī)', or 'My guardian (Maulā)', and one should not say, 'My slave ('Abdī), or 'My girl-slave (Amatī)', but should say, 'My lad (Fatāī)', 'My lass (Fatāti)', and 'My boy (Ghulāmī)'"

2553. Narrated Ibn 'Umar: The Prophet said, "If one manumits his

(1) (Ch. 17) This chapter recommends that one should not call his slave a slave; yet the word is used by Allāh and His Messenger on many occasions. In this chapter the male slave is called Abīd in Arabic; the female slave Ama; the master Saiyid; or Rabb. The slave is also called Mamlūk, and the female slave Fatāt.
share of a common slave (‘Abd), and he has money sufficient to free the remaining portion of the price of the slave (justly estimated), then he should free the slave completely by paying the rest of his price; otherwise the slave is freed partly.”

2554. Narrated ‘Abdullāh: Allāh’s Messenger ﷺ said, “Everyone of you is a guardian and is responsible for his charges. The ruler who has authority over people, is a guardian and is responsible for them, a man is a guardian of his family and is responsible for them; a woman is a guardian of her husband’s house and children and is responsible for them; a slave (‘Abd) is a guardian of his master’s property and is responsible for it; so all of you are guardians and are responsible for your charges.”

2555, 2556. Narrated Abū Hurairah and Zaid bin Khālid: The Prophet ﷺ said, “If a slave-girl (Ama) commits illegal sexual intercourse, scourge her; if she does it again, scourge her again; if she repeats it, scourge her again.” The narrator added that on the third or the fourth offence, the Prophet ﷺ said, “Sell her even for a hair rope.”
(18) CHAPTER. When your servant brings your meal to you?

2557. Narrated Abū Hurairah: The Prophet ﷺ said, "When your servant brings your meal to you then if you do not let him sit and share the meal, you should at least give him a mouthful or two mouthfuls of that meal or a meal or two meals, as he has prepared it."

(19) CHAPTER. The slave is a guardian of the property of his master.

The Prophet ﷺ has referred the ownership of the property to the master.

2558. Narrated 'Abdullāh bin 'Umar: ‘Rasūlullāh ﷺ said, "Everyone of you is a guardian and is responsible for his charge; the ruler is a guardian and is responsible for his subjects; the man is a guardian of his family and responsible for his charges; a woman is a guardian of her husband’s house and responsible for her charges; and the servant is a guardian of his master’s property and is responsible for his charge." I definitely heard the above from the Prophet ﷺ and think that the Prophet ﷺ also said, "A man is a guardian of his father’s property and responsible for his charges; so everyone of you is a guardian and responsible for his charges."
(20) CHAPTER. If somebody beats a slave, he should avoid his face.

2559. Narrated Abü Hurairah: The Prophet said, "If somebody fights (or beats somebody) then he should avoid (hitting) the face."
(A slave who binds himself to pay a certain amount equivalent for his freedom by seeking writing of emancipation from his master).

CHAPTER. The sin of one who falsely accuses his slave of illegal sexual intercourse.

(1) CHAPTER. Al-Mukatab and the payment of his price by yearly installment.

And Allah’s Statement:

“...And such of your slaves as seek a writing (of emancipation), give them such writing, if you find that there is good and honesty in them. And give them something (yourselves) out of the wealth of Allah which He has bestowed upon you...” (V.24:33)

Narrated Ibn Juraij: I asked ‘Ata’, “Will it be necessary for me to give a slave the writing of emancipation if I come to know that such a slave has money or property?” ‘Ata’ replied, “I consider it obligatory.”

‘Amr bin Dinar asked ‘Ata’, “Have you a proof (narration) for your verdict?” He replied in the negative and added that Musa bin Anas told him that Sirin sought from Anas a writing of emancipation, and Sirin was a very rich slave, but Anas refused to grant him his desire. Sirin went to Umar who ordered Anas with his lash and recited:

‘Give them such writing, if you find that there is good and honesty in them...’ (V.24:33)

Anas then gave him a writing (of emancipation).”

2560. Narrated ‘Aishah that Barira came to seek her help in her writing of emancipation and she had to pay five Uqya
(of gold) by five yearly installments. 'Aishah said to her, "Do you think that if I pay the whole sum at once, your masters will sell you to me, and I will free you and your Walā" will be for me." Barira went to her masters and told them about that offer. They said that they would not agree to it unless her Walā would be for them. 'Aishah further said, "I went to Allah's Messenger and told him about it." Allah's Messenger then got up and said, "What about those people who stipulate conditions that are not present in Allah's Laws? If anybody stipulates a condition which is not in Allah's Laws, then what he stipulates is invalid. Allah's Conditions (Laws) are the truth and are more solid."

(2) CHAPTER. What conditions are permissible for a writing of emancipation and whoever stipulates conditions that are not (present) in Allah's Book (i.e., not in accordance with Allah's Laws).

Ibn 'Umar narrated (the above).

2561. Narrated 'Urwa that 'Aishah told him that Barira came to seek her help in her writing of emancipation (for a certain sum) and at that time she had not paid anything of it. 'Aishah said to her, "Go back to your masters, and if they agree that I will pay the amount of your writing of emancipation and get your Walā', I will do

(1) (H. 2560) Walā': See glossary.
so." Barira informed her masters of that but they refused and said, "If she (i.e., 'Aishah) is seeking Allah's Reward, then she can do so, but your Walâ’ will be for us." 'Aishah mentioned that to Allah's Messenger who said to her, "Buy and manumit her, as the Walâ’ is for the liberator." Allah's Messenger then got up and said, "What about the people who stipulate conditions which are not present in Allah's Laws? Whoever imposes conditions which are not present in Allah's Laws, then those conditions will be invalid, even if he imposed these conditions a hundred times. Allah's Conditions (Laws) are the truth and are more solid."

2562. Narrated 'Abdullâh bin 'Umar رضي الله عنها: 'Aishah رضي الله عنها wanted to buy a slave-girl in order to manumit her. The girl's masters stipulated that her Walâ’ would be for them. Allah's Messenger ﷺ said (to 'Aishah), "What they stipulate should not stop you, for the Walâ’ is for the liberator."

(3) CHAPTER. Al-Mukâtab is permitted to ask others to help him (get his liberation).

2563. Narrated 'Aishah رضي الله عنها: Barira came (to 'Aishah) and said, "I have made a contract of emancipation with my masters for nine Uqiyah (of gold) to be paid in yearly installments. Therefore, I seek your help."
‘Aishah said, “If your masters agree, I will pay them the sum at once and free you on condition that your Walā‘ will be for me.” Barira went to her masters but they refused that offer. She (came back) and said, “I presented to them the offer but they refused, unless the Walā‘ will be for them.” Allāh’s Messenger  heard of that and asked me about it, and I told him about it. On that he said, “Buy and manumit her and stipulate that the Walā‘ should be for you, as Walā‘ is for the liberator.” ‘Aishah added, “Allāh’s Messenger  then got up amongst the people, glorified and praised Allāh, and said, ‘Then after: What about some people who impose conditions which are not present in Allāh’s Laws? So, any condition which is not present in Allāh’s Laws is invalid even if they were one hundred conditions. Allāh’s Ordinance is the truth, and Allāh’s Condition is stronger and more solid. Why do some men from you say, ‘O so-and-so! Manumit the slave but the Walā‘ will be for me?’ Verily, the Walā‘ is for the liberator.’”

(4) CHAPTER. The selling of a Mukātab on his agreement.

‘Aishah  said, “A Mukātab remains a slave as long as he has not paid the whole amount.” Zaid bin Thābit said, “He remains a slave even if he owed one Dirham.” Ibn ‘Umar said, “He remains a slave whether living or dead, or became insane, so long as he still has to pay
something (from the writing of emancipation)."

2564. Narrated 'Amra bint 'Abdur-Rahmān: Barīra went to 'Āishah, the Mother of the faithful believers to seek her help in her emancipation. 'Āishah said to her, "If your masters agree, I will pay them your price in a lump sum and manumit you." Barīra mentioned that offer to her masters but they refused to sell her unless the Walā' will be for them. 'Āishah told Allāh's Messenger about it. He said, "Buy and manumit her as the Walā' is for the liberator."

(5) CHAPTER. If a Mukātab slave asks somebody to buy and free him, it is permissible for that person to buy him.

2565. Narrated 'Abdul Wahīd bin Aīman: I went to 'Āishah and said, "I was the slave of Utba bin Abū Lahab. Utba died and his sons became my masters who sold me to Ibn Abū 'Amr who manumitted me. The sons of Utba stipulated that my Walā' should be for them." 'Āishah said, "Barīra came to me and she was given the writing of emancipation by her masters and she asked me to buy and manumit her. I agreed to it, but Barīra told me that her masters would not sell her unless her Walā' will be for them." 'Āishah said, "I am not in need of that." When the Prophet heard that, or he was told about it, he asked 'Āishah about it. 'Āishah mentioned what Barīra had told her. The Prophet said, "Buy and manumit her
and let them stipulate whatever they like.” So, ‘Aishah bought and manumitted her and her masters stipulated that her Walâ’ should be for them. The Prophet ﷺ said, “The Walâ’ will be for the liberator even if they stipulated a hundred conditions.”
(1) CHAPTER. Superiority of giving gifts.

2566. Narrated Abū Hurairah: The Prophet said, “O Muslim women! None of you should look down upon the gift sent by her she-neighbour even if it were the trotters of the sheep (fleshless part of legs).”

2567. Narrated 'Urwa: 'Aishah said to me, “O my nephew! We used to see the crescent, and then the crescent in this way we saw three crescents in two months and no fire (for cooking) used to be made in the houses of Allāh's Messenger. I said, “O my aunt! Then what use to sustain you?” ‘Aishah said, “The two black things: dates and water, our neighbours from Anṣār had some Manā'ih(1) and they used to present Allāh’s Messenger some of their milk and he used to make us drink.”

(2) CHAPTER. Giving a little as a gift.

(1) (Ch. 2567) Manā'ih is the plural of Manīh, which means a special sort of gift in the form of a she-camel or a sheep which is given temporarily so that its milk may be used and then it is returned to the owner.

http://islamsbooks.wordpress.com/
2568. Narrated 'Abū Hurairah: The Prophet ﷺ said, “I shall accept the invitation even if I were invited to a meal of a sheep’s trotter, and I shall accept the gift even if it were an arm or a trotter of a sheep.”

2569. Narrated Sahl: The Prophet ﷺ sent for a woman from the emigrants and she had a slave who was a carpenter. The Prophet ﷺ said to her “Order your slave to prepare the wood (pieces) for the pulpit.” So, she ordered her slave who went and cut the wood from the tamarisk and prepared the pulpit for the Prophet ﷺ. When he finished the pulpit, the woman informed the Prophet ﷺ that it had been finished. The Prophet ﷺ asked her to send that pulpit to him, so they brought it. The Prophet ﷺ lifted it and placed it at the place in which you see now.”

2570. Narrated 'Abdullãh bin AbU Qatada Al-Aslami that his father said, “One day I was sitting with some of the Prophet’s companions on the way to Makkah. Allãh’s Messenger ﷺ was ahead of us. All of my companions were in the state of Ihrãm while I was a non-Muhrim. They saw an onager while I was busy repairing my
shoes, so they did not tell me about it but they wished I had seen it. By chance I looked up and saw it. So, I turned to the horse, saddled it and rode on it, forgetting to take the spear and the whip. I asked them if they could hand over to me the whip and the spear but they said, ‘No, by Allah, we shall not help you in that in any way.’ I became angry and got down from the horse, picked up both the things and rode the horse again. I attacked the onager and slaughtered it, and brought it. They took it (cooked some of it) and started eating it, but they doubted whether it was allowed for them to eat it or not, as they were in the state of *Ihram*. So, we proceeded and I hid with me one of its forelegs. When we met Allah’s Messenger and asked him about the case, he asked, ‘Do you have a portion of it with you?’ I replied in the affirmative and gave him that fleshy foreleg and he ate all of it, while he was in the state of *Ihram.‘

(4) CHAPTER. Whoever asks others to give him water.

2571. Narrated Anas: Once Allah’s Messenger visited us in this house of ours and asked for something to drink. We milked one of our sheep and mixed it with water from this well of ours and gave it to

http://islamsbooks.wordpress.com/
him. Ābu Bakr was sitting on his left side and ʿUmar in front of him and a bedouin on his right side. When Allāh’s Messenger ṣ widespread ‘Umar said to Allāh’s Messenger ṣ, “Here is Ābu Bakr.” But Allāh’s Messenger ṣ gave the remaining milk to the bedouin and said twice, “The (persons on the) right side! So, start from the right side.” Anas added, “It is the Prophet’s Ṣunnā,” and repeated it thrice.

(5) CHAPTER. Accepting the gift of game.

The Prophet ṣ accepted the fleshy foreleg of the game from Ābu Qatada.

2572. Narrated Anas: “Rasūl Allāh ﷺ accepted the fleshy foreleg of the game from Ābu Qatada. (The narrator confirms that he sent two thighs). The Prophet ṣ accepted that. (The subnarrator asked Anas, “Did the Prophet ṣ eat from it?” Anas replied, “He ate from it.”)

(6) CHAPTER. The acceptance of a gift.

2573. Narrated As-Sāʾib bin Jaththama: An onager was presented to Allāh’s Messenger ṣ at the place called Al-
Abwa’ or Waddan, but Alläh’s Messenger  rejected it. When the Prophet  noticed the signs of sorrow on the giver’s face he said, “We have not rejected your gift, but we are in the state of Ihram.” (i.e., if we were not in a state of Ihram we would have accepted your [15], Fath Al-Bâri).

(7) CHAPTER. The acceptance of a gift.

2574. Narrated ‘Aishah, The people used to look forward for the day of my (‘Aishah’s) turn to send gifts to Alläh’s Messenger  in order to please him.

2575. Narrated Ibn ‘Abbas: My aunt Umm Hufaid, sent some dried yoghurt (butter free), ghee (clarified butter) and a mastigar (sand lizard) to the Prophet  as a gift. The Prophet  ate the dried yoghurt and butter but left the mastigar because he disliked it. Ibn ‘Abbâs said, “The mastigar was eaten at the table of Alläh’s Messenger  and if it had been illegal to eat, it could not have been eaten at the table of Alläh’s Messenger .”

2576. Narrated Abû Hurairah: Whenever a meal was brought to Alläh’s
Messenger ﷺ, he would ask whether it was a gift or Sadaqa (something given in charity). If he was told that it was Sadaqa, he would tell his Companions to eat it, but if it was a gift, he would hurry to share it with them.

2577. Narrated Anas bin Malik Z:

Some meat was brought to the Prophet ﷺ and it was said that the meat had been given in charity to Barira. He said, “It was Sadaqa (charity) for Barira but a gift for us.”

2578. Narrated ‘Aishah ﷺ:

I intended to buy Barira but her masters stipulated that her Wāla’ should be for them. When the Prophet ﷺ was told about it, he said to me, “Buy and manumit her, as the Wāla’ is for the liberator.” Once, Barira was given some meat, and the Prophet ﷺ asked, “What is this?” I said, “It has been given to Barira in charity.” He said, “It is Sadaqa (charity) for her but a gift for us.” Barira was given the option (to stay with her husband or to part with him). ‘Abdur-Rahman (a subnarrator) wondered, “Was her husband a slave or a free man?” Shu‘ba (another subnarrator) said, “I asked ‘Abdur-Rahmān whether her husband was a slave or a free man. He replied that he did not know whether he was a slave or a free man.”
2579. Narrated Umm ‘Atiyya: Once the Prophet went to ‘Aishah and asked her whether she had something (to eat). She said that she had nothing except the mutton which Umm ‘Atiyya had sent to (Barira) in charity. The Prophet said that it had reached its destination (i.e., it is no longer an object of charity.)

2580. Narrated ‘Aishah: The people used to send gifts to the Prophet on the day of my turn. Umm Salama said: “My companions (the wives of the Prophet other than ‘Aishah) gathered and they complained about it. So I informed the Prophet about it on their behalf, but he remained silent.

2581. Narrated ‘Urwa that ‘Aishah said: The wives of Allâh’s Messenger were in two groups.” ‘Urwa added: One group consisted of ‘Aishah, Hafsa, Safiyya and Sauda; and the other group consisted of Umm Salama and the other wives of Allâh’s Messenger. The Muslims knew that Allâh’s Messenger loved ‘Aishah, so if any
of them had a gift and wished to give to
Allah's Messenger , he would delay it till
Allah's Messenger had come to 'Aishah's
home and then he would send his gift to
Allah's Messenger in her home. The
group of Umm Salama discussed the matter
together and decided that Umm Salama
should request Allah's Messenger to tell
the people to send their gifts to him in
whatever wife's house he was. Umm Salama
told Allah's Messenger of what they had
said, but he did not reply. Then they (those
wives) asked Umm Salama about it. She
said, "He did not say anything to me." They
asked her to talk to him again. She talked to
him again when she met him on her day, but
he gave no reply. When they asked her, she
replied that he had given no reply. They said
to her, "Talk to him till he gives you a reply." When it was her turn, she talked to him
again. He then said to her, "Do not hurt me
regarding 'Aishah, as the Divine Revelations
do not come to me on any of the beds except
that of 'Aishah." On that Umm Salama said,
"I repent to Allah for hurting you." Then the
group of Umm Salama called Fatima, the
daughter of Allah’s Messenger and sent
her to Allah’s Messenger to say to him,
"Your wives request to treat them and the
daughter of Abû Bakr on equal terms." Then
Fatima conveyed the message to him. The
Prophet said, "0 my daughter! Don’t you
love whom I love?" She replied in the
affirmative and returned and told them of
the situation. They requested her to go to
him again, but she refused. They then sent
Zainab bint Jahsh who went to him and used
harsh words saying, "Your wives request you
to treat them and the daughter of Ibn Abû
Qûhâfa on equal terms." On that she raised
her voice and turned to 'Aishah who was
sitting and insulted her so much so that
Allah's Messenger looked at 'Aishah to see whether she would retort. 'Aishah started replying to Zainab till she silenced her. The Prophet then looked at 'Aishah and said, "She is really the daughter of Abū Bakr." (1)

(9) CHAPTER. What sort of presents (gifts) should not be rejected.

2582. Narrated 'Azra bin Thābit Al-
Anṣārī: When I went to Thumama bin ‘Abdullāh, he gave me some perfume and said that Anas would not reject the gifts of perfume. Anas said: The Prophet used not to reject the gifts of perfume.

(10) CHAPTER. Whoever thinks that it is permissible to give as a gift, something not present.

2583, 2584. Narrated Al-Miswar bin Makhrama and Marwān: When the delegates of the tribe of Hawāzin came to the Prophet, he stood up amongst the people, glorified and praised Allāh as He deserved, and said, “Then after: Your brethren have come to you with repentance and I see it logical to return to them their captives; so whoever amongst you likes to do that as a favour, then he can do it, and whoever of you likes to stick to his share till we give him his right from the very first Fai’ (war booty) which Allāh will bestow on us, then (he can do so).” The people replied, “We do that (to return the captives) willingly as a favour for your sake.”

(11) CHAPTER. Compensation for a gift.

2585. Narrated ‘Aishah: Allāh’s Messenger used to accept gifts and used to give something in return.

(1) (H. 2583) Fai’: See glossary.
(12) CHAPTER. Giving gifts to one’s sons.

If somebody gives something to some of his sons then it is not permissible unless he does justice to all of his sons and gives the same to the other sons equally, but no one has the right to bear witness to what one’s father does. The Prophet said, “Do justice when giving a gift to your children.” Is it permissible for the father to demand back the gift which he has given to his children? What one can eat from one’s son’s property? One can eat reasonably without extravagance. And the Prophet bought a camel from ‘Umar and gave it to Ibn ‘Umar and said, “Dispose it as you like.”

2586. Narrated An-Nu‘mān bin Bashīr that his father took him to Allāh’s Messenger and said, “I have given this son of mine a slave.” The Prophet asked, “Have you given all your sons the like?” He replied in the negative. The Prophet said, “Take back your gift then.”

(13) CHAPTER. The witnesses for Al-Hibah (the gifts).

2587. Narrated ‘Āmir: I heard An-Nu‘mān bin Bashīr رضي الله عنهم on the
pulpit saying, “My father gave me a gift but ‘Amra bint Rawâha (my mother) said that she would not agree to it unless he made Allâh’s Messenger ﷺ as a witness to it. So, my father went to Allâh’s Messenger ﷺ and said, ‘I have given a gift to my son from ‘Amra bint Rawâha, but she ordered me to make you as a witness to it, O Allâh’s Messenger!’ Allâh’s Messenger ﷺ asked, ‘Have you given (the like of it) to everyone of your sons?’ He replied in the negative. Allâh’s Messenger ﷺ said, ‘Be afraid of Allâh, and be just to your children.’ My father then returned and took back his gift.”

(14) CHAPTER. Giving gifts by a husband to his wife, and by a wife to her husband.

Ibârîm said, “It is permissible.” ‘Umar bin ‘Abdul ‘Azîz said, “None of them can take his gift back.” The Prophet ﷺ took permission from his wives to let him stay with ‘Âishah during his illness. The Prophet ﷺ said, “A person who takes back his gift (what he donates) is like a dog that swallows back its vomit.” Az-Zuhri said, “If a husband asks his wife to remit all or some of the Mahr (bridal money), and shortly after her consent he divorces her whereupon she demands what she has given up, then he should pay back her gift, if he has deceived her. But if she has given her free consent willingly and the man has meant no deception, the gift is valid, for Allâh says:

"... But if they, of their own good pleasure, remit any part of it to you…"

(V.4:4)
2588. Narrated Az-Zuhri: ‘Ubaidullāh bin ‘Abdullāh told me that ‘Āishah Ṣaw had said, “When the Prophet ﷺ became sick and his condition became serious, he requested his wives to allow him to be treated in my house, and they allowed him. He came out leaning on two men while his feet were dragging on the ground. He was walking between Al-‘Abbās and another man.”

‘Ubaidullāh said, “When I informed Ibn ‘Abbās of what ‘Āishah had said, he asked me whether I knew who was the second man whom ‘Āishah had not named. I replied in the negative. He said, ‘He was ‘Alī bin Abī Ṭālib.’”

2589. Narrated Ibn ‘Abbās: The Prophet ﷺ said, “One who takes back his gift (which he has already given) is like a dog that swallows its vomit.”

(15) CHAPTER. It is permissible for a woman to give gifts to somebody other than her husband and to free her slaves in the lifetime of her husband provided that she is not weak-minded. If she is weak-minded, then it is not permissible.

Allāh ta’āla says:

“And give not unto the foolish your property…” (V.4:5)

2590. Narrated Asmā: ‘Once I said, ‘O Allāh’s Messenger! I have no...
property except what has been given to me by Az-Zubair (i.e., her husband). May I give in charity?” The Prophet ﷺ said, “Give in charity and do not withhold it (i.e., wealth) otherwise Allâh withhold it from you.”

2591. Narrated Asmâ’ ﷺ: Allâh’s Messenger ﷺ said, “Give (in charity) and do not withhold your wealth by counting and hoarding it, being afraid that it may be exhausted (by spending in Allâh’s Cause) lest Allâh should withhold His Blessings from you; and do not withhold your money lest Allâh should withhold it from you.”

2592. Narrated Kuraib, the freed slave of Ibn ‘Abbâs ﷺ, that Maimûna bint Al-‘Harîth (the wife of the Prophet ﷺ) said that she manumitted a slave-girl but did not take the permission of the Prophet ﷺ. On her turn when the (Prophet ﷺ) came to her house she said, “Do you know O Allah’s Messenger, that I have manumitted my slave-girl?” He (ﷺ) asked, “Have you (already) done it?” She replied, “Yes.” The Prophet ﷺ said, “You would have got more reward if you had given her (i.e., the slave-girl) to one of your maternal uncles.”

2593. Narrated ‘Aishah ﷺ: Whenever Allah’s Messenger ﷺ wanted to go on a journey, he would draw lots as to
which of his wives would accompany him. He would take her whose name came out. He used to fix for each of them a day and a night. The subnarrator added: “Sauda bint Zam'a gave up her (turn) day and night to 'Aishah, the wife of the Prophet ﷺ in order to seek the pleasure of Allah's Messenger ﷺ (by that action).”

(16) CHAPTER. Who is to be given the gift first?

2594. Narrated Maimūna, the wife of the Prophet ﷺ that she manumitted her slave-girl and the Prophet ﷺ said to her, “You would have got more reward if you had given the slave-girl to one of your maternal uncles.”

2595. Narrated 'Aishah ﷺ: I said, “O Allah’s Messenger! I have two neighbours; which of the two should I give a gift?” The Prophet ﷺ said, “(Give) to the one whose door is nearer to you.”
(17) CHAPTER. Whoever refused to accept a present for a certain reason.

‘Umar bin ‘Abdul-‘Aziz said, “A gift was (really) a gift during the lifetime of Allah’s Messenger ﷺ, but today it is a bribe.”

2596. Narrated ‘Abdullah bin ‘Abbas: that he heard As-Să‘b bin Jathhâma Al-Laithî, who was one of the companions of the Prophet ﷺ, saying that he gave the meat of an onager to Allah’s Messenger ﷺ while he was at a place called Al-Abwa’ or Waddân, and was in a state of Ihram. The Prophet ﷺ did not accept it. When the Prophet ﷺ saw the signs of sorrow on As-Să‘b’s face because of not accepting his present, he said (to him), “We are not returning your present, but we are in the state of Ihram.”

[See Hadith No.2244, 2245]

2597. Narrated Abû Humaid As-Să‘ıdī: The Prophet ﷺ appointed a man from the tribe of Al-Azd, called Ibn Al-Lutabiyya for collecting the Zakât. When he returned he said, “This (i.e., the Zakât) is for you and this has been given to me as a present.” The Prophet ﷺ said, “Why hadn’t he stayed in his father’s or mother’s house to see whether he would be given presents or not? By Him in Whose Hands my soul is, whoever takes something from the resources of the Zakât (unlawfully) will be carrying it on his neck on the Day of Resurrection; if it be a camel, it will be grunting; if a cow, it will be mooing; and if a sheep, it will be bleating.” The Prophet ﷺ then raised his hands till we saw the whiteness of his armpits, and he said

http://islamsbooks.wordpress.com/
thrice, "O Allah! Haven’t I conveyed Your Message (to them)?"

(18) CHAPTER. If somebody gives somebody else a present, or promises to give him a present, and one of them dies before the gift reaches the other person.

Ubaida said, “If both the giver and the receiver have died but the present was set aside (i.e., separated) in the lifetime of the receiver, it will be given to his inheritors, and if it was not separated, it will go to the inheritors of the giver.” Al-Hasan said, “It will be given to the inheritors of the receiver (i.e., to whom the present was meant) no matter who died first, if the gift has been delivered to the messenger.”

2598. Narrated Jâbir: The Prophet ﷺ said to me, “I will give you so much (the Prophet ﷺ pointed thrice with his hands) when the funds of Bahrain will come to me.” But the Prophet ﷺ died before the money reached him. (When it came,) Abu Bakr ordered an announcer to announce that whoever had a money claim on the Prophet ﷺ, or was promised to be given something, should come to Abu Bakr. I went to Abu Bakr and told him that the Prophet ﷺ had promised to give me so much. On that Abu Bakr gave me three handfuls (of money).

(19) CHAPTER. How to take over the slave and property (given as gifts)?
Narrated Ibn ‘Umar: I was riding a troublesome camel and the Prophet bought it and said: “It (this camel) is for you, O ‘Abdullãh.”

[See Hadith No.2610, 2611].

2599. Narrated Al-Miswar bin Makhrama: Alläh’s Messenger distributed some cloaks but did not give anything thereof to Makhrama. Makhrama said (to me), “O son! Accompany me to Alläh’s Messenger.” When I went with him, he said, “Call him to me.” I called him (i.e., the Prophet) for my father. He came out wearing one of those cloaks and said, “We kept this (cloak) for you, (Makhrama).” Makhrama looked at the cloak and said, “Makhrama is pleased,” (or the Prophet said), “Is Makhrama pleased?”

(20) CHAPTER. When someone gives something (as a gift) to another person and the receiver takes it into his possession without saying, “I have accepted it.”

2600. Narrated Abū Hurairah: A man came to Alläh’s Messenger and said, “I am ruined.” The Prophet asked, “What do you mean?” He said, “I had a sexual intercourse with my wife during Ramadan (while observing fast).” The Prophet asked him, “Can you manumit a slave?” He replied in the negative. He then asked him, “Can you observe Saum (fast) for two successive months continuously?” He replied in the negative. The Prophet then asked him, “Can you feed sixty poor persons?” He replied in the negative. In the meantime an Ansârî man came with a basket full of dates. The Prophet said to the man,
“Take it and give it in charity (as an expiation of your sin).” The man said, “Should I give it to some people who are poorer than we, O Allah’s Messenger? By Him Who has sent you with the Truth, there is no family between Al-Madina’s two mountains poorer than we.” Allah’s Messenger ﷺ told him to take it and provide his family with it.”

(21) CHAPTER. If a creditor gives the debt, due to him, as a gift.

According to Al-Ḥakam, it is permissible.

Al-Ḥasan bin ‘Ali ﷺ gave up the debt due to him to a man as a gift. The Prophet ﷺ said, “If somebody owes something, he should either repay it or get it remitted.” Jābir said, “When my father was martyred, he was in debt. So, the Prophet ﷺ asked his creditors to take the fruits of my garden and forgive my father.”

2601. Narrated Jābir bin ‘Abdullãh ﷺ: My father was martyred on the day (of the battle) of Uhud and his creditors demanded the debt back in a harsh manner. So, I went to Allah’s Messenger ﷺ and informed him of that, he asked them to accept the fruits of my garden and excuse my father, but they refused. So, Allah’s Messenger ﷺ did not give them the fruits, nor did he cut them and distribute it among them, but said, “I will come to you tomorrow morning.” So, he came to us the next morning and walked about in between the date-palms and invoked Allah to bless their fruits. I plucked the fruits and gave back all the rights of the creditors in full, and a lot of fruits were left for us. Then I went to Allah’s
Messenger ﷺ, who was sitting, and informed him about what happened. Allāh’s Messenger ﷺ told ‘Umar, who was sitting there, to listen to the story. ‘Umar said, “Don’t we know that you are Allāh’s Messenger? By Allāh! You are Allāh’s Messenger!”

(22) CHAPTER. The giving of a gift by one person to a group.

Asmā’ said to Al-Qāsim bin Muḥammad and Ibn Abū ‘Atīq, “I inherited some land in the forest from my sister ‘Aishah, and Mu‘āwiya offered me one hundred thousand for it, but I give it to both of you as a gift.”

2602. Narrated Sahl bin Sa’d: A drink (of milk mixed with water) was brought to the Prophet ﷺ who drank some of it while a boy was sitting on his right and old men on his left. The Prophet ﷺ said to the boy, “If you permit me, I’ll give (the rest of the drink to) these old men first.” The boy said, “I will not give preference to anyone over me as regards my share from you, O Allah’s Messenger!” The Prophet ﷺ then put that container in the boy’s hand.

[See Hadith No.2351]

(23) CHAPTER. The received and unreceived gifts, and the divided and undivided gifts.

The Prophet ﷺ and his companions gave to the people of Hawāzīn what they had got
from them as war booty, although it had not been divided yet.

2603. Jābir رضي الله عنه said, “I went to the Prophet ﷺ in the mosque and he paid me my right and gave me more than he owed me.”

2604. Narrated Jābir bin ‘Abdullāh رضي الله عنه: I sold a camel to the Prophet ﷺ on one of the journeys. When we reached Al-Madīna, he ordered me to go to the mosque and offer two Rak‘ā. Then he weighed for me (the price of the camel in gold) and gave an extra amount over it. A part of it remained with me till it was taken by the army of Sham on the day of Ḥarra.”

2605. Narrated Sahl bin Sa‘d رضي الله عنه: A drink (of milk mixed with water) was brought to Allāh’s Messenger ﷺ while a boy was sitting on his right side and old men were sitting on his left side. He asked the boy, “Will you allow me to give it to these (people)?” The boy said, “No, by Allāh, I will not give preference to anyone over me as regards my share from you.” Then the Prophet ﷺ put the bowl in the boy’s hand.

2606. Narrated Abū Hurairah رضي الله عنه: Allāh’s Messenger ﷺ owed a man some debt (and that man demanded it very harshly).
The companions of the Prophet ﷺ wanted to harm him, but the Prophet ﷺ said to them, “Leave him, as the one who has a right (creditor) has the right to demand it (or speak harshly).” He then added, “Buy (a camel) of the same age and give it to him.” They said, “We cannot get except a camel older and better than that of his.” He said, “Buy it and give it to him, as the best amongst you is he who pays back his debt in the most handsome way.”

(24) CHAPTER. If a group of persons gives a gift to some people.

2607, 2608. Narrated Marwân bin Al-Hakam and Al-Miswar bin Makhrama: When the delegates of the tribe of Hawãzin came to the Prophet ﷺ, they requested him to return their property and their captives. He said to them, “As you see, this concerns also other people along with me, and the best statement to me is the true one, so you may choose one of two alternatives; either the captives or the property and (I have not distributed the booty, for) I have been waiting for you.” When the Prophet ﷺ had returned from Ta’if, he waited for them for more than ten nights. When they came to know that the Prophet ﷺ would not return except one of the two, they chose their captives. The Prophet ﷺ then stood up amongst the Muslims, glorified and praised Allâh as He deserved, and then said, “Then after: These brothers of yours have come to you with repentance (asking for Allâh’s Forgiveness), and I see it proper to return their captives. So, whoever amongst you likes
to do that as a favour, then he can do it, and whoever of you wants to stick to his share till we pay him from the very first Fai (i.e., war booty) which Allāh will give us, then he can do so.” The people said, “We return (the captives) to them willingly as a favour, O Allāh’s Messenger!” The Prophet ﷺ said, “I do not know who of you has given his consent and who has not; so go back and your leaders may present your decision to me.” The people went away, and their leaders discussed the matter with them, and then came to the Prophet ﷺ to tell him that all of them had given their consent (to return the captives) willingly.

(Az-Zuhri, the subnarrator said, “This is what we know about the captives of Hawazin.”)

(25) CHAPTER. Whosoever is given a gift while some people are sitting with him, he only has the right to have it.

Ibn ‘Abbas رضي الله عنهما is reported to have said that the people sitting with that person will be his co-owners. But this report is not confirmed by an authentic narration.

2609. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ took a camel of a certain age from somebody on credit. Its owner came and demanded it back (harshly). The Prophet ﷺ said, “No doubt, he who has a right, has the full right to demand it.” Then the Prophet ﷺ gave him an older and better camel than his camel and said, “The best amongst you is he who repays his debts in the
most handsome way.”

2610. Narrated Ibn ‘Umar that he was in the company of the Prophet on a journey, riding a troublesome camel belonging to ‘Umar. The camel used to go ahead of the Prophet. So, Ibn ‘Umar’s father would say, “O ‘Abdulläh! No one should go ahead of the Prophet.” The Prophet said to him, “Sell it to me.” ‘Umar said to the Prophet, “It is for you.” So, he bought it and said, “O ‘Abdulläh! It is for you, and you can do with it what you like.”

(26) CHAPTER. If someone gives a camel as a gift to a man riding it, then the deed is valid.

2611. Narrated Ibn ‘Umar: We were in the company of the Prophet on a journey, and I was riding a troublesome camel. The Prophet asked ‘Umar to sell that camel to him. So, ‘Umar sold it to him. The Prophet then said, “O ‘Abdulläh! The camel is for you.”

(27) CHAPTER. The presenting of a gift of clothes, the wearing of which is disliked.

2612. Narrated ‘Abdulläh bin ‘Umar: ‘Umar bin Al-Khaṭṭāb saw a silken dress (cloak) being sold at the gate of the mosque and said, “O Allâh’s Messenger! Would that you buy it and wear it on Fridays and when the delegates come to you!” Allâh’s
Messenger said, "This is worn by the one who will have no share in the Hereafter." Later on, some silk dresses were brought and Allah's Messenger sent one of them to 'Umar. 'Umar said, "How do you give me this to wear while you said what you said about the dress of 'Utärid?"(1) Allah's Messenger said, "I have not given it to you to wear." So, 'Umar gave it to a Mushrik brother of his in Makkah.

2613. Narrated Ibn 'Umar: Once the Prophet went to the house of Fāṭima but did not enter it. 'Ali came and she told him about that. When 'Ali asked the Prophet about it, he said, "I saw a (multi-coloured) decorated curtain on her door. I am not interested in worldly things." 'Ali went to Fāṭima and told her about it. Fāṭima said, "I am ready to dispense with it in the way he suggests." The Prophet ordered her to send it to such and such needy people."

2614. Narrated 'Ali: The Prophet gave me a silken dress as a gift and I wore it. When I saw the signs of anger on his face, I cut it into pieces and distributed it among my wives."

(1) 'Umar is referring to the previous occasion when Allah's Messenger refused to buy the cloak sold at the gate of the mosque.
(28) CHAPTER. The acceptance of presents from Al-Mushrikún (polytheists, idolaters, pagans)

Narrated Abū Hurairah: The Prophet ﷺ said, “When Ibrāhīm (Abraham) migrated along with Sārah, he reached a town ruled by a king or a tyrant. The latter ordered his men to give Sārah, Ājar.” The Prophet ﷺ was given a cooked poisoned sheep as a present.

Narrated Abū Humaid: The king of Aila sent a white mule to the Prophet ﷺ, and the Prophet ﷺ sent him a garment and wrote to him a confirmation of the treaty concerning his country.

2615. Narrated Anas: A Jubba (i.e., cloak) made of thick silken cloth was presented to the Prophet ﷺ. The Prophet ﷺ used to forbid people to wear silk. So, the people were pleased to see it. The Prophet ﷺ said, “By Him in Whose Hands Muhammad’s soul is, the handkerchiefs of Sa’d bin Mu’ādh in Paradise are better than this.”

2616. Anas added, “The present was sent to the Prophet ﷺ by Ukaidir (a Christian) from Dauma.”

2617. Narrated Anas bin Malik: A Jewess brought a poisoned (cooked) sheep for the Prophet ﷺ who ate from it. She was brought to the Prophet ﷺ and was asked, “Shall we kill her?” He ﷺ said, “No.” Anas added: “I continued to see the effect of the
2618. Narrated ‘Abdur-Rahmān bin Abū Bakr that ˹rasullullah ˹swt, ˹We were one hundred and thirty persons accompanying the Prophet ˹swt, who asked us whether anyone of us had food. There was a man who had about a Sa‘ of wheat flour which was mixed with water to make dough (for baking bread). Then a very tall man from Al-Mushrikūn ˹polytheists, pagans, idolaters, and disbelievers in the Oneness of Allāh and in His Messenger Muhammad ˹swt) came driving the sheep. The Prophet ˹swt, asked him, “Will you sell us (a sheep) or give it as a present?” He said, “I will sell you (a sheep).” The Prophet ˹swt, bought a sheep and it was slaughtered. The Prophet ˹swt, ordered that its liver and other abdominal organs be roasted. By Allāh, the Prophet ˹swt, gave every person of the one hundred and thirty a piece of that; he gave all those of them who were present; and kept the shares of those who were absent. The Prophet ˹swt, then put its meat in two huge basins and all of them ate to their fill, and even then more food was left in the two basins which were carried on the camel (or said something like it).

(29) CHAPTER. Giving presents to Al-Mushrikūn ˹polytheists, pagans, idolaters).

And the Statement of Allāh تعالى:
“Allāh does not forbid you to deal justly and kindly with those who fought not against
you on account of religion, nor drove you out of your homes. Verily, Allâh loves those who deal with equity.” (V.60:8)

2619. Narrated Ibn ‘Umar: ‘Umar saw a silken cloak over a man for sale and requested the Prophet to buy it in order to wear it on Fridays and while meeting delegates. The Prophet said, “This is worn by the one who will have no share in the Hereafter.” Later on, Allâh’s Messenger got some silken cloaks similar to that one, and he sent one to ‘Umar. ‘Umar said to the Prophet, “How can I wear it, while you said about it what you said?” The Prophet said, “I have not given it to you to wear, but to sell or to give to someone else.” So, ‘Umar sent it to his brother at Makkah before he (his brother) embraced Islam.

2620. Narrated Asmâ’ bint Abû Bakr: My mother came to me during the lifetime of Allâh’s Messenger and she was a Mushrikah (polytheist, idolatress, pagan). I said to Allâh’s Messenger (seeking his verdict), “My mother has come to me and she desires to receive a reward from me, shall I keep good relations with her?” The Prophet said, “Yes, keep good relation with her.”

(30) CHAPTER. It is not legal for anyone to take back his presents or Sadaqa (things given in charity).
2621. Narrated Ibn ‘Abbās: The Prophet ﷺ said, “He who takes back his present is like him who swallows his vomit.”

2622. Narrated Ibn ‘Abbās: The Prophet ﷺ said, “The bad example is not for us. He who takes back his present is like a dog that swallows back its vomit.”

2623. Narrated ‘Umar bin Al-Khaṭṭāb: I gave a horse in Allah’s Cause. The person to whom it was given did not look after it. I intended to buy it back from him, thinking that he would sell it cheap. When I asked the Prophet ﷺ, he said, “Don’t buy it, even if he gives it to you for one Dirham as the person who takes back what he has given in charity, is like a dog that swallows back its vomit.”

(31) CHAPTER.

2624. Narrated ‘Abdullāh bin ‘Ubaidullāh bin Abū Mulaika: The sons of Ṣuhaib, (Ṣuhaib, who was the freed slave of Bani Jud‘ān) claimed that Allāh’s Messenger ﷺ had given two houses and one room to...
Suhaib. Marwan asked, “Who will testify your claim?” They replied that Ibn ‘Umar would do so. Marwan sent for Ibn ‘Umar who testified that Allâh’s Messenger had really given Suhaib two houses and a room. So, Marwan gave the verdict (in favour of Suhaib’s sons), because of (Ibn ‘Umar’s) witness.

(32) CHAPTER. What is said about the ‘Umra and the Ruqba.

If one says, “I give you the house as ‘Umra,” one means, “I give it to you to live in as long as you are alive.”

2625. Narrated Jâbir: The Prophet gave the verdict that ‘Umra is for the one to whom it is presented.

2626. Narrated Abû Hurairah: The Prophet said, “‘Umra is permissible.” ‘Atâ’ said, “Jâbir narrated the same to me from the Prophet.”

(1) (Ch. 32) ‘Umra : This kind of gift is also called Ruqba, which is derived from the Arabic verb meaning ‘to wait’ because both the giver and the person given to, used to wait for the death of each other so that the house etc. (given as gift) would belong to him permanently. (Fath Al-Bâri)
2627. Narrated Anas: Once, the people of Al-Madina were frightened, so the Prophet borrowed a horse from Abu Talha called Al-Mandub, and rode it. When he came back he said, “We have not seen anything (to be afraid of), but the horse was very fast.”

2628. Narrated Aiman: I went to 'Aishah and she was wearing (a coarse dress) costing five Dirham. 'Aishah said, “Look up and see my slave-girl who refuses to wear it in the house, though during the lifetime of Allah's Messenger I had a similar dress which no woman desiring to appear elegant (before her husband) failed to borrow from me.”

2629. Narrated Abu Hurairah: Allah's Messenger said, “What a good Maniha (the she-camel which has recently

(33) CHAPTER. Borrowing a horse from some people.

(34) CHAPTER. To borrow something for the bride at the time of her wedding.

(35) CHAPTER. The superiority of the Maniha, i.e., a milch she-camel or a sheep lent to somebody to use its milk and return it to its owner afterwards.
2736. Narrated Abū Hurairah: Allah’s Messenger ﷺ said, “Allāh has ninety-nine names, i.e., one hundred less one, and whoever counts them (believes in their meanings and acts accordingly) will enter Paradise.” (Please see Ḥadīth No.6410 Vol.8)

(19) CHAPTER. Conditions in Waaf (i.e., religious endowment).

2737. Narrated Ibn ‘Umar : ‘Umar bin Al-Khaṭṭāb got some land in Khaibar and he went to the Prophet ﷺ to consult him about it, saying, “O Allah’s Messenger I got some land in Khaibar better than which I have never had, what do you suggest that I do with it?” The Prophet ﷺ said, “If you like you can give the land as endowment and give its fruits in charity.” So ‘Umar gave it in charity as an endowment on the condition that it would not be sold nor given to anybody as a present and not to be inherited, but its yield would be given in charity to the poor people, to the kith and kin, for freeing slaves, for Allāh’s Cause, to the travellers and guests; and that there would be no harm if the guardian of the endowment ate from it with Ma’rūf (according to his labour with good intention), and fed others without storing it for the future…”
2735. Narrated ‘Amra: ‘Aishah said that Barira came to seek her help in the writing of her emancipation. ‘Aishah said to her, “If you wish, I will pay your masters (your price) and the Walā’ will be for me.” When Allah’s Messenger ﷺ came, she told him about it. The Prophet ﷺ said to her, “Buy her (i.e., Barira) and manumit her, for the Walā’ is for the one who manumits.” Then Allah’s Messenger ﷺ ascended the pulpit and said, “What about those people who stipulate conditions which are not present in Allah’s Laws? Whoever stipulates such conditions as are not present in Allah’s Laws, then those conditions are invalid even if he stipulated a hundred such conditions.”

(18) CHAPTER. What kinds of conditions are permissible; and what is exempted from the decision; and the conditions which are well-known amongst the people, and if somebody says, “One hundred minus one or two.”

Narrated Ibn Sirīn: A man said to a hirer of animals, “Prepare your travelling animals, and if I should not go with you on such and such day, I shall pay you one hundred Dirhams,” but he did not go on that day. Shuraih said, “If anyone puts a condition on himself of his own free will without being under duress, he has to abide by it.”

Narrated Ayyūb from Ibn Sirīn: A man sold foodstuff and the buyer told the seller that if he did not come to him on Wednesday, then the deal would be cancelled (i.e., invalid) and he did not turn up on that day.” Shuraih said to the buyer, “You have broken your promise,” and gave the verdict against him.
We do not know any of the women emigrants who deserted Islam after embracing it. We have also been told that Abū Basir bin Asid Ath-Thaqafi came to the Prophet \( \text{SAW} \) as a Muslim emigrant during the truce. Al-Akhnas bin Shariq wrote to the Prophet \( \text{SAW} \) requesting him to return Abū Basir.

(16) CHAPTER. Conditions in loans.

Ibn ‘Umar and ‘Ata’ said, “If one lends something for a certain period, the debt is valid.”

2734. Narrated Abū Hurairah \( \text{Saw} \) mentioned a person who asked an Israëli man to lend him one thousand Dinārs, and the Israëli lent him the sum for a certain fixed period.

(17) CHAPTER. Al-Mukātab (i.e., the slave who is given the writing of emancipation for a certain sum) and about the invalidity of those conditions which contradict Allāh’s Laws.

Jābir bin ‘Abdullāh \( \text{R.A.} \) said regarding Al-Mukātab, “Their conditions are those which are mutually agreed upon by them.” Ibn ‘Umar or ‘Umar said, “Any condition which is against Allāh’s Laws, is invalid, even if one stipulates a hundred such conditions.”
2733. Narrated Az-Zuhri: ‘Urwa said, “‘Aishah told me that Allah’s Messenger used to examine the women emigrants. We have been told also that when Allâh revealed the order that the Muslims should return to the Mushrikûn (polytheists, idolaters, pagans) what they had spent on their wives who emigrated (after embracing Islam) and that the Muslims should not keep disbelieving women as their wives, ‘Umar divorced two of his wives, Qariba, the daughter of Abû Umaiyya and the daughter of Jarwal Al-Khuza’î. Later on Mu‘âwiyah married Qariba and Aba Jahm married the other.”

When the Mushrikûn refused to pay what the Muslims had spent on their wives, Allâh revealed:

“And if any of your wives had gone from you to the disbelievers ……” (V.60:11)

So, Allâh ordered that the Muslim whose wife has gone, should be given, as a compensation of the Mahr he had given to his wife, from the Mahr of the wives of the Mushrikûn who had emigrated deserting their husbands.
supporters.” When Abū Baṣīr heard that he understood that the Prophet would return him to them again, so he set out and left till he reached the seashore. Abū Jandal bin Suhail got himself released from them (i.e., infidels) and joined Abū Baṣīr. So, whenever a man from Quraish embraced Islam he would follow Abu Basir till they formed a strong group. By Allāh, whenever they heard about a caravan of Quraish heading towards Sham, they stopped it and attacked and killed them (i.e., infidels) and took their properties. The people of Quraish sent a message to the Prophet requesting him for the sake of Allāh and kith and kin to send for (i.e., Abū Baṣīr and his companions) promising that whoever (amongst them) came to the Prophet would be secure. So the Prophet sent for them (i.e., Abū Baṣīr’s companions) and Allāh revealed the following Divine Verses:

“And it is He Who has withheld their hands from you and your hands from them in the midst of Makkah, after He made you victors over them (up to) pride and haughtiness, the pride and haughtiness of the time of ignorance.” (V.48:24-26)

And their pride and haughtiness was that they did not confess (write in the treaty) that he (i.e., Muḥammad) is the Prophet of Allāh and refused to write: “In the Name of Allāh, the Most Gracious, the Most Merciful,” and prevented the Muslims from visiting the Ka’bah.
there was a danger of killing each other.

Then some believing women came (to the Prophet ﷺ); and Allah ﻫاستماعه revealed the following Divine Verses:

“O you who believe, when the believing women come to you as emigrants examine them... (up to)... the disbelieving women as wives.” (V.60:10)

‘Umar then divorced two wives of his who were infidels. Later on Mu‘awiya bin Abū Sufyān married one of them, and Ṣafwān bin Umamya married the other.

When the Prophet ﷺ returned to Al-Madīna, Abū Başir, a new Muslim convert from Quraish came to him. The infidels sent in his pursuit two men who said (to the Prophet ﷺ), “Abide by the promise you gave us.” So, the Prophet ﷺ handed him over to them. They took him out (of the city) till they reached Dhu‘l-Hulaiifa where they dismounted to eat some dates they had with them. Abū Başir said to one of them, “By Allāh, O so-and-so, I see you have a fine sword.” The other drew it out (of the scabbard) and said, “By Allāh, it is very fine and I have tried it many times.” Abū Başir said, “Let me have a look at it.” When the other gave it to him, he hit him with it till he died, and his companion ran away till he came to Al-Madīna and entered the mosque running. When Allāh’s Messenger ﷺ saw him he said, “This man appears to have been frightened.” When he reached the Prophet ﷺ he said, “My companion has been murdered and I would have been murdered too.” Abū Başir came and said, “O Allāh’s Messenger, by Allāh, Allāh has made you fulfil your obligations by your returning me to them (i.e., the infidels), but Allāh has saved me from them.” The Prophet ﷺ said, “Woe to his mother! what an excellent war kindler he would be, should he only have
Tawaf around it?' He said, 'Yes, but did I tell you that we would visit the Ka'bah this year?' I said, 'No.' He said, 'So you will visit it and perform Tawaf around it.' 'Umar further said, 'I went to Abū Bakr and said, 'O Abū Bakr! Isn't he truly Allah's Prophet?' He replied, 'Yes.' I said, Isn't our cause just and the cause of our enemy unjust?' He replied, 'Yes.' I said, 'Then why should we be humble in our religion?' He said, 'Indeed, he is Allah’s Messenger and he does not disobey his Lord, and He will make him victorious. Adhere to him as, by Allah, he is on the right.' I said, 'Was he not telling us that we would go to the Ka'bah and perform Tawaf around it?' He said, 'Yes, but did he tell you that you would go to the Ka'bah this year?' I said, 'No.' He said, 'You will go to Ka'bah and perform Tawaf around it.' (Az-Zuhri said, “'Umar said, 'I performed many good deeds as expiation for the improper questions I asked them'.") When the writing of the peace treaty was concluded, Allah’s Messenger ﷺ said to his companions, “Get up and slaughter your sacrifices and get your head shaved.” By Allah none of them got up, and the Prophet ﷺ repeated his order thrice. When none of them got up, he left them and went to Umm Salama and told her of the people’s attitudes towards him. Umm Salama said, “O the Prophet of Allah! Do you want your order to be carried out? Go out and don’t say a word to anybody till you have slaughtered your sacrifice and call your barber to shave your head.” So, the Prophet ﷺ went out and did not talk to anyone of them till he did that, i.e., slaughtered the sacrifice and called his barber who shaved his head. Seeing that, the companions of the Prophet ﷺ got up, slaughtered their sacrifices, and started shaving the heads of one another, and there was so much rush that...
Prophet said to Suhail, “On the condition that you allow us to visit the House (i.e., Ka’bah) so that we may perform Tawaf around it.” Suhail said, “By Allah, we will not (allow you this year) so as not to give chance to the ‘Arabs to say that we have yielded to you, and we will allow you next year.” So, the Prophet got that written. Then Suhail said, “We also stipulate that you should return to us whoever comes to you from us, even if he embraced your religion.” The Muslims said, “Glorified be Allah! How will such a person be returned to the Mushrikūn (polytheists, idolaters, pagans) after he has become a Muslim?” While they were in this state Abū Jandal bin Suhail bin ‘Amr came from the valley of Makkah staggering with his fetters and fell down amongst the Muslims. Suhail said, “O Muhammad! This is the very first term with which we make peace with you, i.e., you shall return Abū Jandal to me.” The Prophet said, “The peace treaty has not been written yet.” Suhail said, “I will never allow you to keep him.” The Prophet said, “Yes, do.” He said, “I won’t do.” Mikraz said, “We allow you (to keep him).” Abū Jandal said, “O Muslims! Will I be returned to the pagans though I have come as a Muslim? Don’t you see how much I have suffered?” Abū Jandal had been tortured severely for the Cause of Allah. ‘Umar bin Al-Khattāb said, “I went to the Prophet and said, ‘Aren’t you truly the Messenger of Allah?’ The Prophet said, ‘Yes, indeed.’ I said, ‘Isn’t our cause just and the cause of the enemy unjust?’ He said, ‘Yes.’ I said, ‘Then why should we be humble in our religion?’ He said, ‘I am Allah’s Messenger and I do not disobey Him, and He will make me victorious.’ I said, ‘Didn’t you tell us that we would go to the Ka’bah and perform
Ka'bah.” When he returned to his people, he said, “I saw the Budn garlanded (with coloured knotted ropes) and marked (with stabs on their backs). I do not think it is advisable to prevent them from visiting the Ka'bah.” Another person called Mikraz bin Hafs got up and sought their permission to go to Muhammad, and they allowed him, too. When he approached the Muslims, the Prophet said, “Here is Mikraz and he is a vicious man.” Mikrāz started talking to the Prophet and as he was talking, Suhail bin 'Amr came. When Suhail bin 'Amr came, the Prophet said, “Now the matter has become easy.” Suhail said to the Prophet, “Please conclude a peace treaty with us.” So, the Prophet called the clerk and said to him, “Write: By the Name of Allāh, the Most Gracious, the Most Merciful.” Suhail said, “As for ‘Gracious,’ by Allāh, I do not know what it means. So write: By Your Name O Allāh, as you used to write previously.” The Muslims said, “By Allāh, we will not write except: By the Name of Allāh, the Most Gracious, the Most Merciful.” The Prophet said, “Write: By Your Name O Allāh.” Then he dictated, “This is the peace treaty which Muḥammad, the Messenger of Allāh has concluded.” Suhail said, “By Allāh, if we knew that you are Allāh’s Messenger we would not prevent you from visiting the Ka'bah, and would not fight with you. So, write: ‘Muḥammad bin 'Abdullāh.” The Prophet said, “By Allāh! I am Messenger of Allāh even if you people do not believe me. Write: Muḥammad bin ‘Abdullāh.” (Az-Zuhri said, “The Prophet accepted all those things, as he had already said that he would accept everything they would demand if it respects the Ordinance of Allāh, (i.e., by letting him and his companions perform 'Umra.)” The
anything of it. (As it was taken through treason).” ‘Urwa then started looking at the companions of the Prophet. By Allâh, whenever Allâh’s Messenger spitted, the spittle would fall in the hand of one of them (i.e., the Prophet’s companions) who would rub it on his face and skin; if he ordered them they would carry his orders immediately; if he performed ablution, they would struggle to take the remaining water; and when they spoke to him, they would lower their voices and would not look at his face constantly out of respect. ‘Urwa returned to his people and said, “O people! By Allâh, I have been to the kings and to Caesar, Khosrau and An-Najâshi, yet I have never seen any of them respected by his courtiers as much as Muhammad (ﷺ) is respected by his companions. By Allâh, if he spitted, the spittle would fall in the hand of one of them (i.e., the Prophet’s companions) who would rub it on his face and skin; if he ordered them, they would carry out his order immediately; if he performed ablution, they would struggle to take the remaining water; and when they spoke, they would lower their voices and would not look at his face constantly out of respect.” ‘Urwa added, “No doubt, he has presented to you a good reasonable offer, so please accept it.” A man from the tribe of Bani Kinâna said, “Allow me to go to him,” and they allowed him, and when he approached the Prophet and his companions, Allâh’s Messenger said, “He is so-and-so who belongs to the tribe that respects the Budn (i.e., camels of the sacrifice). So, bring the Budn in front of him.” So, the Budn were brought before him and the people received him while they were reciting Talbiya. When he saw that scene, he said, “Glorified be Allâh! It is not fair to prevent these people from visiting the
proposal, you'd better accept it and allow me to meet him.” They said, “You may meet him.” So, he went to the Prophet ﷺ and started talking to him. The Prophet ﷺ told him almost the same as he had told Budail. Then ‘Urwa said, “O Muḥammad! Won't you feel any scruple in extirpating your relations? Have you ever heard of anyone amongst the Arabs extirpating his relatives before you? On the other hand, if the reverse should happen, (nobody will aid you, for) by Allah, I do not see (with you) dignified people, but people from various tribes who would run away leaving you alone.” Hearing that, Abū Bakr abused him and said, “Do you say we would run and leave the Prophet ﷺ alone?” ‘Urwa said, “Who is that man?” They said, “He is Abū Bakr.” ‘Urwa said to Abū Bakr, “By Him in Whose Hands my soul is, were it not for the favour which you did to me and which I did not compensate, I would retort on you.” ‘Urwa kept on talking to the Prophet ﷺ and seizing the Prophet’s beard as he was talking while Al-Mughira bin Shu’ba was standing near the head of the Prophet ﷺ, holding a sword and wearing a helmet. Whenever ‘Urwa stretched his hand towards the beard of the Prophet ﷺ, Al-Mughira would hit his hand with the handle of the sword and say (to ‘Urwa), “Remove your hand from the beard of Allāh’s Messenger ﷺ.” ‘Urwa raised his head and asked, “Who is that?” The people said, “He is Al-Mughira bin Shu’ba.” ‘Urwa said, “O treacherous! Am I not doing my best to prevent evil consequences of your treachery?” Before embracing Islām Al-Mughira was in the company of some people. He killed them and took their property and came (to Al-Madīnah) to embrace Islām. The Prophet ﷺ said (to him), “As regards your Islām, I accept it, but as for the property I do not take
Hudaybiyya and they had milch camels (or their women and children) with them, and will wage war against you, and will prevent you from visiting the Ka'bah.” Allâh’s Messenger ﷺ said, “We have not come to fight anyone, but to perform the ‘Umra. No doubt, the war has weakened Quraish and they have suffered great losses, so if they wish, I will conclude a truce with them, during which they should refrain from interfering between me and the people (i.e., the Arab infidels other than Quraish), and if I have victory over those infidels, Quraish will have the option to embrace Islam as the other people do, if they wish; they will at least get strong enough to fight. But if they do not accept the truce, by Allâh in Whose Hands my soul is, I will fight with them defending my Cause till I get killed, but (I am sure) Allâh will definitely make His Cause victorious.” Budail said, “I will inform them of what you have said.” So, he set off till he reached Quraish and said, “We have come from that man (i.e., Muhammad ﷺ) whom we heard saying something which we will disclose to you if you should like.” Some of the fools among Quraish shouted that they were not in need of this information, but the wiser among them said, “Relate what you heard him saying.” Budail said, “I heard him saying so and so,” relating what the Prophet ﷺ had told him. ‘Urwa bin Mas’ûd got up and said, “0 people! Aren’t you the sons?” They said, “Yes.” He added, “Am I not the father?” They said, “Yes.” He said, “Do you mistrust me?” They said, “No.” He said, “Don’t you know that I invited the people of ‘Ukâz for your help, and when they refused I brought my relatives and children and those who obeyed me (to help you)?” They said, “Yes.” He said, “Well, this man (i.e., the Prophet ﷺ) has offered you a reasonable
on the right.” By Allah, Khâlid did not perceive the arrival of the Muslims till the
dust arising from the march of the Muslim army reached him, and then he turned back
hurriedly to inform Quraish. The Prophet went on advancing till he reached the
ṭūḥa (i.e., a mountainous way) through which one would go to them (i.e., people of
Quraish). The she-camel of the Prophet sat down. The people tried their best to cause
the she-camel to get up but in vain, so they said, Al-Qaswâ’ (i.e., the she-camel’s name)
has become stubborn! Al-Qaswâ’ has become stubborn!” The Prophet said, “Al-Qaswâ’
has not become stubborn, for stubbornness is not her habit, but she was stopped by Him
Who stopped the elephant.” Then he said,
“By the Name of Him in Whose Hands my
soul is, if they (i.e., the Quraish infidels) ask me
anything which will respect the
Ordinances of Allah, I will grant it to
them.” The Prophet then rebuked the
she-camel and she got up. The Prophet
changed his way till he dismounted at the
farthest end of Al-Ḥudaibiya at a pit (i.e.,
well) containing a little water which the
people used in small amounts, and in a
short while the people used up all its water
and complained to Allah’s Messenger of thirst. The Prophet took an arrow out of
his arrow-case and ordered them to put the
arrow in that pit. By Allah, the water started
and continued sprouting out till all the
people quenched their thirst and returned
with satisfaction. While they were still in that
state, Budail bin Warqa Al-Khuza‘i came
with some persons from his tribe Khuza‘a and
they were the advisers of Allah’s Messenger who would keep no secret from him and
were from the people of Tihâma. Budail said, “I left Ka‘b bin Lu‘ā’i and ‘Amir bin
Lu‘ā’i residing at the profuse water of Al-
they are our enemies and the only people whom we suspect, I have made up my mind to exile them.” When ‘Umar decided to carry out his decision, one of Abū Al-Ḥuqiq’s sons came and addressed ‘Umar, “O chief of the believers, will you exile us although Muḥammad (ṣa) allowed us to stay at our places, and made a contract with us about our properties, and accepted the condition of our residence in our land?” ‘Umar said, “Do you think that I have forgotten the statement of Allāh’s Messenger ṣa, i.e.: What will your condition be when you are expelled from Khaibar and your camel will be carrying you night after night?” The Jew replied, “That was a joke from Abūl-Qasim.” ‘Umar said, “O the enemy of Allāh! You are telling a lie.” ‘Umar then drove them out and paid them the price of their properties in the form of fruits, money, camel saddles and ropes, etc.”

(15) CHAPTER. The conditions of Jihād and peace treaties with (non-Muslim) warriors, and the writing of the conditions.

2731, 2732. Narrated Al-Miswar bin Makhrama and Marwān whose narrations attest each other: Allāh’s Messenger ṣa set out at the time of Al-Ḥudaybiyya (treaty), and when they proceeded for a distance, he said, “Khālid bin Al-Walid leading the cavalry of Quraish constituting the front of the army, is at a place called Al-Ḥamīm, so take the way
"If your masters agree, I will pay them the whole sum provided the *Walā* will be for me." Barira went to her masters and told them about it, but they refused the offer and she returned from them while Allāh’s Messenger was sitting. She said, "I presented the offer to them, but they refused unless the *Walā* would be for them." When the Prophet heard that and ‘Āishah told him about it, he said to her, "Buy Barira and let them stipulate that her *Walā* will be for them, as the *Walā* is for the manumitter." ‘Āishah did so. After that Allāh’s Messenger got up amidst the people, glorified and praised Allāh and said, "What is wrong with some people who stipulate things which are not in Allāh’s Laws? Any condition which is not in Allāh’s Laws is invalid even if there were a hundred such conditions. Allāh’s Rules are the most valid and Allāh’s Conditions are the most solid. The *Walā* is for the manumitter."

(14) CHAPTER. If the landlord stipulates in the contract of share-cropping that he would terminate the contract whenever he likes.

2730. Narrated Ibn ‘Umar: When the people of Khaibar dislocated ‘Abdullāh bin ‘Umar’s hands and feet, Umar got up delivering a *Khutba* (religious talk) saying, “No doubt, Allāh’s Messenger made a contract with the Jews concerning their properties, and said to them, ‘We allow you (to stand in your land) as long as Allāh allows you.’ Now ‘Abdullāh bin ‘Umar went to his land and was attacked at night, and his hands and feet were dislocated, and as we have no enemies there except those Jews,"
the Messenger of Allah," and then he narrated the whole story about him. Al-Khidr said to Müsa, "Did I not tell you that you would not be able to have patience with me." (V.18:72). Müsa then violated the agreement for the first time because of forgetfulness, then Moses promised that if he asked Al-Khidr about anything, the latter would have the right to desert him. Müsa abided by that condition and on the third occasion he intentionally asked Al-Khidr and caused that condition to be applied. The three occasions referred to above are referred to by the following Verses:

'...Call me not to account for what I forgot, and be not hard upon me for my affair (with you).' (V.18:73)

'...Till they met a boy and he (Al-Khidr) killed him...

'Then they both proceeded ... found therein a wall about to collapse and he (Al-Khidr) set it up straight...’"(1) (V.18:77)

(13) CHAPTER. Conditions for Walâ'.

2729. Narrated 'Urwa: 'Aishah said, "Barira came to me and said, 'My people (masters) have written the contract for my emancipation for nine Awaq (of gold) to be paid in yearly installments, one Uqqa per year; so help me.' '"Aishah said (to her),

(1) (H. 2728) In the second case Moses abided by the condition though there was no written agreement or witnesses. So when Khidr said to him, "This is the parting between me and you. 'Moses accepted his decision because it agreed with the condition he himself had set up.

http://islamsbooks.wordpress.com/
Barira?’ He said, ‘Buy her and manumit her, no matter what they stipulate.’ ‘Aishah added, ‘I bought and manumitted her, though her masters had stipulated that her Walâ would be for them.’ The Prophet ﷺ said, ‘The Walâ is for the liberator, even if the other stipulated a hundred conditions.’”

(11) CHAPTER. Conditions concerning divorce.

2727. Narrated Abu Hurairah: Allah’s Messenger ﷺ forbade:
(i) The meeting of the caravan (of goods) on the way,
(ii) That a residing person sells goods of a bedouin,
(iii) That a woman stipulates the divorce of the wife of the would be husband,
(iv) That a man tries to cause the cancellation of a bargain concluded by another. He also forbade An-Najsh and that one withholds the milk in the udder of an animal so that he may deceive people on selling it.

[See Hadith 2656]

(12) CHAPTER. Verbal conditions with the people.

2728. Narrated Ubai bin Ka‘b: Allah’s Messenger ﷺ said, “Musa (Moses ﷺ)
be stoned to death. So, in lieu of that I ransomed my son by paying one hundred sheep and a slave-girl. Then I asked the religious scholars about it, and they informed me that my son must be lashed one hundred lashes, and be exiled for one year, and the wife of this (man) must be stoned to death." Allah's Messenger ﷺ said, "By Him in Whose Hands my soul is, I will judge between you according to Allah's Laws. The slave-girl and the sheep are to be returned to you, your son is to receive a hundred lashes and be exiled for one year. You, O Unais, go to the wife of this (man) and if she confesses her guilt, stone her to death." Unais went to that woman next morning and she confessed. Allah's Messenger ﷺ ordered that she be stoned to death.

(10) CHAPTER. The conditions permissible in the case of a slave who has a writing for emancipation, if he agrees to be sold to somebody else who promises to free him.

2726. Narrated Aiman Al-Makki: When I visited 'Āishah ﷺ, she said, "Barira who had a written contract for her emancipation for a certain amount came to me and said, 'O Mother of the believers! Buy me and manumit me, as my masters will sell me.' 'Āishah agreed to it. Barira said, 'My masters will sell me on the condition that my Wald (1) will go to them.' 'Āishah said to her, 'Then I am not in need of you.' The Prophet ﷺ heard of that, or was told about it and so he asked 'Āishah, 'What is the problem of "

(1) (H. 2726) Wala': See the glossary.
did not give any yield, so we were forbidden (by the Prophet ) to follow such a system, but we were allowed to rent the land for money.

(8) CHAPTER. The conditions which are not permissible in the contracts of marriage.

2723. Narrated Abū Hurairah:
The Prophet said, "No town-dweller should sell for a bedouin. Do not practise Najsh (i.e., do not offer a high price for a thing which you do not want to buy, in order to deceive the people). No Muslim should offer more for a thing already bought by his Muslim brother, nor should he demand the hand of a girl already engaged to another Muslim. A Muslim woman shall not try to bring about the divorce of her sister (i.e., another Muslim woman) in order to take her place herself."

(9) CHAPTER. The conditions which are not permissible in the legal punishments prescribed by Allāh.

2724, 2725. Narrated Abū Hurairah and Zaid bin Khālid Al-Juhani:
A bedouin came to Allāh's Messenger and said, "O Allāh's Messenger! I ask you by Allāh to judge my case according to Allāh's Laws." His opponent, who was more learned than he, said, "Yes, judge between us according to Allāh's Laws, and allow me to speak." Allāh's Messenger said, "Speak." He (i.e., the bedouin or the other man) said, "My son was working as a labourer for this (man) and he committed illegal sexual intercourse with his wife. The people told me that it was obligatory that my son should..."
2720. Narrated ‘Abdullah bin ‘Umar رضي الله عنهما: Allâh’s Messenger ﷺ gave the land of Khaibar to the Jews on the condition that they would work on it and cultivate it and they would get half of its yield.

(6) CHAPTER. The terms and the conditions of Mahr at the time of the marriage contract.

‘Umar said, “The rights are limited by the conditions, and you will get only what you stipulate.”

Narrated Al-Miswar, “I heard the Prophet ﷺ once mentioning his son-in-law and praising him highly as a sincere son-in-law. He said, ‘Whenever he talked to me, he spoke the truth and whenever he promised me, he fulfilled his promise.’”

2721. Narrated ‘Uqba bin ‘Amir رضي الله عنه: Allâh’s Messenger ﷺ said, “From among all the conditions which you have to fulfill, the conditions which make it legal for you to have sexual relations (i.e., the marriage contract) have the greatest right to be fulfilled.”

(7) CHAPTER. The conditions in share-cropping.

2722. Narrated Râfi’ bin Khadij رضي الله عنه: We used to work in the fields more than the other Ansâr, and we used to rent the land (for the yield of a specific portion of it). But sometimes that portion or the rest of the land

http://islamsbooks.wordpress.com/
2719. Narrated Abū Hurairah: The Ansār said to the Prophet, "Divide our date-palms between us and our emigrant brothers." The Prophet said, "No." The Ansār said to the emigrants, "You may do the labour (in our gardens) and we will share the fruits with you." The emigrants said, "We hear and obey."
(4) CHAPTER. It is permissible for the seller to stipulate that he should ride the (sold) animal up to a certain place.

2718. Narrated Jābir: While I was riding a (slow) and tired camel, the Prophet passed by and beat it and prayed for Allāh’s Blessings for it. The camel became so fast as it had never been before. The Prophet then said, “Sell it to me for one Uqīya (of gold).” I said, “No.” He again said, “Sell it to me for one Uqīya (of gold).” So I sold it and stipulated that I should ride it to my house. When we reached (Al-Madīna) I took that camel to the Prophet and he gave me its price. I returned home but he sent for me (and when I went to him) he said, “I was not going to take your camel. So, take your camel as a gift for you.”

(Various narrations are mentioned here with slight variations in expressions relating the condition that Jābir had the right to ride the sold camel up to Al-Madīna).
the Zakāt and to be sincere and true to every Muslim [i.e. order them for Al-Marūf (i.e. Islamic Monotheism and all that Islam has ordained) and to forbid them from Al-Munkar (i.e. disbelief, polytheism and all that Islam has forbidden), and to help them, to be kind and merciful to them].

(2) CHAPTER. (What is said regarding) the sale of pollinated date-palms.

2716. Narrated ʿAbdullāh bin ʿUmar: “If someone sells pollinated date-palms, their fruits will be for the seller, unless the buyer stipulates the contrary.”

(3) CHAPTER. The conditions of selling.

2717. Narrated ʿUrwa: ʿĀishah said to a slave who had not paid any part of her price, “Go to your masters and if they agree that I will pay your price (and free you) on condition that your Walāʾ will be for me, I will pay the money.” Barīra informed Allah’s Messenger of that and he said to her, “Buy and manumit Barīra as the Walāʾ will go to the manumitter.”
2713. Narrated ‘Urwa: ‘Aishah told me, “Allah’s Messenger used to examine them according to this Verse:

‘O you who believe! When believing women come to you as emigrants, examine them... (upto)... Oft-Forgiving, Most Merciful.’” (V.60:10-12)

‘Aishah said, “When any of them agreed to that condition Allah’s Messenger would say to her, ‘I have accepted your Bai‘a (pledge).’ He would only say that, but, by Allah he never touched the hand of any woman (i.e., never shook hands with them) while taking the Bai‘a (pledge) and he never took their Bai‘a (pledge) except by his words (only).”

2714. Narrated Jarir: When I gave the Bai‘a (pledge) to Allah’s Messenger, he stipulated that I should be sincere and true to every Muslim [i.e. order them for Al-Ma‘ruf (i.e. Islamic Monotheism and all that Islam has ordained) and to forbid them from Al-Munkar (i.e. disbelief, polytheism and all that Islam forbids)], and to help them, to be kind and merciful to them.

(See H. 57 and its chapter)

2715. Narrated Jarir bin ‘Abdullāh: I gave the Bai‘a (pledge) to Allah’s Messenger for Iqamat-as-Salāt, paying (H. 2713) The condition mentioned in the Verse, i.e., that they will not associate anything in worship with Allah, that they will not steal, that they will not commit illegal sexual intercourse, that they will not kill their children, that they will not utter slander intentionally forging falsehood (i.e., by making illegal children belonging to their husbands), and that they will not disobey you in any Ma‘ruf (Islamic Monotheism and all that which Islam ordains).... (V.60:12).

(H. 2715) Iqamat-as-Salāt: See the glossary.
54 – THE BOOK OF CONDITIONS

(1) CHAPTER. The conditions permissible on embracing Islam, and in contracts and transactions.

2711, 2712. Narrated Marwân and Al-Miswar bin Makhrama: When Suhail bin ‘Amr agreed to the Treaty of Hudaibiya, one of the things he stipulated then, was that the Prophet should return to them (i.e., the Al-Musjičkin) anyone coming to him from their side, even if he was a Muslim; and would not interfere between them and that person. The Muslims did not like this condition and got disgusted with it. Suhail did not agree except with that condition. So, the Prophet agreed to that condition and returned Abü Jandal to his father Suhail bin ‘Amr. Thenceforth the Prophet returned everyone in that period (of truce) even if he was a Muslim. During that period some believing women emigrants including Umm Kûthîm bint ‘Uqba bin Abu Mu‘ait who came to Allah’s Messenger and she was a young lady then. Her relative came to the Prophet and asked him to return her, but the Prophet did not return her to them for Allah had revealed the following Verse regarding women:

“...When believing women come to you as emigrants, examine them, Allah knows best as to their Faith...nor are the disbelievers lawful (husbands) for them...”

(V.60:10)

(1) (Ch. 1) Some conditions are permissible, others are not; for example, a non-Muslim on embracing Islam has the right to stipulate that he shall not be ordered to move from one country to another, but he cannot stipulate that he may not perform the Salât (prayers). (Fath Al-Bârī)

http://islamsbooks.wordpress.com/
from Ibn Abū Hadrad in the mosque. Their voices grew louder till Allāh’s Messenger heard them while he was in his house. So, he lifted the curtain of his room and called Ka’b bin Malik saying, “O Ka’b!” He replied, “Labbaik! O Allāh’s Messenger!” He beckoned to him with his hand suggesting that he deduct half the debt. Ka’b said, “I agree, O Allāh’s Messenger!” Allāh’s Messenger then said (to Ibn Abū Hadrad), “Get up and pay him the rest.”
(i.e., dates) of my garden in lieu of the debt of my father, but they refused the offer, as they thought that it would not cover the full debt. So, I went to the Prophet ﷺ and told him about it. He (ﷺ) said (to me), “When you pluck the dates and collect them in the Mirbad (i.e., a place where dates are dried), call me.” Finally, he came accompanied by Abū Bakr and ‘Umar and sat on the dates and invoked Allah to bless them. Then he said, “Call your creditors and give them their full rights.” So, I paid all my father’s creditors in full and yet thirteen extra Wasq of dates remained, seven of which were ‘Ajwa and six were Laun, or six of which were ‘Ajwa and seven were Laun. I met Allah’s Messenger ﷺ at sunset and informed him about it. On that he smiled and said, “Go to Abū Bakr and ‘Umar and tell them about it.” They said, “We perceived that that was going to happen, as Allah’s Messenger ﷺ did what he did.”

(14) CHAPTER. Bringing about reconciliation in case of dispute concerning debts.

2710. Narrated ‘Abdullāh bin Ka‘b that Ka‘b bin Mālik told him that in the lifetime of Allah’s Messenger ﷺ he demanded his debt
both of them used for irrigation. Allāh’s Messenger ﷺ said to Az-Zubair, “O Zubair! Irrigate (your garden) first, and then let the water flow to your neighbour.” The Anṣārī became angry and said, “O Allāh’s Messenger! Is it because he is your cousin?” On that the complexion of Allāh’s Messenger ﷺ changed (because of anger) and he said (to Az-Zubair), “Irrigate (your garden) and then withhold the water till it reaches the walls (surrounding the palms).” So, Allāh’s Messenger ﷺ gave Az-Zubair his full right. Before that Allāh’s Messenger ﷺ had given a generous judgement beneficial for Az-Zubair and the Anṣārī, but when the Anṣārī irritated Allāh’s Messenger ﷺ he gave Az-Zubair his full right according to the evident law. Az-Zubair said, “By Allāh! I think the following Verse was revealed concerning that case:

‘But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them...’” (V.4:65)

(13) CHAPTER. Reconciliation between the creditors and between the inheritors and the repayment of debts by giving an amount that is not specified or counted.

Ibn ‘Abbās said, “There is no harm if two partners agree that one of them takes the debts and the other takes the assets, but if the property of any of them is ruined the loser has no right to claim it from the other partner.”

2709. Narrated Jābir bin ‘Abdullāh رضي الله عنهما: My father died and was in debt. I suggested that his creditors take the fruits
voices grew very loud. The Prophet passed by them and said, “O Ka'b,” beckoning with his hand as if intending to say, “Deduct half the debts.” So, Ka'b took half what the other owed him and remitted the other half.

(11) CHAPTER. The superiority of making peace and establishing justice among the people.

2707. Narrated Abü Hurairah: Allah's Messenger said, “There is a Sadaqa to be given for every joint of the human body; and for every day on which the sun rises there is a Sadaqa (i.e., charitable gift to be given), the one who establishes justice among people is considered as a Sadaqa.

[See Vol. 4, Hadith No.2891, 2989]

(12) CHAPTER. If the Imām (i.e., ruler) suggests a (re)conciliation but the defendant refuses it, he is to be judged by the evident valid law.

2708. Narrated 'Urwa bin Az-Zubair: Rozân Allah ụgụme me that he quarrelled with an Ansârî man who had participated in (the battle of) Badr in front of Allah's Messenger about a water stream which

---

(1) (H. 2707) One is supposed to thank Allah for the many favours Allah has bestowed upon one; one of these numberless favours is the miraculous creation of the three hundred and sixty joints of man's body. Allah rewards those who bring about peace among people with their justice, and such good deeds compensate for the Sadaqa which one should pay as a sign of gratitude to Allah.
Muslims through him.’”

(10) CHAPTER. Should the Imam suggest reconciliation?

2705. Narrated 'Āishah: Once, Allah's Messenger heard the loud voices of some opponents quarrelling at the door. One of them was appealing to the other to deduct his debt and asking him to be lenient, but the other was saying, “By Allah, I will not do so.” Allah's Messenger went out to them and said, “Who is the one who was swearing by Allah that he would not do a favour?” That man said, “I am that person, O Allah's Messenger! I will give my opponent whatever he wishes.”

2706. Narrated 'Abdullāh bin Ka'b bin Mālik from Ka'b bin Mālik: ‘Abdullāh bin Abū Hadrad Al-Aslamī owed Ka'b bin Mālik some money. One day the latter met the former and demanded his right, and their

http://islamsbooks.wordpress.com/
7204. Narrated Al-Hasan (Al-Basri): By Allah, Al-Hasan bin ‘Ali led large battalions like mountains against Mu‘awiya. ‘Amr bin Al-‘As said to Mu‘awiya, “I surely see battalions which will not turn back before killing their opponents.” Mu‘awiya who was really the best of the two men said to him, “O ‘Amr! If these killed those and those killed these, who would be left with me for the jobs of the people, who would be left with me for their women, who would be left with me for their children?” Then Mu‘awiya sent two Qurashi men from the tribe of ‘Abd Shams called ‘Abdur Rahmān bin Sumura and Abdullah bin ‘Amir bin Kuraiz to Al-Hasan saying to them, “Go to this man (i.e., Al-Hasan) and negotiate peace with him and talk and appeal to him.” So, they went to Al-Hasan and talked and appealed to him to accept peace. Al-Hasan said, “We, the offspring of ‘Abdul Muṭṭalib, have got wealth and people have indulged in killing and corruption (and money only will appease them).” They said to Al-Hasan, “Mu‘awiya offers you so and so, and appeals to you and entreats you to accept peace.” Al-Hasan said to them, “But who will be responsible for what you have said?” They said, “We will be responsible for it.” So, whatever Al-Hasan asked they said, “We will be responsible for it for you.” So, Al-Hasan concluded a peace treaty with Mu‘awiya. Al-Hasan (Al- Başri) said: I heard Abū Bakra saying, “I saw Allah’s Messenger ﷺ on the pulpit and Al-Hasan bin ‘Ali was by his side. The Prophet ﷺ was looking once at the people and once at Al-Hasan bin ‘Ali saying, ‘This son of mine is a Saiyid (i.e., a noble) and may Allah make peace between two big groups of
2702. Narrated Sahl bin Abū Hathma: ‘Abdullāh bin Sahl and Muḥāiyisa bin Masʿūd bin Zaid went to Khāibar when it had had a peace treaty (with the Muslims).

(8) CHAPTER. Agreement about Diya (blood money).

2703. Narrated Anas, the daughter of An-Naḍr broke the tooth of a girl, and the relatives of Ar-Rabi' requested the girl’s relatives to accept the Ārṣ (compensation for wounds etc.) and forgive the (offender), but they refused. So, they went to the Prophet who ordered them to bring about retaliation. Anas bin An-Naḍr asked, “O Allah’s Messenger! Will the tooth of Ar-Rabi’ be broken? No, by Him Who has sent you with the Truth, her tooth will not be broken.” The Prophet said, “O Anas! Allah’s Law ordains retaliation.” Later the relatives of the girl agreed and forgave her. The Prophet said, “There are some of Allah’s slaves who, if they take an oath by Allah, are responded to by Allah (i.e., their oath is fulfilled).” Anas added, “The people agreed and accepted the Ārṣ.”

(9) CHAPTER. The saying of the Prophet to Al-Hasan bin ‘Ali, “This son of mine is Saiyid (a noble) and may Allah make peace between two big groups (of Muslims) through him.” And the Statement of
On the day of Ḥudaybiyyah, the Prophet made a peace treaty with the Al-Mushrikūn on three conditions:

1. The Prophet would return to them any person from Al-Mushrikūn (polytheists, idolaters, pagans).
2. Al-Mushrikūn pagans would not return any of the Muslims going to them, and
3. The Prophet and his companions would come to Makkah the following year and would stay there for three days and enter Makkah with their weapons in cases, e.g., swords, arrows, bows, etc.

Abū Jandal came hopping, his legs being chained, but the Prophet returned him to Al-Mushrikūn.

2701. Narrated Ibn ‘Umar: Ṭab‘īb ‘Ali b. Abī Ghufran: "Allah’s Messenger set out for the ‘Umra but the disbelievers of Quraysh prevented him from reaching the Ka‘bah. So, he slaughtered his sacrifice and got his head shaved at Al-Hudaybiyyah, and agreed with them that he would perform ‘Umra the following year and would not carry weapons except swords, and would not stay in Makkah except for the period they allowed. So, the Prophet performed the ‘Umra in the following year and entered Makkah according to the treaty, and when he stayed for three days, the disbelievers ordered him to depart, and he departed."
(the next year) and the time limit passed, the Makkans went to ‘Ali and said, “Tell your friend (i.e., the Prophet) to go out, as the period (agreed to) has passed.” So, the Prophet went out of Makkah. The daughter of ‘Uamza ran after them (i.e., the Prophet and his companions), calling, “O Uncle! O Uncle!” ‘Ali received her and led her by the hand and said to Fatima, “Take your uncle’s daughter.” Zaid and Ja’far quarrelled about her. ‘Ali said, “I have more right to her as she is my uncle’s daughter. Ja’far said; “She is my uncle’s daughter, and her aunt is my wife.” Zaid said, “She is my brother’s daughter.”

The Prophet judged that she should be given to her aunt, and said that the aunt was like the mother. He then said to Ali, “You are from me and I am from you”, and said to Ja’far, “You resemble me both in character and appearance”, and said to Zaid, “You are our brother (in faith) and our freed slave.”

(7) CHAPTER. To make peace with Al-Mushrikûn (polytheists, idolaters, pagans).

This chapter includes Abū Sufyan’s narration.

Narrated ‘Aūf bin Mālik: The Prophet said, “There will be a peace treaty between you and Bani Al-Asfar (the Byzantines).”

2700. Narrated Al-Bara’ bin ‘Azib: “The Prophet had established the bond of brotherhood between Zaid, his freed slave, and Ḥamza, the Prophet’s uncle. This is why Zaid said, “She is my brother’s daughter.” The Prophet in addressing the three persons claiming the right of taking Ḥamza’s daughter, is consoling them by relating them to himself, so that they would not be dissatisfied with his judgement.
to rub it out.” Allâh’s Messenger ﷺ rubbed it out and made peace with them on the condition that the Prophet ﷺ and his companions would enter Makkah (next year) and stay there for three days, and that they would enter with their weapons in cases.

[See. Hadîth No. 2731, 2732].

2699. Narrated Al-Bara’ bin ‘Azîz: When the Prophet ﷺ intended to perform ‘Umra in the month of Dhul-Qa’da, the people of Makkah did not let him enter Makkah till he settled the matter with them by promising to stay in it for three days only. When the document of treaty was written, the following was mentioned: ‘These are the terms on which Muhammad ﷺ, the Messenger of Allâh agreed (to make peace).’ They said, ‘We will not agree to this, for if we believed that you are Allâh’s Messenger we would not prevent you, but you are Muhammed bin ‘Abdullah.’ The Prophet ﷺ said, ‘I am Allâh’s Messenger and also Muhammad bin ‘Abdullah.’ Then he said to ‘Ali, ‘Rub off (the words) ‘Allah’s Messenger’,” but ‘Ali said, ‘No, by Allâh, I will never rub off your name.” So, Allâh’s Messenger ﷺ took the document and wrote, ‘This is what Muhammad bin ‘Abdullah has agreed upon: No arms will be brought into Makkah except in their cases, and nobody from the people of Makkah will be allowed to go with him (i.e., the Prophet ﷺ) even if he wished to follow him and he (the Prophet ﷺ) will not prevent any of his companions from staying back in Makkah if the latter wants to stay.’ When the Prophet ﷺ entered Makkah
slave-girl and the sheep are to go back to you, and your son will get a hundred lashes and one year exile.” He then addressed somebody, “O Unais! Go to the wife of this (man) and stone her to death.” So, Unais went and stoned her to death.

2697. Narrated 'Aishah: Allah’s Messenger ﷺ said, “If somebody innovates something which is not present in our religion (of Islamic Monotheism), then that thing will be rejected.”

(6) CHAPTER. How to write: These are the terms on which so-and-so, the son of so-and-so reconciled with so-and-so, the son of so-and-so, without mentioning the name of the tribe or the family name.

2698. Narrated Al-Barâ' bin 'Ázib: When Allah’s Messenger ﷺ concluded a peace treaty with Al-Mushrikûn (polytheists, idolaters, pagans) at Al-Hudaibiya, ‘Ali bin Abi 'Talib wrote the document and he mentioned in it, “Muḥammad, Allah’s Messenger ﷺ.” The Al-Mushrikûn said, “Don’t write: ‘Muḥammad, Allah’s Messenger’, for if you were a Messenger we would not fight with you.” Allah’s Messenger ﷺ asked ‘Ali to rub it out, but ‘Ali said, “I will not be the person...
(4) CHAPTER. The Statement of Allāh

"...If they make terms of peace between themselves; and making peace is better..."
(V.4:128)

2694. Narrated ‘Āishah: The following Verse:

"And if a woman fears cruelty or desertion on her husband’s part..." (V.4:128)

This Verse means if the husband notices something unpleasant about his wife, such as old age or the like, and wants to divorce her, but she asks him to keep her and provide for her as he wishes).

(5) CHAPTER. If some people are (re)conciled on illegal basis, their (re)conciliation is rejected.

2695, 2696. Narrated Abū Hurairah and Zaid bin Khālid Al-Juhani: A bedouin came and said, “O Allah’s Messenger! Judge between us according to Allah’s Laws.” His opponent got up and said, “He is right. Judge between us according to Allah’s Laws.” The bedouin said, “My son was a labourer working for this man, and he committed illegal sexual intercourse with his wife. The people told me that my son should be stoned to death; so, in lieu of that, I paid a ransom of one hundred sheep and a slave-girl to save my son. Then I asked the learned scholars who said, ‘Your son has to be lashed one hundred lashes and has to be exiled for one year.’” The Prophet ﷺ said, “No doubt, I will judge between you according to Allāh’s Laws. The
two men to get angry, and the two groups started fighting with sticks, shoes and hands. We were informed that the following Divine Verse was revealed (in this concern):

“And if two parties or groups among the believers fall to fighting, then make peace between them both…” (V.49:9)

(2) CHAPTER. He who makes peace between the people is not a liar.

2692. Narrated Umm Kulthum bint Uqba رضي الله عنها that she heard Allâh’s Messenger ﷺ saying, “He who makes peace between the people by inventing good information or saying good things, is not a liar.”

(3) CHAPTER. The saying of the ruler to his companions, “Let us go to bring about a (re)conciliation between people.”

2693. Narrated Sahl bin Sa‘d رضي الله عنه: Once the people of Qubâ‘ fought with each other till they threw stones on each other. When Allâh’s Messenger ﷺ was informed about it, he said, “Let us go to bring about a (re)conciliation between them.”
he turned round and saw the Prophet  standing behind him. The Prophet  beckoned him with his hand to keep on offering  Salāt (prayer) where he was. Abū Bakr raised his hand and praised Allāh and then retreated till he came in the (first) row, and the Prophet  went ahead and lead the people in the  Salāt (prayer). When the Prophet  finished the  Salāt (prayer), he turned towards the people and said, “O people! When something happens to you during the  Salāt (prayer), you start clapping, in fact clapping is (permissible) for women only. If something happens to one of you in his  Salāt (prayer), he should say: ‘Subhān Allāh’, (Glorified be Allāh), for whoever hears him (saying so) will direct his attention towards him. O Abū Bakr! What prevented you from leading the people in the  Salāt (prayer) when I beckoned to you (to continue)?” Abū Bakr replied, “It did not befit the son of Abū Quḥāfa to lead the  Salāt (prayer) in front of the Prophet .”

2691. Narrated Anas  : It was said to the Prophet  : “Would that you see ’Abdullāh bin Ubai.” So, the Prophet  went to him, riding a donkey, and the Muslims accompanied him, walking on salty barren land. When the Prophet  reached ’Abdullāh bin Ubai, the latter said, “Keep away from me! By Allāh, the bad smell of your donkey has harmed me.” On that an Anṣārī man said (to ’Abdullāh), “By Allāh! The smell of the donkey of Allāh’s Messenger  is better than your smell.” On that a man from ’Abdullāh’s tribe got angry for ’Abdullāh’s sake, and the two men abused each other which caused the friends of the
(1) CHAPTER. What has been said regarding (re)conciliation between the people.

And the Statement of Allah:

“There is no good in most of their secret talks, save (in) him who orders Sadaqa (charity in Allah’s Cause), or Ma’ruf (Islāmic Monotheism and all the good and righteous deeds which Allah has ordained), or conciliation between mankind; and he who does this, seeking the good Pleasure of Allah, We shall give him a great reward.”

(V.4:114)

And the going of the ruler to the places (where disputes arise) to bring about a reconciliation between people through his companions.

2690. Narrated Sāhîl bin Sā’d:

There was a dispute amongst the people of the tribe of Bani ’Amr bin ’Aūf. The Prophet went to them along with some of his companions in order to make peace between them. The time for the Ṣalāt (prayer) became due, but the Prophet did not turn up; Bilāl pronounced the Aḍhān (call for Ṣalāt) for the Ṣalāt (prayer), but the Prophet did not turn up, so Bilāl went to Abû Bakr and said, “The time for the Ṣalāt (prayer) is due, and the Prophet is detained, would you lead the people in the Ṣalāt (prayer)?” Abû Bakr replied, “Yes, if you wish.” So, Bilāl pronounced the Iqāma of the Ṣalāt (prayer) and Abû Bakr went ahead [to lead the Ṣalāt (prayer)], but the Prophet came walking among the rows till he joined the first row. The people started clapping and they clapped too much, and Abû Bakr used not to look hither and thither in the Ṣalāt (prayer), but...
Narrated 'Aishah: Whenever Allah's Messenger intended to go on a journey, he used to draw lots among his wives and would take with him the one on whom the lot fell. He also used to fix for everyone of his wives a day and a night, but Sauda bint Zam'a gave her day and night to 'Aishah, the wife of the Prophet intending thereby to please Allah's Messenger.

Narrated Abū Hurairah: Allah's Messenger said, "If the people knew what is (the reward of) pronouncing the Adhān [call for the Šalāt (prayers)] and (of being in) the first row (in the Congregational prayer), and if they found no other way to get this privilege except by casting lots, they would certainly cast lots for it. If they knew (the reward of) the noon prayer, they would race for it, and if they knew (the reward of) the morning (i.e., Fajr) and 'Ishā' (late evening) Šalāt (prayers), they would present themselves for the Šalāt (prayers) even if they had to crawl to reach there." (See H. 615)
boat. The people of the upper part came and asked him, (saying), 'What is wrong with you?' He replied, 'You have been troubled much by me (coming up to you), and I have to get water.' Now, if they prevent him from doing that they will save him and themselves, but if they leave him (to do what he wants), they will destroy him and themselves.'

(See H. 2493)

2687. Narrated Umm Al-'Alâ that when the Ansâr drew lots as to which of the emigrants should dwell with which of the Ansâr, the name of ‘Uthmân bin Maz‘un came out (to be in their lot). Umm Al-‘Alâ further said, “‘Uthmân stayed with us, and we nursed him when he got sick, but he died. We shrouded him in his clothes, and Allâh’s Messenger ﷺ came to our house and I said, (addressing the dead ‘Uthmân), ‘O Abu Assa‘îb! May Allâh be Merciful to you. I testify that Allâh has blessed you.’ The Prophet ﷺ said to me, ‘How do you know that Allâh has blessed him?’ I replied, ‘I do not know O Allâh’s Messenger! May my parents be sacrificed for you.’ Allâh’s Messenger ﷺ said, ‘As regards ‘Uthmân, by Allâh he has died and I really wish him every good, yet, by Allâh, although I am Allâh’s Messenger, I do not know what will be done to him.’” Umm Al-‘Alâ added, “By Allâh, I shall never attest the piety of anybody after him. And what Allâh’s Messenger ﷺ said made me sad.”

Umm Al-‘Alâ further said, “Once I slept and saw in a dream, a flowing stream for ‘Uthmân. So, I went to Allâh’s Messenger ﷺ and told him about it, he said, ‘That is (the symbol of) his (good) deeds.’”

(1) (H. 2686) This means that one should not only avoid violating Allâh’s limits but should prevent others from doing so; otherwise the whole society gets corrupted and the good and the evil people are destroyed without discrimination.
(30) CHAPTER. Drawing lots to solve problems.

And the Statement of Allāh:

"...When they cast lots with their pens as to which of them should be charged with the care of Maryam (Mary)...." (V.3:44)

Ibn ‘Abbās (explaining the Verse) said, "They drew lots (by throwing their pens in the river); the pens went along the stream except Zakariyā’s pen which stood stationary against the flow of the stream, and so Zakariyā was charged with the care of Maryam."

Allāh also said, "Fasāhama! He (Prophet Jonah عليه السلام) (agreed to) cast lots, and he was among the losers," means, "the lot fell on him". (V.37:141)

Narrated Abū Hurairah ﺭضیULLAH عنه: "The Prophet ﷺ ordered some people to take an oath, and all of them hurried to take it, but he ordered that lots be cast as to which of them should take the oath (first)."

2686. Narrated An-Nu'mān bin Bashir ﺭضیULLAH عنه: The Prophet ﷺ said, "The example of the person abiding by Allāh’s Orders and Limits (or the one who abides by the limits and regulations prescribed by Allāh) in comparison to the one who do wrong and violate Allāh’s Limits and orders is like the example of people drawing lots for seats in a boat. Some of them got seats in the upper part while the others in the lower part; those in the lower part have to pass by those in the upper one to get water, and that troubled the latter. One of them (i.e., the people in the lower part) took an axe and started making a hole in the bottom of the
CHAPTER 29. ‘Al-Mushrikūn (idolaters, polytheists, and pagans) should not be asked to give witness or the like (i.e., their witnesses are not acceptable).

Ash-Sha'bī said, “The witnesses of the people of the different religions against one another is not valid, (1) as Allāh j.-i says:

‘So, We planted amongst them enmity and hatred...” (V.5:14)

Abū Hurairah رضي الله عنّه said, “The Prophet ﷺ said, ‘Neither believe the people of the Scriptures, nor disbelieve them, but say: We believe in Allāh and whatever was revealed by Him.’”

2685. Narrated ‘Ubaidullah bin ‘Abdullāh bin ‘Utba: Ibn ‘Abbās رضي الله عنّه said, “O assembly of Muslims! How do you ask the people of the Scriptures, though your Book (i.e., the Qur’ān) which was revealed to His Prophet ﷺ is the most recent information from Allāh and you recite it, (the Qur’ān) that has not been distorted? Allāh has informed you that the people of the Scriptures distorted and changed what was revealed to them, with their own hands and they said (as regards their changed Scriptures): ‘This is from Allāh,’ in order to get some worldly benefit thereby.” Ibn Abbās added, “Isn’t the knowledge revealed to you sufficient to prevent you from asking them? By Allāh, I have never seen any one of them asking you (Muslims) about what has been revealed to you.”

(1) (Ch. 29) Al-Hasan and some other scholars say that the witness of somebody against someone belonging to another religion, is not valid, but it is valid if the two persons belong to the same religion. Ash-Sha’bī permits the witness of Muslims in cases involving non-Muslims.
to be dishonest,
(3) Whenever he promises, he breaks his promise.” (See H. 33)

2683. Narrated Muhammad bin ‘Alî: Jábir bin ‘Abdullåh said, “When the Prophet ã died, Abû Bakr received some property from Al-‘Alã bin Al-Hadrami. Abû Bakr said to the people, ‘Whoever has a money claim on the Prophet ã or was promised something by him, should come to us (so that we may pay him his right).’” Jábir added, “I said (to Abû Bakr), ‘Allåh’s Messenger ã promised me that he would give me this much, and this much, and this much (spreading his hands three times).’” Jábir added, “Abû Bakr counted for me and handed me five hundred (gold pieces), and then five hundred, and then five hundred.”

2684. Narrated Sa‘îd bin Jubair: A Jew from Hîra asked me which one of the two periods Mûsa (i.e., Prophet Moses صلی اللہ علیہ وسلم) completed. I said, “I don’t know, (but wait) till I see the most learned Arab and enquire him about it.” So, I went to Ibn ‘Abbås and asked him. He replied, “Mûsa completed the longer and better period.” Ibn ‘Abbås added, “No doubt, a Messenger of Allåh always does what he says.”
(28) CHAPTER. Whoever sees that promises should be fulfilled.

Al-Hasan supported this judgement. (Allah says:)

“And mention in the Book (the Qur'an) Isma'il (Ishmael): Verily! He was true to what he promised.” (V.19:54)

Ibn Al-Ashwa' judged that promises should be fulfilled, and he mentioned that Samura adopted the same opinion.

Narrated Al-Miswar bin Makhrama: I heard the Prophet saying: (about one of his sons-in-law), “He promised me and fulfilled his promise.” Narrated Abu 'Abdulläh (Al-Bukhari): I saw Ishâq bin Ibrahim depending on Ibn Ashwa’s narration in giving verdicts.

2681. Narrated 'Abdulläh bin 'Abbas: Abu Sufyan told me that Heraclius said to him, “When I enquired you what he (i.e., Muhammad) ordered you, you replied that he ordered you to establish the Salât (prayer), to speak the truth, to be chaste, to keep promises and to pay back trusts.” Then Heraclius added, “These are really the qualities of a Prophet.” (See H. 7)

2682. Narrated Abu Hurairah: Allâh’s Messenger said, “The signs of a hypocrite are three:

(1) Whenever he speaks, he tells a lie,
(2) Whenever he is entrusted, he proves
during the month of Ramadan.” The man said, “Am I to fast any other days?” Allah’s Messenger ﷺ said, “No, unless you wish to observe the optional fast voluntarily.” Then Allah’s Messenger ﷺ told him about the compulsory Zakât. The man asked, “Do I have to give anything besides?” Allah’s Messenger ﷺ said, “No, unless you wish to give in charity voluntarily.” So, the man departed saying, “By Allah I will neither do more nor less than that.” Allah’s Messenger ﷺ said, “If he has said the truth he will be successful.” (See H. 46)

2679. Narrated ‘Abdullãh ﺞ: The Prophet ﷺ said, “Whoever has to take an oath should swear by Allah or keep quiet.”

(i.e., He should not swear by other than Allah.)

(27) CHAPTER. Whoever produces the proof after (the defendant) has taken the oath.

The Prophet ﷺ said, “Perhaps some of you are more eloquent and persuasive in presenting their arguments than their opponents.” Ţawûs, Ibrahim and Shuraih said, “A clear, just evidence (produced by the plaintiff) is more valid than a false oath (taken by the defendant).”

2680. Narrated Umm Salama ﺖ: Once Allah’s Messenger ﷺ said, “You people present your cases to me and some of you may be more eloquent and persuasive in presenting their arguments. So, if I give some one’s right to another (wrongly) because of the latter’s (tricky) presentation of the case, I am really giving him a piece of fire; so he should not take it.”
by revealing the Divine Verse:

‘Verily, those who purchase a small gain at the cost of Allâh’s Covenant and their oaths... (up to)... a painful torment’”

(V.3:77)

Al-Ash’ath met me and asked, “What did ‘Abdullâh tell you today?” I said, “Such and such.” He said, “The Verse was revealed regarding my case.”

(26) CHAPTER. How (and with what) to swear?

Allâh تعالى said:

“They swear by Allâh...” (V.9:56, 62, 74, 95).

And Allâh عزّ وجلّ said:

“...They come to you swearing by Allâh: ‘We meant no more than goodwill and conciliation’.” (V.4:62)

The expressions used in Arabic for ‘By Allâh’ are: Bil-lâhi, Tal-lâhi, Wal-lâhi.

The Prophet ﷺ said, “And a man who takes a false oath in the Name of Allâh after the ’Asr prayer. The Prophet ﷺ said, “One should not swear except by Allâh.”

2678. Narrated Talha bin ‘Ubaidullah رضي الله عنه: A man came to Allâh’s Messenger ﷺ asking him about Islâm, Allâh’s Messenger ﷺ said,

(1) “You have to offer five compulsory congregational Salât (prayers) in a day and a night (24 hours).” The man asked, “Are there any more compulsory Salât (prayers) for me?” Allâh’s Messenger ﷺ said, “No, unless you like to offer Nawâfil (i.e., optional Salât).” Allâh’s Messenger ﷺ then added,

(2) “You have to observe Saum (fasts)
(24) CHAPTER. If (some people have to take an oath) and each of them wants to take it first.

2674. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ asked some people to take an oath, and they hurried for it. The Prophet ﷺ ordered that lots should be drawn amongst them as to who would take the oath first.

(25) CHAPTER. The Statement of Allāh ﻪ︰

"Verily, those who purchase a small gain at the cost of Allāh's Covenant and their oaths, they shall have no portion in the Hereafter. Neither will Allāh speak to them, nor look at them on the Day of Resurrection nor will He purify them, and they shall have a painful torment." (V.3:77)

2675. Narrated ʿAbdullāh bin Abū Aufā رضي الله عنه: A man displayed some goods in the market and took a false oath that he had been offered so much for them, though he was not offered that amount. Then the following Divine Verse was revealed:

"Verily, those who purchase a small gain at the cost of Allāh's Covenant and their oaths." (V.3:77)

Ibn Abū Aufa added, "Such person as described above is a treacherous Rībā-eater (i.e., eater of usury)."

2676, 2677. Narrated Abū Wāʾil from ʿAbdullāh رضي الله عنه: The Prophet ﷺ said, "Whoever takes a false oath in order to grab another man's (or his brother's) property, then Allāh will be angry with him when he will meet Him." Then Allāh ﻪ confirmed this...
them (from the sins), and they shall have a painful torment. (They are):

1. A man possessed superfluous water on a way and he withheld it from the travellers,

2. A man who gives a Bai'a (pledge) to a Muslim ruler and gives it only for worldly gains. If the ruler gives him what he wants, he remains obedient to it, otherwise he does not abide by it, and

3. A man bargains with another man after the 'Aṣr prayer and the latter takes a false oath in the Name of Allah claiming that he has been offered so much for the thing and the former (believes him and) buys it.”

(23) CHAPTER. The defendant has to take an oath wherever it becomes legally compulsory, and it is not imperative to take him from his place to another place (i.e., a sacred place like a mosque) for this purpose.

Marwân ordered Zaid bin Thâbit to take an oath on the pulpit, but the latter said, “I will take an oath at my place,” and started taking the oath and refused to take it on pulpit. Marwân was surprised at his refusal. The Prophet ﷺ said to the plaintiff, “Produce your two witnesses, or else the defendant has to take an oath.” But he did not specify (where the oath was to be taken).

2673. Narrated Ibn Mas'ūd ﷺ: The Prophet ﷺ said, “Whoever takes a (false) oath in order to grab (others) property, then Allah will be angry with him when he will meet Him.”
Prophet said, ‘Whoever takes a false oath in order to grab (other’s) property, then Allah will be angry with him when he will meet Him. Then Allah revealed its confirmation. Al-Ash’ath then recited the above Divine Verse.” (V.3:77)

(21) CHAPTER. If someone claims something or accuses somebody of illegal sexual intercourse, he should search for the proof and he is to be given a respite to get an evidence.

2671. Narrated Ibn ‘Abbãs: Hilãl bin Umaiyya accused his wife before the Prophet of committing illegal sexual intercourse with Sharïk bin Sahma’. The Prophet said, “Produce a proof, or else you would get the legal punishment (by being lashed) on your back.” Hilãl said, “O Allah’s Messenger! If anyone of us saw another man over his wife, would he go to search for a proof?” The Prophet then went on saying, “Produce a proof or else you would get the legal punishment (by being lashed) on your back.” The Prophet then mentioned the narration of Li’ãn (as in the Holy Book). (Surat An-Nûr: No.24)

(22) CHAPTER. The taking of an oath after the ‘Asr prayer.

2672. Narrated Abû Hurairah: Allah’s Messenger said, “There are three types of people whom Allah will neither speak to them nor look at them nor purify

(1) (H. 2671) Literally, Li’ãn means cursing, legally it means an oath by which a husband claims that his wife has committed illegal sexual intercourse. The wife in her turn denies the accusation and takes a similar oath. In both oaths Allah is invoked to curse the liar. The case ends with divorce but no punishment is imposed on any of the two because there are no witnesses to confirm the accusation.
men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her...” (V.2:282)

I added, “If one witness and the oath of the plaintiff were sufficient, there would be no need for one of the two women to remind the other.”

2668. Narrated Ibn Abü Mulaika: Ibn Abās wrote that the Prophet ﷺ gave his verdict on the basis of the defendant’s oath.

2669, 2670. Narrated Abū Wā’il: ‘Abdullāh (bin Mas‘ūd رضي الله عنه) said, “Whoever takes a (false) oath in order to grab some property (unjustly), Allāh will be angry with him when he will meet Him. Allāh confirmed that through His Divine Revelation:

‘Verily, those who purchase a small gain at the cost of Allāh’s Covenant and their oaths... (up to)... a painful torment.’” (V.3:77)

Al-Ash‘ath bin Qais came to us and asked, ‘What is Abū ‘Abdur-Rahmān (i.e., ‘Abdullāh) telling you?’ We told him what he was narrating to us. He said, “He was telling the truth; this Divine Verse was revealed in connection with me. There was a dispute between me and another man about something and the case was presented before Allāh’s Messenger ﷺ who said, ‘Produce your two witnesses or else the defendant is to take an oath.’ I said, The defendant will surely take a (false) oath without heed.’ The
(19) CHAPTER. The question of the judge to the plaintiff, “Have you a proof?” before asking the defendant to take an oath.

2666, 2667. Narrated 'Abdullãh رضي الله عنه: Allãh’s Messenger ﷺ said, “If somebody takes a false oath in order to grab the property of a Muslim (unjustly) by that oath, then Allãh will be angry with him when he will meet Him.” Al-Ash’a th informing me, “By Allãh! This was said regarding me. There was a dispute about a piece of land between me and a man from the Jews who denied my right. I took him to the Prophet ﷺ. Allãh’s Messenger ﷺ asked me, ‘Do you have an evidence?’ I replied in the negative. He said to the Jew, ‘Take an oath.’ I said, ‘O Allãh’s Messenger! He will surely take an oath and take my property unjustly.’” So, Allãh revealed:

“Verily! those who purchase a small gain at the cost of Allãh’s Covenant and their oaths…” (V.3:77)

(20) CHAPTER. The defendant must take an oath in matters concerning property or legal punishments.

The Prophet ﷺ said, (that the plaintiff must have) “Two witnesses, otherwise (the defendant) should take the oath.” Ibn Shubruma said, “When Abû Az-Zinãd asked me my opinion about the verdict that one witness and the oath of the plaintiff are sufficient, I said, “Allãh stated:

‘...And get two witnesses out of your own...’

http://islamsbooks.wordpress.com/
referred to by the Statement of Allāh جل وجل:

“And those of your women as have passed the age of monthly courses, (up to) until they deliver (their burdens)…” (V.65:4)

Al-Ḥasan bin Ṣāliḥ said, “I saw a neighbouress of mine who became a grandmother at the age of twenty-one.”(1)

2664. Narrated Ibn ‘Umar  called me to present myself in front of him on the eve of the battle of Uhud, while I was fourteen years of age at that time, and he did not allow me to take part in that battle, but he called me in front of him on the eve of the battle of the Trench when I was fifteen years old, and he allowed me (to join the battle).” Nafi’ said, “I went to ‘Umar bin ‘Abdul Azīz who was caliph at that time and related the above narration to him. He said, “This age (fifteen) is the limit between childhood and manhood,” and wrote to his governors to give salaries to those who reached the age of fifteen.(2)

2665. Narrated Abū Sa‘īd Al-Khudrī رضي الله عنه. The Prophet ﷺ said, “Taking a bath on Friday is compulsory for those who have attained the age of puberty.”

(1) (Ch. 18) This woman attained puberty at the age of nine and married to give birth to a daughter at ten; the daughter had the same experience.

(2) (H. 2664) When a Muslim reached the age of fifteen, he was regarded as a soldier ready to carry arms when required; on this basis he was given a salary.
2662. Narrated Abu Bakra: A man praised another man in front of the Prophet ﷺ. The Prophet ﷺ said to him, “Woe to you, you have cut off your companion’s neck, you have cut off your companion’s neck,” repeating it several times and then added, “Whoever amongst you has to praise his brother should say, ‘I think that he is so-and-so, and Allah knows exactly the truth, and I do not confirm anybody’s good conduct before Allah, but I think him so-and-so,’ if he really knows what he says about him.”

(17) CHAPTER. What is hated of exaggeration in praising, and one should say only what he knows.

2663. Narrated Abu Musa Al-Ash’ari: The Prophet ﷺ heard someone praising another and exaggerating in his praise. The Prophet ﷺ said, “You have ruined or cut the man’s back (by praising him much).”

(18) CHAPTER. The boys attaining the age of puberty and the validity of their witness.

And the Statement of Allah ﷻ:

“And when the children among you come to puberty, then let them (also) ask for permission.” (V.24:59)

Al-Mughira said, “I attained puberty at the age of twelve.” The attaining of puberty by women is with the start of menses, as is
(16) CHAPTER. If only one man attests the (good) conduct of another, then it is sufficient.

Abû Jamila said, "I found a foundling, and when 'Umar saw me he said (what may mean), 'Perhaps what you intend to do will cause you trouble,' as if he was accusing me (of denying my paternity of the child and claiming falsely that he was a foundling). My monitor said, 'He is really a pious man.' 'Umar said to me, 'If it is so, then go (and be the child's guardian) and we will provide for it (from the Muslim's treasury)."

http://islamsbooks.wordpress.com/
slander (against ‘Āishah رضي الله عنها -- the wife of the Prophet ﷺ) are a group among you…” (V.24:11)

“When Allāh gave the declaration of my innocence, Abū Bakr, who used to provide for Mistah bin Athatha, for he was his relative, said, ‘By Allāh, I will never provide Mistah with anything because of what he said about ‘Āishah.’ But Allāh later revealed:

‘And let not those among you who are blessed with graces and wealth swear not to give (any sort of help) up to Oft-forgiving, Most-Merciful.’ (V.24:22)

“After that Abu Bakr said, ‘Yes! By Allāh! I like that Allāh should forgive me,’ and resumed helping Mistah whom he used to help before.”

‘Āishah added: “Allāh’s Messenger ﷺ also asked Zainab bint Jaḥš (i.e., the Prophet’s wife) about me saying, ‘What do you know and what did you see?’ She replied, ‘O Allāh’s Messenger! I refrain to claim hearing or seeing what I have not heard or seen. By Allāh, I know nothing except goodness about ‘Āishah.’ ‘Āishah further added, “Zainab was competing with me (in her beauty and the Prophet’s love), yet Allāh protected her (from being malicious), for she had piety.”
girl and did not have much knowledge of the Qur'an. I said, 'I know, by Allah, that you have listened to what people are saying and that has been planted in your minds and you have taken it as a truth. Now, if I told you that I am innocent, and Allah knows that I am innocent, you would not believe me, and if I confessed to you falsely that I am guilty, and Allah knows that I am innocent, you would believe me. By Allah, I cannot find for you and I, an example, except that of Yusuf's (Joseph's) father [i.e., Yaqüb (Jacob) who said, "... So, (for me) patience is most fitting. And it is Allah (Alone) Whose help can be sought against that (lie) which you describe." (V.12:18). Then I turned to the other side of my bed hoping that Allah would prove my innocence. By Allah, I never thought that Allah would reveal Divine Revelation in my case, as I considered myself too inferior to be talked of in the Qur'an. I had hoped that Allah's Messenger might have a dream in which Allah would prove my innocence. By Allah, Allah's Messenger had not got up and nobody had left the house before the Divine Revelation came to Allah's Messenger. So, there overtook him (i.e., the Prophet) the same state which used to overtake him, (when he used to have, on being inspired Divinely). He was sweating so much so that the drops of the sweat were dropping like pearls though it was a (cold) wintry day. When that state of Allah's Messenger was over, he was smiling and the first word he said, 'Aishah! Thank Allah, for Allah has declared your innocence.' My mother told me to go to Allah's Messenger. I replied, 'By Allah I will not go to him and will not thank but Allah.' So Allah revealed:

'Verily! Those who brought forth the
hypocrites.' On this, the two tribes of ‘Aūs and Khazraj got excited and were about to fight each other, while Allāh’s Messenger ﷺ was standing on the pulpit. He got down and quietened them till they became silent and he kept quiet. (‘Āishah Li continued:) On that day I kept on weeping so much so that neither did my tears stop, nor could I sleep.

In the morning my parents were with me and I had wept for two nights and a day, till I thought my liver would burst from weeping. While they were sitting with me and I was weeping, an Ansārī woman asked my permission to enter, and I allowed her to come in. She sat down and started weeping with me. While we were in this state, Allāh’s Messenger ﷺ came and sat down and he had never sat with me since the day they forged the accusation. No revelation regarding my case came to him for a month. He recited Shahādah (i.e., La ilāha illallah wa anna Muhammad-ar-Rasul Allāh—none has the right to be worshipped but Allāh, and Muhammad is Allāh’s Messenger) and then said, ‘O ‘Āishah! I have been informed such and such about you; if you are innocent, then Allāh will soon reveal your innocence, and if you have committed a sin, then repent to Allāh and ask Him to forgive you, for when a person confesses his sin and asks Allāh for forgiveness, Allāh accepts his repentance.’ When Allāh’s Messenger ﷺ finished his speech, my tears ceased completely and there remained not even a single drop of it. I requested my father to reply to Allah’s Messenger on my behalf. My father said, ‘By Allāh, I do not know what to say to Allāh’s Messenger ﷺ.’ I said to my mother, ‘Talk to Allāh’s Messenger ﷺ on my behalf.’ She said, ‘By Allāh, I do not know what to say to Allāh’s Messenger ﷺ.’ I was a young
added, ‘O Allah’s Messenger! Keep your wife, for, by Allah, we know nothing about her but good.’ ‘Ali bin Abi Talib said, ‘O Allah’s Messenger! Allah has not imposed restrictions on you, and there are many women other than she, yet you may ask the woman-servant who will tell you the truth.’ On that Allah’s Messenger called Barira and said, ‘O Barira! Did you ever see anything which roused your suspicions about her?’ Barira said, ‘No, by Allah. Who has sent you with the Truth, I have never seen in her anything faulty except that she is a girl of immature age, who sometimes sleeps and leaves the dough for the goats to eat.’ On that day Allah’s Messenger ascended the pulpit and requested that somebody support him in punishing ‘Abdullâh bin Ubai bin Salûl. Allah’s Messenger said, ‘Who will support me to punish that person (‘Abdullâh bin Ubai bin Salûl) who has hurt me by slandering the reputation of my family? By Allah, I know nothing about my family but good, and they have accused a person about whom I know nothing except good, and he never entered my house except in my company.’

Sa’d bin Mu‘âdh got up and said, ‘O Allah’s Messenger! By Allah, I will relieve you from him. If that man is from the tribe of the ‘Aûs, then we will chop his head off, and if he is from our brothers, the Khazraj, then order us, and we will fulfill your order.’ On that Sa’d bin ‘Ubada, chief of the Khazraj and before this incident, he had been a pious man, got up, motivated by his zeal for his tribe and said, ‘By Allah, you have told a lie; you cannot kill him, and you will never be able to kill him.’ On that Usaid bin Al-Hudair got up and said (to Sa’d bin ‘Ubada), ‘By Allah! you are a liar. By Allah, we will kill him; and you are a hypocrite, defending the
But he would come, greet and say, ‘How is that (girl)?’ I did not know anything of what was going on till I recovered from my ailment and went out with Umm Mistah to the Manâsi’ where we used to answer the call of nature, and we used not to go to answer the call of nature except from night to night and that was before we had lavatories near to our houses. And this habit of ours was similar to the habit of the old Arabs in the open country (or away from houses). So, I and Umm Mistah bin Ruhm went out walking. Umm Mistah stumbled because of her long dress and on that she said, ‘Let Mistah be ruined.’ I said, ‘You are saying a bad word. Why are you abusing a man who took part in (the battle of) Badr?’ She said, ‘O Hantâ (you there), didn’t you know what they said?’ Then she told me the rumours of the false accusers. My sickness was aggravated, and when I returned home, Allah’s Messenger came to me, and after greeting he said, ‘How is that (girl)?’ I requested him to allow me to go to my parents. I wanted then to be sure of the news through them. Allah’s Messenger allowed me, and I went to my parents and asked my mother, ‘What are the people talking about?’ She said, ‘O my daughter! Don’t worry much about this matter. By Allah, never is there a charming woman loved by her husband who has other wives, but the women would forge false news about her.’ I said, ‘Glorified is Allah! Are the people really talking of this matter?’ That night I kept on weeping and could not sleep till morning. (The subnarrator added:) In the morning Allah’s Messenger called ‘Ali bin Abî Ţâlib and Usâma bin Zaid, when he saw the Divine Revelation delayed, to consult them about divorcing his wife (i.e., ‘Aîshah). Usâma bin Zaid said what he knew of the good reputation of his wives and
returned to look for it and was delayed because of that. The people who used to carry me on the camel, came to my Hawdaj and put it on the back of the camel, thinking that I was in it, as, at that time, women were light in weight, and thin and lean, and did not use to eat much. So, those people did not feel the difference in the heaviness of the Hawdaj while lifting it, and they put it over the camel. At that time I was a young lady (less than 15 years old). They set the camel moving and proceeded on. I found my necklace after the army had gone, and came to their camp to find nobody. So, I went to the place where I used to stay, thinking that they would discover my absence and come back in my search. While in that state, I felt sleepy and slept. Safwān bin Mu‘āṭtal As-Sulāmī Adh-Dhakwānī was behind the army and reached my abode in the morning. When he saw a sleeping person, he came to me, and he had seen me before veiling. So, I got up when I heard him saying, ‘Inna lillahi wa inna ilaihi raji’un (Truly to Allah we belong and truly to Him we shall return)... (2:156).’ He made his camel kneel down. He got down from his camel, and put his leg on the front legs of the camel and then I rode and sat over it. Safwān set out walking, leading the camel by the rope till we reached the army who had halted to take rest at midday. Then whoever was meant for destruction, fell into destruction, (some people accused me falsely) and the leader of the false accusers was 'Abdullāh bin Ubāi bin Sa‘ūl. After that we returned to Al-Madīna, and I became ill for one month while the people were spreading the forged statements of the false accusers. I was feeling during my ailment as if I were not receiving the usual kindness from the Prophet sā which I used to receive from him when I got sick.
(14) CHAPTER. The witness of a wet nurse.

2660. Narrated ‘Uqba bin Al-Hārith: I married a woman and later on a woman came and said, “I suckled you both.” So, I went to the Prophet (to ask him about it). He said, “How can you (keep her as a wife) when it has been said (that you were foster brother and sister)? Leave (divorce) her.”

(15) CHAPTER. The women’s attesting the honourable record of each other.

2661. Narrated ‘Aishah, the wife of the Prophet: Whenever Allah’s Messenger intended to go on a journey, he would draw lots amongst his wives and would take with him the one upon whom the lot fell. During a Gha’wa of his, he drew lots amongst us and the lot fell upon me, and I proceeded with him after Allah had decreed the use of the veil by women. I was carried in a Hawdaj (on the camel) and dismounted while still in it. When Allah’s Messenger had finished his Gha’wa and returned home, we approached the city of Al-Madīna, Allah’s Messenger ordered us to proceed at night. When the order of setting off was given, I walked till I left the army (camp) behind to answer the call of nature. After finishing I returned (to the camp) to depart (with the others) and suddenly realized that my necklace over my chest was missing. So, I...
(12) CHAPTER. The witness of women.

And the Statement of Allâh تعالى:
"... And if there are not two men (available), then a man and two women..." (V.2:282)

2658.Narrated Abû Sa‘îd Al-Khudrî: The Prophet ﷺ said, “Isn’t the witness of a woman equal to half of that of a man?” The women said, “Yes.” He said, “This is because of the deficiency of a woman’s mind.”

(13) CHAPTER. The witness of male and female slaves.

Anas said, “The witness of a slave is to be trusted, provided he is a just, well-reputed man.” Shuraih and Zurara bin Aûfa considered it permissible. Ibn Sirîn considered the witness of a slave permissible except when in favour of his master. A. Ibn Jâsin and Ibrâhîm considered it permissible in minor matters. Shuraih said, “You are all the sons of slaves and slave-girls.”

2659. Narrated ‘Uqba bin Al-Ḥârîth that he had married Umm Yahyâ bint Abû Ihâb. He said. “A black slave-lady came and said, ‘I suckled you both.’ I then mentioned that to the Prophet ﷺ who turned his face aside.” Uqba further said, “I went to the other side and told the Prophet ﷺ about it. He said, ‘How can you (keep her as your wife) when the lady has said that she suckled both of you (i.e., you and your wife)?’” So, the Prophet ﷺ ordered him to divorce her.
2656. Narrated ‘Abdullah bin ‘Umar: The Prophet said, “Bilal pronounces the Adhân when it is still night (before dawn), so eat and drink till the next Adhân is pronounced (or till you hear Ibn Umm Maktûm’s Adhân).” Ibn Umm Maktûm was a blind man who would not pronounce the Adhân till he was told that it was dawn.

2657. Narrated Al-Miswar bin Makhrama: Some outer garments were presented to (or received by) the Prophet and my father (Makhrama) said to me, “Let us go to the Prophet so that he may give us something from the garments.” So, my father stood at the door and spoke. The Prophet recognized his voice and came out carrying a garment and telling Makhrama the good qualities of that garment, adding, “I have kept this for you, I have kept this for you.”
(11) CHAPTER. The witness of a blind man, his marriage, his affairs, the marriage conducted by him, and his buying and selling; and accepting his call for the ُسُلَات (prayer), etc., and what can be known by sound or voice.

Al-Qāsim, Al-Ḥasan, Ibn Sīrīn, Az-Zuhrī and ‘Atā permitted the witness of the blind. Ash-Sha’bī said, “The witness of a blind man is valid if he is intelligent and witty.” Al-Ḥakam said, “The witness of a blind man in certain things is to be accepted.” Az-Zuhri said, “Suppose Ibn ‘Abbās gave a witness against me, would you reject his witness?” Ibn ‘Abbās used to send a man to watch the sunset so that he might break his fast. He would ask about the dawn, and if he was informed that it was dawn, he would offer two Rakʿā prayer. Sulaiman bin Yasar said, “I asked ‘Aishah to admit me into her house, and she recognized my voice and said, ‘Sulaiman! Come in, as you are still a slave so long as you still owe part of the price of your manumission.’” Samura bin Jundab accepted the evidence of a veiled woman.

2655. Narrated ‘Aishah: The Prophet saw: The Prophet performed the ُتَاَحِيْجُد prayer in my house, and then he heard the voice of ‘Abbād who was offering ُسُلَات (prayer) in the mosque, and said, “O ‘Aishah! Is this ‘Abbād’s voice?” I said, “Yes.” He said, “O Allāh! Be Merciful to ‘Abbād!”

http://islamsbooks.wordpress.com/
Allah is All-Knower of what you do.”
(V.2:283)

“... And if you distort your witness
(V.4:135) means ‘distort your witness with
your tongues…”

2653. Narrated Anas رضي الله عنه: The
Prophet ﷺ was asked about the great sins,
He said, “They are:
(1) To join others in worship with Allâh,
(2) To be undutiful to one’s parents,
(3) To kill a person (which Allâh has
forbidden to kill) (i.e., to commit the crime
of murdering).
(4) And to give a false witness.”

2654. Narrated Abû Bakra ﷺ: The
Prophet ﷺ said thrice, “Should I inform you
about the greatest of the great sins?” They
said, “Yes, O Allah’s Messenger!” He said,
“(1) To join others in worship with Allâh
(2) and to be undutiful to one’s parents.”
The Prophet ﷺ then sat up after he had been
reclining (on a pillow) and said,
“(3) And I warn you against giving a lying
speech (false statement),” and he kept on
saying that warning till we thought he would
not stop.

[See Vol. 8, Hadîth No.5976]
and then those coming after [the second century (generation)].’” ‘Imran said, “I do not know whether the Prophet mentioned two or three centuries (generations) after your present century (generation). The Prophet added, ‘There will be some people after you, who will be dishonest and will not be trustworthy and will give witness (evidences) without being asked to give witness, and will vow but will not fulfil their vows, and fatness will appear among them’.”

2652. Narrated ‘Abdulläh: The Prophet said: “The best people are the people of my century (generation), then those coming after them, and then those coming after the latter. After that will come some people whose witness will precede their oaths, and their oaths will precede their witness.” Ibrāhim (a sub-narrator) said, “We used to be beaten for taking oaths by saying, ‘I bear witness by the Name of Alläh or by the Covenant of Alläh’.” (See H. 3651, 6429, 6658)

(10) CHAPTER. What has been said about false witness.

In respect of the Saying of Alläh, Alläh says:

“And those who do not bear witness to falsehood...” (V. 25:72)

What is said about hiding or concealing evidences, as Alläh says:

“... And conceal not the evidence for he, who hides it, surely his heart is sinful. And
2649. Narrated Zaid bin Khalid: Allah's Messenger ordered that an unmarried man who committed illegal sexual intercourse be scourged one hundred lashes and sent into exile for one year.

(9) CHAPTER. Do not be a witness for injustice, if asked for that.

2650. Narrated An-Nu‘mân bin Bashîr: My mother asked my father to present me a gift from his property; and he gave it to me after some hesitation. My mother said that she would not be satisfied unless the Prophet is made a witness to it. I being a young boy, my father held me by the hand and took me to the Prophet. He said to the Prophet, “His mother, bint Rawaba, requested me to give this boy a gift.” The Prophet said, “Do you have other sons besides him?” He said, “Yes.” The Prophet said, “Do not make me a witness for injustice.”

Narrated Ash-‘Sha’bi that the Prophet said, “I will not become a witness for injustice.”

2651. Narrated Zahdam bin Mudarrib: I heard ‘Imran bin Huain saying, “The Prophet said, ‘The best amongst you people are those living in my century (generation), then those coming after them,
but his (future) witness will be accepted.”

Ath-Thauri said, “If a slave is scourged (for falsely accusing others of illegal sexual intercourse) and later on he is manumitted, then his (future) witness is to be accepted. If somebody who has received such punishment is made a judge, his decisions will be valid.”

Some people said, “The witness of a false-accuser is not to be accepted even if he repented.” They added: “The marriage is not legal unless it is witnessed by two witnesses; it is permissible that the two witnesses can be those who have received such punishments, but the slaves are not to be accepted as witnesses to marriage.” He accepts the witness of the person who has received the punishment (for falsely accusing others of illegal sexual intercourse) and the witness of a male slave and a female slave concerning the appearance of the new moon (i.e., crescent) (of the month of fasting etc.).

How to know the repentance of a person who has received the punishment of false accusation and no doubt, the Prophet kept an adulterer in exile for one year. The Prophet did not allow anybody to talk to Ka'b bin Malik and his two companions for fifty days.

2648. Narrated ‘Urwa bin Az-Zubair: A woman committed theft in the Ghazwa of the Conquest (of Makkah) and she was taken to the Prophet who ordered her hand to be cut off. ‘Aishah said, “Her repentance was perfect and she was married (later) and used to come to me (after that) and I would present her needs to Allāh’s Messenger.”
this (man)?" I replied, "My foster brother." He said, "O 'Aishah! Be sure about your foster brothers, as fostership is only valid if it takes place in the suckling period (before two years of age as the child sucks with hunger)."

(8) CHAPTER. The witness of a person falsely accusing somebody of illegal sexual intercourse and the witness of a thief or an adulterer.

The Statement of Allah j-k-b: "...And reject their testimony forever, they indeed are the Fasiqûn (liars, rebellious, disobedient to Allah). Except those who repent thereafter and do righteous deeds..." (V.24:4,5)

'Umar gave legal punishment of scourging to Abú Bakra, Shibl bin Ma'bad and Nāfî for accusing Al-Mughîra for illegal sexual intercourse falsely, and then they were made to repent and he said that whoever repented, his witness would be accepted (in the future). 'Abdullâh bin 'Utba,' Umar bin 'Abdul Azîz, Sa'id bin Jubair, Tâwûs, Mujâhid, Ash-Sha'bî, 'Ikrima, Az-Zuhîrî, Muhârib bin Dîthâr, Shuraîh and Mu'âwîya bin Qurra considered it permissible (i.e., the witness of the false accusers after being punished). Abu Az-Zinâd said, "Our verdict in Al-Madîna is that, if the false accuser (of others of illegal sexual intercourse) withdraws the accusation and repents, then his (future) witness is acceptable." Ash-Sha'bî and Qatâda said, "If he tells that he has told a lie, the legal punishment will be instituted against him,
2645. Narrated Ibn ‘Abbâs: The Prophet said about Ḥamza’s daughter, “I am not legally permitted to marry her, as foster suckling relations are treated like blood relations (in marital affairs). She is the daughter of my foster brother.”

2646. Narrated ‘Āishah, the wife of the Prophet: While the Prophet was with me (in my house), I heard a man asking Ḥafṣa’s permission to enter her house. ‘Āishah further said, “I said, ‘O Allah’s Messenger! I think the man is Ḥafṣa’s foster uncle.’” ‘Āishah added, “O Allah’s Messenger! There is a man asking the permission to enter your house.” Allah’s Messenger replied, “I think the man is Ḥafṣa’s foster uncle.” ‘Āishah said, “If so-and-so were living (i.e., her foster uncle) would he be allowed to visit me?” Allah’s Messenger said, “Yes, he would, as the foster suckling relations are treated like blood relations (in marital affairs).” [i.e., those things which are illegal because of blood relations are to be considered as illegal because of the corresponding foster suckling relations].

2647. Narrated ‘Āishah: Once the Prophet came to me while a man was in my house. He said, “O ‘Āishah! Who is
praised the deceased. 'Umar said, “It has been affirmed (Paradise).” Then a third funeral procession passed by and the people talked badly of the deceased. ‘Umar said, “It has been affirmed (Hell).” I asked ‘Umar, “O chief of the believers! What has been affirmed?” He said, “I have said what the Prophet ﷺ said. He ﷺ said, ‘Allāh will admit into Paradise any Muslim whose good character is attested by four persons.’ We asked the Prophet ﷺ, ‘If there were three witnesses only?’ He said, ‘Even three.’ We asked, ‘If there were two only?’ He said, ‘Even two.’ But we did not ask him about one witness.”

(7) CHAPTER. To give witness concerning lineage, foster suckling relations and dead persons, who died long before.

The Prophet ﷺ said, “I and Abū Salama were suckled by Thuwaiba.”

The necessity of being sure of the witness in such cases.

2644. Narrated ‘Āishah ﷺ: Aflah asked the permission to visit me but I did not allow him. He said, “Do you veil yourself before me although I am your uncle?” ‘Āishah said, “How is that?” Aflah replied, “You were suckled by my brother’s wife with my brother’s milk.” I asked Allāh’s Messenger ﷺ about it, and he said, “Aflah is right, so permit him to visit you.”
you practise publicly, so we will trust and favour the one who does good deeds in front of us, and we will not call him to account about what he is really doing in secret, for Allāh will judge him for that; but we will not trust or believe the one who presents to us with an evil deed even if he claims that his intentions were good.

(6) CHAPTER. How many witnesses are sufficient to attest one’s good or bad record?

2642. Narrated Anas: A funeral procession passed in front of the Prophet and the people praised the deceased. The Prophet said, “It has been affirmed (Paradise).” Then another funeral procession passed by and the people talked badly of the deceased. The Prophet said, “It has been affirmed (Hell).” Allāh’s Messenger was asked, “O Allāh’s Messenger! You said it has been affirmed for both?” The Prophet said, “The testimony of the people (is accepted), (for) the believers are Allāh’s witnesses on the earth.”

2643. Narrated Abū Al-Aswad: Once I went to Al-Madīna and at that time there was an outbreak of disease and the people were dying rapidly. I was sitting with ‘Umar and a funeral procession passed by. The people praised the deceased. ‘Umar said, “It has been affirmed (Paradise).” Then another funeral procession passed by. The people
(prayer) inside the Ka'bah while Al-Faḍl said that he had not offered ʿṣalāt, so the people accepted Bilāl's assertion. Similarly, if two persons give witness that such a person owes another one thousand Dirham, but two other witnesses state that he owes him one thousand and five hundred Dirham then the judgement will be based on the higher amount.

2640. Narrated ʿAbdullāh bin Abū Mulaika from ʿUqba bin Al-Ḥārith: ʿUqba married the daughter of Abū Iḥāb bin ʿAzīz, and then a woman came and said, “I suckled ʿUqba and his wife.” ʿUqba said to her, “I do not know that you have suckled me, and you did not inform me.” He then sent someone to the house of Abū Iḥāb to enquire about that but they did not know that she had suckled their daughter. Then ʿUqba went to the Prophet ʿs in Al-Madina and asked him about it. The Prophet ʿs said to him, “How (can you keep your wife) after it has been said (that both of you were suckled by the same woman)?” So, he divorced her and she was married to another man.

(5) CHAPTER. The just witnesses. And the Statement of Allāh (عَزَّ وَجَلَّ):

“... such as you agree for witnesses…” (V.65:2)

(V.2:282)

2641. Narrated ʿUmar bin Al-Khaṭṭāb ʿr: People were (sometimes) judged by the revealing of a Divine Revelation during the lifetime of Allāh’s Messenger ʿs, but now there is no longer any more (new revelation). Now, we judge you by the deeds...
would have revealed his reality.”

[See Vol. 4, Hadith No. 3055, 3056, for details]

2639. Narrated 'Aishah: The wife of Rifā'ā Al-Qurazī came to the Prophet ﷺ and said, “I was Rifā'ā's wife, but he divorced me and it was a final irrevocable divorce. Then I married 'Abdur-Rahmān bin Az-Zubair but he is impotent.” The Prophet ﷺ asked her, “Do you want to re-marry Rifā'ā? You cannot, unless you enjoy a complete sexual relation with your present husband and he enjoys a complete sexual relation with you.” Abū Bakr was sitting with Allāh's Messenger ﷺ and Khālid bin Sa'id bin Al-'Āṣ was at the door waiting to be admitted. He said, “O Abū Bakr! Do you hear what this (woman) is revealing frankly before the Prophet ﷺ?”

(4) CHAPTER. When a witness or witnesses give an evidence.

And some people say that they do not know such an evidence, then the case will be decided according to the statement of the witnesses. A-Ḥumaidi said, “This (judgement) was adopted when Bilāl said that the Prophet ﷺ had offered Salāt
harmed me by defaming the reputation of my family? By Allâh, I have not known about my family anything except good, and they mentioned (i.e., accused) a man about whom I did not know anything except good.”

2638. Narrated ‘Abdullâh bin ‘Umar: Allâh’s Messenger and Uba‘î bin Ka‘b Al-Ansârî went to the garden where Ibn Saiyyâd used to live. When Allâh’s Messenger entered (the garden), he (i.e., Allâh’s Messenger) started hiding himself behind the date-palms as he wanted to hear secretly the talk of Ibn Saiyyâd before the latter saw him. Ibn Saiyyâd wrapped with a soft decorated sheet was lying on his bed murmuring. Ibn Saiyyâd’s mother saw the Prophet hiding behind the stems of the date-palms. She addressed Ibn Saiyyâd saying, “O Saf, this is Muhammad.” Hearing that Ibn Saiyyâd stopped murmuring (or got cautious), the Prophet said, “If she had left him undisturbed, he

http://islamsbooks.wordpress.com/
52 – THE BOOK OF WITNESSES

(1) CHAPTER. What is said regarding the rule that the plaintiff has to produce a proof.

The Statement of Allah:

“O you who believe! When you contract a debt for a fixed period, write it down…”

(V.2:282)

And the Statement of Allah:

“O you who believe! Stand out firmly for justice, as witnesses to Allah...”

(to the end of the verse)

(Ever Well-Acquainted with what you do.)

(V.4:135)

(2) CHAPTER. If a person attests the honourable record of a witness by saying, “I do not know except good about him.”

In the narration of the forged story (i.e., the accusation of ‘Aishah by Usāma) when the Prophet consulted Usāma (regarding ‘Aishah), Usāma said, “Keep your wife, as we know nothing about her except good.”

2637. Narrated ‘Urwa bin Al-Musaiyab, ‘Alqama bin Waqqās and ‘Ubaidullah bin ‘Abdullāh about the story of ‘Aishah and their narrations were similar attesting each other, when the liars said what they invented about ‘Aishah, and the Divine Revelation was delayed, Allāh’s Messenger sent for ‘Ali and Usāma to consult them in divorcing his wife (i.e., ‘Aishah). Usāma said, “Keep your wife, as we know nothing about her except good.”

Barira said, “I cannot accuse her of any defect except that she is still a young girl who sleeps, neglecting her family’s dough which the domestic goats come to eat (i.e., she was too simple-minded to deceive her husband).”

Allāh’s Messenger said, “Who can help me to take revenge over the man who has...

http://islamsbooks.wordpress.com/
2635. Narrated Abū Hurairah: Allah's Messenger said, “The Prophet Ibrāhīm (Abraham) migrated with Sārah. The people of the town where they migrated gave her Ājar (i.e., Ḥajar). Sārah returned and said to Ibrāhīm, “Do you know that Allah has humiliated that disbeliever and he has given a slave-girl for my service?”

2636. Narrated ‘Umar bin Al-Khaṭṭāb: Once I gave a horse (for riding) in Allah's Cause. Later, I saw it being sold. I asked Allah's Messenger (whether I could buy it). He said, “Don't buy it, for you should not get back what you have given in charity.”

(37) CHAPTER. If somebody gives another person a horse (as a gift) then the rule is the same as that concerning the ‘Umra or Ṣadaqa (i.e., the giver has no right to claim restitution).

Some people said, “The giver retains the right to claim restitution.”

[Reference: [Link] ]
bedouin came to the Prophet and asked him about emigration. The Prophet said to him, "May Allah be Merciful to you. The matter of emigration is difficult. Have you got some camels?" He replied in the affirmative. The Prophet asked him, "Do you pay their Zakāt?" He replied in the affirmative. He asked, "Do you lend (give) some of them to others (as gratis) so that their milk may be utilized by others?" The bedouin said, "Yes." The Prophet asked, "Do you milk them on the day of watering them?" He replied, "Yes." The Prophet said, "Do good deeds beyond the merchants (or the sea) and Allah will never disregard any of your deeds." (See Hadith No.3923, Vol.5)

2634. Narrated Tāwūs that he was told by the most learned one amongst them, i.e., Ibn ‘Abbās,  that the Prophet went towards some land which was flourishing with vegetation and asked to whom it belonged. He was told that such and such a person took it on rent. The Prophet said, "If he had given it to him gratis rather than charging him a fixed rent."

(36) CHAPTER. It is permissible if somebody says, "I give this slave-girl to you for your service according to the prevalent convention known amongst the people."

Some people said, "She is regarded as something lent temporarily, but if someone says, 'I give you this garment to wear,' then it is a gift."
2631. Narrated ‘Abdullâh bin ‘Amr : That Allâh’s Messenger ﷺ said, “There are forty good qualities (virtuous deeds) and the best of them is the Manîha of a she-goat; and anyone who does one of these virtuous deeds, hoping for Allâh’s Reward with firm confidence that he will get it, then Allâh will make him enter Paradise because of it.”

Hassan (a subnarrator) said, “We tried to count those good deeds below the Manîha; we mentioned replying to the sneezer, removing harmful things from the road, etc., but we failed to count even fifteen.”

2632. Narrated Jâbir : Some men had excess land (more than they can cultivate themselves) and they said that they would give it to others to cultivate on the condition that they would get one-third or one-fourth or half of its yield. The Prophet ﷺ said “Whoever has land should cultivate it himself or give it free to his brother for cultivation, but if his brother refuses then he should or keep it uncultivated.”(1)

2633. Narrated Abû Sa‘îd : A man said, “Whoever has land should cultivate it himself or give it free to his brother for cultivation, but if his brother refuses then he should or keep it uncultivated.”

(1) (H. 2632) It is said that to rent the land for its yield was not allowed by the Prophet but to rent it for money was allowed. [See Hadîth No. 2346]
given birth and which gives profuse milk) is, and (what a good Maniha) (the sheep which gives profuse milk, a bowl in the morning and another in the evening) is!"

Narrated Mālik: Maniha is a good deed of charity.

2630. Narrated Ibn Shihāb Az-Zuhri: Anas bin Mālik said, “When the emigrants came to Al-Madīnah from Makkah they had nothing, whereas the Ansār had land and property. The Ansār gave them their land on condition that the emigrants would give them half the yearly yield and work on the land and provide the necessaries for cultivation.” His (i.e., Anas’) mother, who was also the mother of ‘Abdullāh bin Abū Talība, gave some date-palms to Allah’s Messenger who gave them to his freed slave-girl (Umm Aiman) who was also the mother of Usāma bin Zaid. When the Prophet finished from the fighting against the people of Khaibar and returned to Al-Madīnah, the emigrants returned to the Ansār the fruit gifts which the Ansār had given them. The Prophet also returned to Anas’ mother the date-palms. Allah’s Messenger gave Umm Aiman other trees from his garden in lieu of the old gift.